

**COMMITTEE OF CONFERENCE
COMPARISON OF HB 2 SECTIONS
SENATE PASSED VS HOUSE PASSED**

**LBAO
06/04/09**

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150	144	93	New Section; Outdoor Advertising; Liquor Stores.		
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N/A	151	95-96	Committee to Study the Transfer of Liquor Enforcement Functions to the Department of Safety.		

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174	N/A	101	Federal Fiscal Stabilization Funds for Deposit into the Education Trust Fund.		
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N/A	160-166	108-110	New Paragraph; Department of Corrections; Internal Organizational Units. / New Paragraph; Commissioner and Other Department Officials; Appointment. / Department of Corrections; Qualifications and Compensation of Certain Officials. / Department of Corrections; Qualifications and Compensation of Certain Officials. / Department of Corrections; Status in Retirement System. / Compensation of Certain State Officers; Salaries Established. / Department of Corrections; Director of Community Corrections.		
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N/A	192	122	Continuation of Executive Orders.		
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N/A	206	126	Board of Tax and Land Appeals; Requirements for Caseload and Efficiencies Analysis Report.		
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N/A	208	127	Operating Budget; Transfer of Dedicated Funds.		
N/A	209-221	127-159	New Chapter; Video Lottery Machines. / New Section; Lottery Commission; Administration of Video Lottery. / New Sections; Department of Safety; Gaming Enforcement Unit Established. / New Section; Racing and Charitable Gaming Commission; Duties. / License Restricted. / Restriction on Gambling. / New Paragraph; Pari-Mutuel Licensee; Cocktail Lounge License. / New Subparagraph; Authorized Video Lottery Machines. / Rehabilitation of Problem Gaming. / Rehabilitation of Problem Gaming. / Problem Gaming Added. / Problem Gaming Added. / Acceptance of Grants; Treatment of Problem Gamers.		
N/A	222	159	Department of Revenue Administration. Additional Revenues from Existing State Taxes.		
N/A	223	159	Recording Surcharge.		
N/A	224	159	New Section; Pease Development Authority; Payments for Centralized Business Services.		
N/A	225-229	159-160	Committee Established. / Membership and Compensation. / Duties. / Chairperson. / Report.		
N/A	230-242	160-167	Prohibition on Dispositions of Interests in Subdivisions. / Public Offering Statement. / Penalties. / Land Sales Full Disclosure Act; Enforcement. / Repeals. / Condominium Act; Application; Reference Deleted. / Condominium Act; Administration; Enforcement. / Limitations on Dispositions of Units. / Public Offering Statement. / Conversion Condominium; Special Provisions. / Escrow of Deposits. / Penalties. / Repeals.		
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N/A	245-251	168-172	New Section; Department of Transportation; Division of Turnpikes and Interstates. / Department of Transportation; Transition Provisions; Report. / New Section; Turnpike System; Aggregation and Funding. / Department of Transportation; Division of Operations. / Turnpike System; Electronic Toll Criteria. / Department of Safety; Motor Vehicle Registration Fees Increased. / Department of Safety; Motor Vehicle Registration Fees Increased.		
197	252	172	Effective Date.		

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1 New Hampshire Medical Malpractice Joint Underwriting Association; Transfer of Excess Surplus to General Fund.

I. Notwithstanding any other provision of law, the New Hampshire Medical Malpractice Joint Underwriting Association (NHMMJUA), by and through its board of directors, and any person having responsibility and authority for the custody or investment of the assets of the NHMMJUA are hereby authorized and directed to transfer by June 30, 2009 the sum of \$50,000,000, and by June 30, 2010 the additional sum of \$30,000,000, and by June 30, 2011 the additional sum of \$30,000,000 from the Post-1985 Account to the general fund. This sum shall be used for the purpose of supporting programs that promote access to needed health care for underserved persons.

II. The general court hereby finds that the funds held in surplus by the NHMMJUA in the Post-1985 Account are significantly in excess of the amount reasonably required to support its obligations as determined by the insurance commissioner. The general court further finds that the purpose of promoting access to needed health care would be better served through a transfer of the excess surplus of the Post-1985 Account to the general fund.

III. Notwithstanding any other provision of law, no state officer, nor any person with responsibility and authority for the custody or investment of the assets of the NHMMJUA, nor any member of the board of directors of the NHMMJUA, nor any attorney, accountant, advisor, consultant, or actuary who shall have been employed or retained by or shall have advised such persons shall incur or suffer any liability by reason of actions taken pursuant to this section, except for fraudulent acts, acts taken in bad faith, or wanton or reckless misconduct.

IV. Notwithstanding any other provision of law, the state shall hold harmless, defend, and indemnify any state officer, any person with responsibility and authority for the custody or investment of the assets of the NHMMJUA, any member of the board of directors of the NHMMJUA, and any attorney, accountant, advisor, consultant, or actuary who shall have been employed or retained by or shall have advised such persons against any claim, demand, suit,

1 New Hampshire Medical Malpractice Joint Underwriting Association; Transfer of Excess Surplus to General Fund.

I. Notwithstanding any other provision of law, the New Hampshire Medical Malpractice Joint Underwriting Association (NHMMJUA), by and through its board of directors, and any person having responsibility and authority for the custody or investment of the assets of the NHMMJUA are hereby authorized and directed to transfer by June 30, 2009 the sum of \$50,000,000, and by June 30, 2010 the additional sum of \$30,000,000, and by June 30, 2011 the additional sum of \$30,000,000 from the Post-1985 Account to the general fund. This sum shall be used for the purpose of supporting programs that promote access to needed health care for underserved persons.

II. The general court hereby finds that the funds held in surplus by the NHMMJUA in the Post-1985 Account are significantly in excess of the amount reasonably required to support its obligations as determined by the insurance commissioner. The general court further finds that the purpose of promoting access to needed health care would be better served through a transfer of the excess surplus of the Post-1985 Account to the general fund.

III. Notwithstanding any other provision of law, no state officer, nor any person with responsibility and authority for the custody or investment of the assets of the NHMMJUA, nor any member of the board of directors of the NHMMJUA, nor any attorney, accountant, advisor, consultant, or actuary who shall have been employed or retained by or shall have advised such persons shall incur or suffer any liability by reason of actions taken pursuant to this section, except for fraudulent acts, acts taken in bad faith, or wanton or reckless misconduct.

IV. Notwithstanding any other provision of law, the state shall hold harmless, defend, and indemnify any state officer, any person with responsibility and authority for the custody or investment of the assets of the NHMMJUA, any member of the board of directors of the NHMMJUA, and any attorney, accountant, advisor, consultant, or actuary who shall have been employed or retained by or shall have advised such persons against any claim, demand, suit,

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<p>action, proceeding, or judgment arising out of or in connection with any transaction pursuant to this section; provided that such person or entity shall, within 7 days after the date on which such person or entity is served with or receives actual notice of any writ, complaint, petition, process, notice, demand, claim, or pleading, give notice thereof in writing to the attorney general. Upon such notice the attorney general shall determine whether the acts complained of were committed within the scope of official duty for the state, and that such acts were not fraudulent, taken in bad faith, wanton, or reckless; and if so determined, the attorney general shall represent and defend such person or entity with respect to such claim or throughout such action, or shall retain outside counsel to represent or defend such person; and the state shall defray all costs of such representation or defense, to be paid from funds not otherwise appropriated. In such case the state shall also protect, indemnify, and hold harmless such person from any costs, damages, awards, judgments, or settlements arising therefrom, provided such person or entity cooperates fully with such representation or defense.</p>	<p>action, proceeding, or judgment arising out of or in connection with any transaction pursuant to this section; provided that such person or entity shall, within 7 days after the date on which such person or entity is served with or receives actual notice of any writ, complaint, petition, process, notice, demand, claim, or pleading, give notice thereof in writing to the attorney general. Upon such notice the attorney general shall determine whether the acts complained of were committed within the scope of official duty for the state, and that such acts were not fraudulent, taken in bad faith, wanton, or reckless; and if so determined, the attorney general shall represent and defend such person or entity with respect to such claim or throughout such action, or shall retain outside counsel to represent or defend such person; and the state shall defray all costs of such representation or defense, to be paid from funds not otherwise appropriated. In such case the state shall also protect, indemnify, and hold harmless such person from any costs, damages, awards, judgments, or settlements arising therefrom, provided such person or entity cooperates fully with such representation or defense.</p>
<p>2 Tobacco Tax; Rate Increased. Amend RSA 78:7 to read as follows: 78:7 Tax Imposed. A tax upon the retail consumer is hereby imposed at the rate of [\$1.33] \$1.68 for each package containing 20 cigarettes or at a rate proportional to such rate for packages containing more or less than 20 cigarettes, on all cigarettes sold at retail in this state. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the cigarettes in which such products usually are sold at retail. The word “package” as used in this section shall not include individual cigarettes. No tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States.</p>	<p>AMENDED BY THE SENATE 2 Tobacco Tax; Rate Increased. Amend RSA 78:7 to read as follows: 78:7 Tax Imposed. A tax upon the retail consumer is hereby imposed at the rate of [\$1.33] \$1.78 for each package containing 20 cigarettes or at a rate proportional to such rate for packages containing more or less than 20 cigarettes, on all cigarettes sold at retail in this state. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the cigarettes in which such products usually are sold at retail. The word “package” as used in this section shall not include individual cigarettes. No tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States.</p>
<p>3 Tobacco Tax; Applicability. Section 2 of this act shall apply to all persons licensed under RSA 78:2. Such persons shall inventory all taxable tobacco products in their possession and file a report of such inventory with the department of revenue administration on a form prescribed by the commissioner within 20 days after the effective date of this act. The tax rate effective July 1,</p>	<p>3 Tobacco Tax; Applicability. Section 2 of this act shall apply to all persons licensed under RSA 78:2. Such persons shall inventory all taxable tobacco products in their possession and file a report of such inventory with the department of revenue administration on a form prescribed by the commissioner within 20 days after the effective date of this act. The tax rate effective July 1,</p>

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<p>2009 shall apply to such inventory. The inventory form shall be treated as a tax return for the purpose of computing penalties under RSA 21-J.</p>	<p>2009 shall apply to such inventory. The inventory form shall be treated as a tax return for the purpose of computing penalties under RSA 21-J.</p>
<p>4 New Subdivision; Gambling Tax. Amend RSA 77 by inserting after section 37 the following new subdivision:</p> <p style="text-align: center;">Gambling Tax</p> <p>77:38 Definitions.</p> <p>I. “Gambling winnings” means any money distribution to winners of any gambling activity whether in-state or out-of-state including, but not limited to, bingo, lucky 7, sweepstakes, pari-mutuel, charitable gaming, casino gaming, internet gaming, or the equivalent.</p> <p>II. “Payor” means any individual or entity that pays gambling winnings.</p> <p>77:39 Registration.</p> <p>I. No payor shall pay out any gambling winnings without first registering with the department. The registration shall not be assignable and shall not be transferred. Any payor who fails to register as provided in this section shall be subject to the penalty provisions of RSA 21-J:39.</p> <p>II. Each payor shall apply for registration on a form designated by the commissioner. Applicants shall furnish the following:</p> <p>(a) Evidence acceptable to the commissioner of such applicant’s proper licensure and good standing with the appropriate licensing authority.</p> <p>(b) Social security number, or federal employment identification number, as applicable. The number furnished shall be the same number used to file any applicable business tax returns.</p> <p>(c) A declaration of any unpaid tax, interest, and penalty liability to the state. If none, such shall be stated.</p> <p>(d) Consent by each signatory on a license application for the department to conduct a credit check.</p>	<p>DELETED BY THE SENATE</p>

(e) Signatures. The application shall be signed under the pains and penalties of perjury by the applicant or applicants as attesting to the information provided in this paragraph and acknowledging each applicant’s personal liability for the payment of tax as provided under RSA 77:40. If the applicant is a business entity, every partner, member, or corporate officer shall sign the application.

(f) If a business entity, a copy of applicable articles of incorporation, limited liability company agreement, partnership agreement, franchise agreement, or other business document that clearly enumerates interest holders of such entity.

(g) Any other information that may be required by the commissioner.

III. Registrations shall expire one year from the original issue date, unless the business ceases operation, a change in ownership occurs to include changes in the interest holders of a business entity, or the license is revoked or suspended by the department prior to expiration of the license. The license shall be conspicuously posted in a public area upon the premises to which it relates.

IV. No applicant shall be registered or renewed if such person, or entity with which such person is affiliated, has any unpaid tax, interest, or penalty that has been assessed and finally determined to be due for any tax administered by the department.

V. No payor shall be issued an original registration if the issuance of such registration permits any person to circumvent or evade the payment of tax, interest, or penalties. The commissioner shall have the authority to request any additional information or documentation from an applicant to aid in his or her determination.

VI. Any change of information required in paragraph II, shall be reported by the registrant to the department on a form designated by the commissioner. All such changes shall be reported within 30 days and shall be accompanied by relevant documentation.

77:40 Tax Imposed. A tax is hereby imposed at a rate of 10 percent upon:

I. Any individual who is an inhabitant or resident of this state whose gambling winnings

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from any payor either in-state or out-of-state equals \$600 or more.

II. Any individual who is not a resident of this state whose gambling winnings from any in-state payor equals \$600 or more.

77:41 Withholding. Each payor operating in-state shall withhold the tax from the distribution of taxable gambling winnings to the winner. Within 10 days after the end of each month, the payor shall pay over such tax to the department accompanied by such form or return as determined by the commissioner. The payor shall keep books and records in a form acceptable to the department showing the amount of all taxes collected.

77:42 Returns and Payment of Tax by Individuals. Every resident who receives taxable gambling winnings from an out-of-state payor shall pay the tax imposed under this subdivision and file a return on or before the fifteenth day of the fourth month following the expiration of the tax year.

77:43 Nature of Tax; Penalties and Violations.

I. The tax imposed by this subdivision shall become state funds at the moment a payor distributes gambling winnings to the winner.

II. Any resident who fails to pay tax or file returns as required by RSA 77:42 shall be subject to failure to file penalties under RSA 21-J:31 and failure to pay penalties under RSA 21-J:33.

III. A payor who willfully fails to withhold and pay over in full said funds on or before the due date for filing returns under RSA 77:41 shall be guilty of:

(a) A violation for 2 offenses in any 12-month period.

(b) Theft by misapplication of property under RSA 637:10 for the third offense and every offense thereafter within any 12-month period.

77:44 Enforcement. An action may be brought by the commissioner in the name of the state to recover the amount of taxes, penalties, and interest due from the operator, if the action is brought within 3 years after the taxes, penalties, and interest are due. The action is returnable in

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<p>the county where the operator resides if he or she is a resident of the state; and if a nonresident, the action is returnable to the county of Merrimack. The limitation of 3 years in this section does not apply to a suit to collect taxes, penalties, interest, and costs when the operator filed a fraudulent return or failed to file a return when the return was due.</p> <p>77:45 Bonds; State Agency Cooperation.</p> <p>I. Any unpaid tax liability of a payor may be collected from any bond that a payor filed with the appropriate licensing authority or any other state agency.</p> <p>II. All state agencies shall cooperate and assist the department in the administration of the tax imposed under this subdivision.</p>	
<p>5 New Paragraph; Rulemaking. Amend RSA 21-J:13 by inserting after paragraph XII the following new paragraph:</p> <p>XIII. The collection of state taxes administered by the department under RSA 77:38 – RSA 77:45, including required forms, information, documentation, and fees.</p>	<p>DELETED BY THE SENATE</p>
<p>6 Repeal. RSA 284:21-r, relative to the exemption of sweepstakes prizes from taxation, is repealed.</p>	<p>DELETED BY THE SENATE</p>
<p>7 Meals and Rooms Tax; Rate Increased. Amend RSA 78-A:6 to read as follows</p> <p>78-A:6 Imposition of Tax.</p> <p>I. A tax of [8] 8.75 percent of the rent is imposed upon each occupancy.</p> <p>II. A tax is imposed on taxable meals based upon the charge therefor as follows:</p> <p>(a) Three cents for a charge between \$.36 and \$.37 inclusive;</p> <p>(b) Four cents for a charge between \$.38 and \$.50 inclusive;</p> <p>(c) Five cents for a charge between \$.51 and \$.62 inclusive;</p> <p>(d) Six cents for a charge between \$.63 and \$.75 inclusive;</p> <p>(e) Seven cents for a charge between \$.76 and \$.87 inclusive;</p> <p>(f) Eight cents for a charge between \$.88 and \$1.00 inclusive;</p> <p>(g) Eight and 3/4 percent of the charge for taxable meals over \$1.00, provided that</p>	<p>4 Meals and Rooms Tax; Rate Increased. Amend RSA 78-A:6 to read as follows:</p> <p>78-A:6 Imposition of Tax.</p> <p>I. A tax of [8] 8.75 percent of the rent is imposed upon each occupancy.</p> <p>II. A tax is imposed on taxable meals based upon the charge therefor as follows:</p> <p>(a) Three cents for a charge between \$.36 and \$.37 inclusive;</p> <p>(b) Four cents for a charge between \$.38 and \$.50 inclusive;</p> <p>(c) Five cents for a charge between \$.51 and \$.62 inclusive;</p> <p>(d) Six cents for a charge between \$.63 and \$.75 inclusive;</p> <p>(e) Seven cents for a charge between \$.76 and \$.87 inclusive;</p> <p>(f) Eight cents for a charge between \$.88 and \$1.00 inclusive;</p> <p>(g) Eight and 3/4 percent of the charge for taxable meals over \$1.00, provided that</p>

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<p>fractions of cents shall be rounded up to the next whole cent.</p> <p>II-a. A tax of [8] 8.75 percent is imposed upon the gross rental receipts of each rental.</p> <p>III. The operator shall collect the taxes imposed by this section and shall pay them over to the state as provided in this chapter.</p>	<p>fractions of cents shall be rounded up to the next whole cent.</p> <p>II-a. A tax of [8] 8.75 percent is imposed upon the gross rental receipts of each rental.</p> <p>III. The operator shall collect the taxes imposed by this section and shall pay them over to the state as provided in this chapter.</p>
<p>8 Meals and Rooms Tax; Distributions to Cities and Towns. Notwithstanding any provision of law, for each fiscal year of the biennium ending June 30, 2011, the state treasurer shall fund the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 78-A:26, I and II at no more than the fiscal year 2009 level of distribution.</p>	<p>5 Meals and Rooms Tax; Distributions to Cities and Towns. Notwithstanding any provision of law, for each fiscal year of the biennium ending June 30, 2011, the state treasurer shall fund the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 78-A:26, I and II at no more than the fiscal year 2009 level of distribution.</p>
<p>9 State Treasurer and State Accounts; Suspension of Revenue Sharing. Notwithstanding any provision of law, for the biennium ending June 30, 2011, the state treasurer shall suspend the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 31-A.</p>	<p>6 State Treasurer and State Accounts; Suspension of Revenue Sharing. Notwithstanding any provision of law, for the biennium ending June 30, 2011, the state treasurer shall suspend the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 31-A.</p>
<p>10 Contingent School Building Aid Transfer; Fiscal Year 2009. Amend 2008S, 1:8 to read as follows:</p> <p>1:8 Contingent School Building Aid Transfer; Fiscal Year 2009.</p> <p>I. [In the event of a general fund unreserved, undesignated deficit at the close of fiscal year 2009 as determined by the official audit performed pursuant to RSA 21 I:8, I(h),] The commissioner of administrative services shall transfer appropriation authority and expenditures from the general fund to the capital fund related to the school building aid program pursuant to 2007, 262, PAU 06-03-02-02-02, in an amount equal to [the lesser of:</p> <p>(a) \$40,000,000[-or</p> <p>(b) The unreserved, undesignated deficit in the general fund on June 30, 2009].</p> <p>II. The state treasurer is hereby authorized to borrow upon the credit of the state and may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A, in the amount transferred from the general fund to the capital fund for the school</p>	<p>7 Contingent School Building Aid Transfer; Fiscal Year 2009. Amend 2008S, 1:8 to read as follows:</p> <p>1:8 Contingent School Building Aid Transfer; Fiscal Year 2009.</p> <p>I. [In the event of a general fund unreserved, undesignated deficit at the close of fiscal year 2009 as determined by the official audit performed pursuant to RSA 21 I:8, I(h),] The commissioner of administrative services shall transfer appropriation authority and expenditures from the general fund to the capital fund related to the school building aid program pursuant to 2007, 262, PAU 06-03-02-02-02, in an amount equal to [the lesser of:</p> <p>(a) \$40,000,000[-or</p> <p>(b) The unreserved, undesignated deficit in the general fund on June 30, 2009].</p> <p>II. The state treasurer is hereby authorized to borrow upon the credit of the state and may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A, in the amount transferred from the general fund to the capital fund for the school</p>

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<p>building aid program as provided in paragraph I. Payments of principal and interest on the bonds and notes shall be made from the general fund.</p> <p>III. The bond authorization provided by paragraph II is intended to provide funds for a portion of the expenditure made in fiscal year 2009 pursuant to 2007, 262, PAU 06-03-02-02-02, for school building aid.</p>	<p>building aid program as provided in paragraph I. Payments of principal and interest on the bonds and notes shall be made from the general fund.</p> <p>III. The bond authorization provided by paragraph II is intended to provide funds for a portion of the expenditure made in fiscal year 2009 pursuant to 2007, 262, PAU 06-03-02-02-02, for school building aid.</p>
<p>11 Copies of Motor Vehicle Records; Fees. Amend RSA 260:15, II to read as follows:</p> <p>II. The department may issue a copy of any motor vehicle record upon the request of an insurance company or any other authorized agent, and <i>notwithstanding RSA 91-A shall require</i> payment by the insurance company or authorized agent of a fee of [\$8] <i>\$10.50 for email or other computer-generated requests where payment is debited against an account established with the department, or \$15 for all other requests</i>, which shall be deposited in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d. <i>Agreements for records made available to bulk data users shall continue to be negotiated as provided in RSA 260:14, XV(b).</i></p>	<p>AMENDED BY THE SENATE</p> <p>8 Copies of Motor Vehicle Records; Fees. Amend RSA 260:15, II to read as follows:</p> <p>II. The department may issue a copy of any motor vehicle record upon the request of an insurance company or any other authorized agent, and <i>notwithstanding RSA 91-A shall require</i> payment by the insurance company or authorized agent of a fee of [\$8] <i>\$12 for email or other computer-generated requests where payment is debited against an account established with the department, or \$15 for all other requests</i>, which shall be deposited in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>9 Motor Vehicle Record Fees. The provisions of section 8 of this act, relative to fees charged to insurance companies and authorized agents for copies of motor vehicle records, shall not affect fees charged by the department of safety under RSA 260:14, XIII or XV(b).</p>
<p>12 Fees Collected from Drivers. Amend RSA 263:42, II to read as follows:</p> <p>II. For every certified copy of a registration, license, or driving record, [\$10] <i>\$15</i>, except that the commissioner shall waive the fee for local, state, and federal law enforcement and criminal justice agencies requesting such information for investigative purposes and may, for good cause, waive the fee in cases involving other government agencies or the public defender if the commissioner determines that such a waiver is in the public interest.</p>	<p>10 Fees Collected from Drivers. Amend RSA 263:42, II to read as follows:</p> <p>II. For every certified copy of a registration, license, or driving record, [\$10] <i>\$15</i>, except that the commissioner shall waive the fee for local, state, and federal law enforcement and criminal justice agencies requesting such information for investigative purposes and may, for good cause, waive the fee in cases involving other government agencies or the public defender if the commissioner determines that such a waiver is in the public interest.</p>
<p>13 Department of Safety; Personnel Reallocations Authorized. For the biennium ending June 30, 2011, the commissioner of safety, whenever he or she deems it will improve the efficiency and effectiveness of the delivery of service within the department, may, with approval of the fiscal</p>	<p>11 Department of Safety; Personnel Reallocations Authorized. For the biennium ending June 30, 2011, the commissioner of safety, whenever he or she deems it will improve the efficiency and effectiveness of the delivery of service within the department, may, with approval of the fiscal</p>

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<p>committee of the general court and governor and council and further subject to approval of the position classifications by the director of personnel, eliminate certain personnel positions that may become vacant during the biennium and establish in their place other personnel positions from the same funding source, provided the cost of the new positions does not exceed the amounts budgeted for the positions being eliminated. The commissioner of safety shall submit reports on or before December 1, 2009, June 30, 2010, and December 1, 2010 to the chairmen of the house and senate executive departments and administration committees on any actions taken as a result of this authorization.</p>	<p>committee of the general court and governor and council and further subject to approval of the position classifications by the director of personnel, eliminate certain personnel positions that may become vacant during the biennium and establish in their place other personnel positions from the same funding source, provided the cost of the new positions does not exceed the amounts budgeted for the positions being eliminated. The commissioner of safety shall submit reports on or before December 1, 2009, June 30, 2010, and December 1, 2010 to the chairmen of the house and senate executive departments and administration committees on any actions taken as a result of this authorization.</p>
<p>14 Division of State Police; Transfers Authorized. Notwithstanding the provisions of RSA 9:16-a, RSA 9:17, RSA 9:17-a, and RSA 9:17-c, the commissioner of administrative services, upon the request of the commissioner of safety, is authorized to transfer within and among any and all components and class codes of the budget of the division of state police for the biennium ending June 30, 2011, regardless of funding source or mix, sufficient funds to cover overtime obligations for state police activities within the traffic bureau and detective bureau, witness fees, and the accompanying benefits. The total amount transferred shall not exceed \$300,000. When making the transfers, every effort shall be made to maintain the original funding sources for the amounts transferred.</p>	<p>12 Division of State Police; Transfers Authorized. Notwithstanding the provisions of RSA 9:16-a, RSA 9:17, RSA 9:17-a, and RSA 9:17-c, the commissioner of administrative services, upon the request of the commissioner of safety, is authorized to transfer within and among any and all components and class codes of the budget of the division of state police for the biennium ending June 30, 2011, regardless of funding source or mix, sufficient funds to cover overtime obligations for state police activities within the traffic bureau and detective bureau, witness fees, and the accompanying benefits. The total amount transferred shall not exceed \$300,000. When making the transfers, every effort shall be made to maintain the original funding sources for the amounts transferred.</p>
<p>15 Department of Health and Human Services; Authority to Fill Unfunded Positions. Notwithstanding any provision of law to the contrary, the commissioner of the department of health and human services may fill unfunded positions during the biennium ending June 30, 2011, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services, permanent, and personal services, unclassified.</p>	<p>13 Department of Health and Human Services; Authority to Fill Unfunded Positions. Notwithstanding any provision of law to the contrary, the commissioner of the department of health and human services may fill unfunded positions during the biennium ending June 30, 2011, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services, permanent, and personal services, unclassified.</p>
<p>16 Department of Health and Human Services; Department of Revenue Administration; Medical Assistance; Memorandum of Understanding.</p> <p>I. For the purpose of determining and reviewing eligibility for medical assistance pursuant to Titles XIX and XXI of the Social Security Act and eligibility for Temporary Assistance</p>	<p>14 Department of Health and Human Services; Department of Revenue Administration; Medical Assistance; Memorandum of Understanding.</p> <p>I. For the purpose of determining and reviewing eligibility for medical assistance pursuant to Titles XIX and XXI of the Social Security Act and eligibility for Temporary Assistance</p>

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to Needy Families (TANF), the commissioner of the department of health and human services (DHHS) and the commissioner of the department of revenue administration (DRA) shall renew the existing memorandum of understanding for the period of July 1, 2009 through June 30, 2011 under which:

(a) DHHS may supply DRA with financial information of applicants for and recipients of Titles XIX or XXI medical assistance, or TANF.

(b) DRA shall verify the accuracy of such financial information to the applicant or recipient and not to DHHS.

(c) DRA shall notify DHHS that the verification has been provided to the applicant or recipient.

(d) DHHS shall request the DRA verification be furnished to the DHHS by the applicant or recipient.

(e) DHHS shall comply with all applicable laws for timely case processing.

II. Nothing in this arrangement shall be construed to change the protections of confidentiality provided to individuals and information relating to them under applicable laws, and DRA and DHHS each shall at all times maintain the confidential nature of the records in its possession.

III. DHHS and DRA shall report annually to the fiscal committee of the general court on the benefits and costs of this program.

17 Department of Health and Human Services; Bureau of Behavioral Health; Mental Health Low Utilizers and Prior Authorization. For the biennium ending June 30, 2011, the department of health and human services shall maintain a limit on benefits of \$4,000 per person per year for adults with low service utilization of community mental health services, as identified in He-M 401.07; provided, that the department also shall establish, by rule under RSA 541-A, a procedure for such persons or community mental health providers to request a waiver of the \$4,000 limit based on legitimate treatment considerations.

to Needy Families (TANF), the commissioner of the department of health and human services (DHHS) and the commissioner of the department of revenue administration (DRA) shall renew the existing memorandum of understanding for the period of July 1, 2009 through June 30, 2011 under which:

(a) DHHS may supply DRA with financial information of applicants for and recipients of Titles XIX or XXI medical assistance, or TANF.

(b) DRA shall verify the accuracy of such financial information to the applicant or recipient and not to DHHS.

(c) DRA shall notify DHHS that the verification has been provided to the applicant or recipient.

(d) DHHS shall request the DRA verification be furnished to the DHHS by the applicant or recipient.

(e) DHHS shall comply with all applicable laws for timely case processing.

II. Nothing in this arrangement shall be construed to change the protections of confidentiality provided to individuals and information relating to them under applicable laws, and DRA and DHHS each shall at all times maintain the confidential nature of the records in its possession.

III. DHHS and DRA shall report annually to the fiscal committee of the general court on the benefits and costs of this program.

15 Department of Health and Human Services; Bureau of Behavioral Health; Mental Health Low Utilizers and Prior Authorization. For the biennium ending June 30, 2011, the department of health and human services shall maintain a limit on benefits of \$4,000 per person per year for adults with low service utilization of community mental health services, as identified in He-M 401.07; provided, that the department also shall establish, by rule under RSA 541-A, a procedure for such persons or community mental health providers to request a waiver of the \$4,000 limit based on legitimate treatment considerations.

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<p>18 Department of Health and Human Services; Bureau of Elderly and Adult Services; County Payment of Funds for Persons Eligible to Receive Nursing Home Services; Limitation on County Payments. Amend RSA 167:18-a, II to read as follows:</p> <p>II.(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years 2009-2010 2012:</p> <p>(1) State fiscal year 2009, \$103,000,000.</p> <p>(2) State fiscal year 2010, \$105,000,000.</p> <p>(3) State fiscal year 2011, \$105,000,000.</p> <p>(4) State fiscal year 2012, \$105,000,000.</p> <p>(b) The caps on total billings for fiscal years after fiscal year 2010 2012 shall be established by the legislature on a biennial basis.</p>	<p>AMENDED BY THE SENATE</p> <p>16 Department of Health and Human Services; Bureau of Elderly and Adult Services; County Payment of Funds for Persons Eligible to Receive Nursing Home Services; Limitation on County Payments. Amend RSA 167:18-a, II to read as follows:</p> <p>II.(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years 2009-2010 2012:</p> <p>(1) State fiscal year 2009, \$103,000,000.</p> <p>(2) State fiscal year 2010, \$105,000,000.</p> <p>(3) State fiscal year 2011, \$105,000,000.</p> <p>(4) State fiscal year 2012, \$105,000,000.</p> <p>(b) The caps on total billings for fiscal years after fiscal year 2010 2012 shall be established by the legislature [on a biennial basis].</p>
<p>19 Liquor Commission; Liquor Revenues to Alcohol Abuse Prevention and Treatment Fund Suspended. Notwithstanding RSA 176:16, II, for the biennium ending June 30, 2011, all gross revenue derived by the liquor commission from the sale of liquor and related products, or from license fees, shall be deposited into the state general fund.</p>	<p>AMENDED BY THE SENATE</p> <p>17 Liquor Commission; Liquor Revenues to Alcohol Abuse Prevention and Treatment Fund Suspended. Notwithstanding RSA 176:16, II, for the biennium ending June 30, 2011, all gross revenue derived by the liquor commission from the sale of liquor and related products, or from license fees, shall be deposited into the liquor commission fund.</p>
<p>20 Department of Health and Human Services; Direct Graduate Medical Education. The commissioner shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to cease 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 said state plan amendment, and as of the effective date of said state plan amendment, any obligations for payment of direct graduate medical education are terminated.</p>	<p>18 Department of Health and Human Services; Direct Graduate Medical Education. The commissioner shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to cease 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 said state plan amendment, and as of the effective date of said state plan amendment, any obligations for payment of direct graduate medical education are terminated.</p>
<p>21 New Paragraph; Department of Health and Human Services; State Children’s Health Insurance Program. Amend RSA 126-A:3 by inserting after paragraph VII the following new paragraph:</p>	<p>19 New Paragraph; Department of Health and Human Services; State Children’s Health Insurance Program. Amend RSA 126-A:3 by inserting after paragraph VII the following new paragraph:</p>

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<p>VIII. The commissioner shall submit a Title XXI state plan amendment and adopt administrative rules pursuant to RSA 541-A for the purposes of increasing the State Children’s Health Insurance (SCHIP) premiums. For SCHIP recipients with income 185-249 percent of federal poverty limits the premium increase shall be \$7 per month. For SCHIP recipients with income of 250-300 percent of current federal poverty limits the premium increase shall be \$9 per month. Such Title XXI state plan amendment and administrative rules may be done in conjunction with any premium related state plan amendment and rules necessary to implement changes occasioned by SCHIP contract reprocurement.</p>	<p>VIII. The commissioner shall submit a Title XXI state plan amendment and adopt administrative rules pursuant to RSA 541-A for the purposes of increasing the State Children’s Health Insurance (SCHIP) premiums. For SCHIP recipients with income 185-249 percent of federal poverty limits the premium increase shall be \$7 per month. For SCHIP recipients with income of 250-300 percent of current federal poverty limits the premium increase shall be \$9 per month. Such Title XXI state plan amendment and administrative rules may be done in conjunction with any premium related state plan amendment and rules necessary to implement changes occasioned by SCHIP contract reprocurement.</p>
<p>22 Department of Health and Human Services; Medicaid State Plan Amendment; Medicaid Provider Classification for Certain Critical Access Hospitals. The department of health and human services shall submit a state plan amendment for approval by the federal Centers of Medicare and Medicaid Services creating a Medicaid provider classification for critical access hospitals located in Coos and Grafton Counties to allow for differentiated reimbursement for maternity-related labor and delivery services to assure uninterrupted access to such services consistent with 42 C.F.R. section 447.253(b)(1)(ii)(C).</p>	<p>AMENDED BY THE SENATE</p> <p>20 Department of Health and Human Services; Medicaid State Plan Amendment; Medicaid Provider Classification for Certain Critical Access Hospitals. The department of health and human services shall submit a state plan amendment for approval by the federal Centers of Medicare and Medicaid Services creating a Medicaid provider classification for critical access hospitals located in Coos county to allow for differentiated reimbursement for maternity-related labor and delivery services to assure uninterrupted access to such services consistent with 42 C.F.R. section 447.253(b)(1)(ii)(C).</p>
<p>23 Department of Health and Human Services; Medical Home Pilot Program. The department of health and human services shall develop a Medical Home pilot program utilizing disease management funds available when the disease management contract ends and other such grant funds as may become available for this purpose. The department shall report to the health and human services oversight committee every 6 months commencing in October 2009 until the pilot concludes.</p>	<p>21 Department of Health and Human Services; Medical Home Pilot Program. The department of health and human services shall develop a medical home pilot program utilizing disease management funds available when the disease management contract ends and other such grant funds as may become available for this purpose. The department shall report to the health and human services oversight committee every 6 months commencing in October 2009 until the pilot concludes.</p>
<p>24 Repeal. RSA 126-A:4-d, relative to a Medicaid waiver to support the extension of Medicaid-allowable HIV/AIDS services, is repealed.</p>	<p>22 Repeal. RSA 126-A:4-d, relative to a Medicaid waiver to support the extension of Medicaid-allowable HIV/AIDS services, is repealed.</p>
<p>25 Department of Health and Human Services; Lead Poisoning Prevention Fund; Application of Receipts. Amend RSA 6:12, I(b)(51) to read as follows:</p>	<p>23 Department of Health and Human Services; Lead Poisoning Prevention Fund; Application of Receipts. Amend RSA 6:12, I(b)(51) to read as follows:</p>

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<p>(51) The [fees] <i>moneys</i> collected under RSA 130-A, which shall be credited to the lead poisoning prevention fund established in RSA 130-A:15.</p>	<p>(51) The [fees] <i>moneys</i> collected under RSA 130-A, which shall be credited to the lead poisoning prevention fund established in RSA 130-A:15.</p>																												
<p>26 Department of Health and Human Services; Unclassified Positions Established.</p> <p>I. The following positions are hereby established in the department of health and human services.</p> <table border="0"> <tr> <td>Department of health and human services</td> <td>chief pharmacist</td> </tr> <tr> <td>Department of health and human services</td> <td>pharmacist (1)</td> </tr> <tr> <td>Department of health and human services</td> <td>pharmacist (2)</td> </tr> <tr> <td>Department of health and human services</td> <td>pharmacist (3)</td> </tr> <tr> <td>Department of health and human services</td> <td>pharmacist (4)</td> </tr> <tr> <td>Department of health and human services</td> <td>pharmacist (5)</td> </tr> <tr> <td>Department of health and human services</td> <td>pharmacist (6)</td> </tr> </table> <p>II. The salary of these positions shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.</p> <p>III. The following classified positions are abolished as of June 30, 2009:</p> <p>chief pharmacist #15719 pharmacist #15704 pharmacist #15706 pharmacist #15741 pharmacist #15810 pharmacist #15831 pharmacist #16360</p>	Department of health and human services	chief pharmacist	Department of health and human services	pharmacist (1)	Department of health and human services	pharmacist (2)	Department of health and human services	pharmacist (3)	Department of health and human services	pharmacist (4)	Department of health and human services	pharmacist (5)	Department of health and human services	pharmacist (6)	<p>AMENDED BY THE SENATE</p> <p>24 Department of Health and Human Services; Unclassified Positions Established.</p> <p>I. The following positions are hereby established in the department of health and human services.</p> <table border="0"> <tr> <td>Department of health and human services</td> <td>chief pharmacist</td> </tr> <tr> <td>Department of health and human services</td> <td>pharmacist (1)</td> </tr> <tr> <td>Department of health and human services</td> <td>pharmacist (2)</td> </tr> <tr> <td>Department of health and human services</td> <td>pharmacist (3)</td> </tr> <tr> <td>Department of health and human services</td> <td>pharmacist (4)</td> </tr> <tr> <td>Department of health and human services</td> <td>pharmacist (5)</td> </tr> <tr> <td>Department of health and human services</td> <td>pharmacist (6)</td> </tr> </table> <p>II. The salary of these positions shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.</p> <p>III. The following classified positions are abolished no later than December 31, 2009 to allow for transition of these classified positions into the unclassified positions established by paragraph I:</p> <p>chief pharmacist #15719 pharmacist #15704 pharmacist #15706 pharmacist #15741 pharmacist #15810 pharmacist #15831 pharmacist #16360</p>	Department of health and human services	chief pharmacist	Department of health and human services	pharmacist (1)	Department of health and human services	pharmacist (2)	Department of health and human services	pharmacist (3)	Department of health and human services	pharmacist (4)	Department of health and human services	pharmacist (5)	Department of health and human services	pharmacist (6)
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	<p>IV. The incumbents in the classified positions abolished by paragraph III shall be offered the opportunity to transfer into the unclassified positions established by paragraph I.</p>
<p>27 Department of Health and Human Services; Services for Children, Youth and Families; Incentive Funds. Amend RSA 170-G:4, XVI to read as follows:</p> <p>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 [5 percent of the amount appropriated in fiscal year 1994 and not less than 6 percent in each fiscal year thereafter,] 4.5 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.</p>	<p>25 Department of Health and Human Services; Services for Children, Youth and Families; Incentive Funds. Amend RSA 170-G:4, XVI to read as follows:</p> <p>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 [5 percent of the amount appropriated in fiscal year 1994 and not less than 6 percent in each fiscal year thereafter,] 4.5 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.</p>
<p>28 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 ending June 30, 2011 shall be the rate in effect on June 30, 2009.</p>	<p>26 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 ending June 30, 2011 shall be the rate in effect on June 30, 2009.</p>
<p>29 Department of Health and Human Services; Delinquent Children; Accompanied Transportation. Amend RSA 169-B:40, I(b) to read as follows:</p> <p>(b) Subparagraph (a) shall not apply to expenses incurred for special education and related services, or to expenses incurred for evaluation, care, and treatment of the minor at the Philbrook center or to expenses incurred for the cost of accompanied transportation.</p>	<p>27 Department of Health and Human Services; Delinquent Children; Accompanied Transportation. Amend RSA 169-B:40, I(b) to read as follows:</p> <p>(b) Subparagraph (a) shall not apply to expenses incurred for special education and related services, or to expenses incurred for evaluation, care, and treatment of the minor at the Philbrook center or to expenses incurred for the cost of accompanied transportation.</p>
<p>30 Department of Health and Human Services; Child Protection Act; Accompanied Transportation. Amend RSA 169-C:27, I(b) to read as follows:</p>	<p>28 Department of Health and Human Services; Child Protection Act; Accompanied Transportation. Amend RSA 169-C:27, I(b) to read as follows:</p>

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<p>(b) Subparagraph (a) shall not apply to expenses incurred for special education and related services, or to expenses incurred for evaluation, care, and treatment of the child at the Philbrook center <i>or to expenses incurred for the cost of accompanied transportation.</i></p>	<p>(b) Subparagraph (a) shall not apply to expenses incurred for special education and related services, or to expenses incurred for evaluation, care, and treatment of the child at the Philbrook center <i>or to expenses incurred for the cost of accompanied transportation.</i></p>
<p>31 Department of Health and Human Services; Children in Need of Services; Accompanied Transportation. Amend RSA 169-D:29, I(b) to read as follows: (b) Subparagraph (a) shall not apply to expenses incurred for special education and related services, or to expenses incurred for evaluation, care, and treatment of the child at the Philbrook center <i>or to expenses incurred for the cost of accompanied transportation.</i></p>	<p>29 Department of Health and Human Services; Children in Need of Services; Accompanied Transportation. Amend RSA 169-D:29, I(b) to read as follows: (b) Subparagraph (a) shall not apply to expenses incurred for special education and related services, or to expenses incurred for evaluation, care, and treatment of the child at the Philbrook center <i>or to expenses incurred for the cost of accompanied transportation.</i></p>
<p>32 New Subparagraph; Delinquent Children; Liability of Expenses and Hearing on Liability. Amend RSA 169-B:40, I by inserting after subparagraph (e) the following new subparagraph: (f) Notwithstanding any provision of law to the contrary, the department of health and human services shall have no responsibility for the payment of the cost of assigned counsel for any party under this chapter.</p>	<p>30 New Subparagraph; Delinquent Children; Liability of Expenses and Hearing on Liability. Amend RSA 169-B:40, I by inserting after subparagraph (e) the following new subparagraph: (f) Notwithstanding any provision of law to the contrary, the department of health and human services shall have no responsibility for the payment of the cost of assigned counsel for any party under this chapter.</p>
<p>33 New Subparagraph; Child Protection Act; Liability of Expenses and Hearing on Liability. Amend RSA 169-C:27, I by inserting after subparagraph (e) the following new subparagraph: (f) Notwithstanding any provision of law to the contrary, the department shall have no responsibility for the payment of the cost of assigned counsel for any party under this chapter.</p>	<p>31 New Subparagraph; Child Protection Act; Liability of Expenses and Hearing on Liability. Amend RSA 169-C:27, I by inserting after subparagraph (e) the following new subparagraph: (f) Notwithstanding any provision of law to the contrary, the department shall have no responsibility for the payment of the cost of assigned counsel for any party under this chapter.</p>
<p>34 New Subparagraph; Children in Need of Services; Liability of Expenses and Hearing on Liability. Amend RSA 169-D:29, I by inserting after subparagraph (e) the following new subparagraph: (f) Notwithstanding any provision of law to the contrary, the department of health and human services shall have no responsibility for the payment of the cost of assigned counsel for any party under this chapter.</p>	<p>DELETED BY THE SENATE</p>
<p>35 Repeal. The following are repealed: I. RSA 167:3-c, III, relative to rulemaking for funeral expenses. II. RSA 167:11, relative to funeral expenses to recipients of public assistance.</p>	<p>AMENDED BY THE SENATE 32 Suspension. The following are suspended for each fiscal year of the biennium ending June 30, 2011:</p>

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<p>III. RSA 165:20, relative to reimbursement for aid to assisted persons.</p>	<p>I. RSA 167:3-c, III, relative to rulemaking for funeral expenses. II. RSA 167:11, relative to funeral expenses to recipients of public assistance. III. RSA 165:20, relative to reimbursement for aid to assisted persons.</p>
<p>36 Department of Health and Human Services; Program Eligibility; Additional Revenues; Transfer Among Accounts.</p> <p>I. For the biennium ending June 30, 2011, the department of health and human services shall not authorize, without prior approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is required by federal law.</p> <p>II. Notwithstanding any provision of the law to the contrary, for the biennium ending June 30, 2011, the fiscal committee of the general court and the governor and council may authorize the commissioner of the department of health and human services to accept and expend additional revenues in excess of \$50,000, that are in addition to the budgeted amounts, from any source, which become available to the department. Such additional revenues shall be available to the department of health and human services to supplement funds in the following programs and services: provider payments, provider rate increases, and any other program or service that requires deficit reduction or for which revenue has been specifically obtained to improve program operations; provided, that such improvements do not increase eligibility standards or benefit levels.</p> <p>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 within the department, as the commissioner deems necessary and appropriate to</p>	<p>AMENDED BY THE SENATE</p> <p>33 Department of Health and Human Services; Program Eligibility; Additional Revenues; Transfer Among Accounts.</p> <p>I. For the biennium ending June 30, 2011, the department of health and human services shall not authorize, without prior approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase or decrease enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is required by federal law.</p> <p>II. Notwithstanding any provision of the law to the contrary, for the biennium ending June 30, 2011, the fiscal committee of the general court and the governor and council may authorize the commissioner of the department of health and human services to accept and expend additional revenues in excess of \$50,000, that are in addition to the budgeted amounts, from any source, which become available to the department. Such additional revenues shall be available to the department of health and human services to supplement funds in the following programs and services: provider payments, provider rate increases, and any other program or service that requires deficit reduction or for which revenue has been specifically obtained to improve program operations; provided, that such improvements do not increase eligibility standards or benefit levels.</p> <p>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</p>

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<p>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.</p>	<p>department of health and human services is hereby authorized to transfer funds within and among all PAUs 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.</p>
<p>37 New Paragraph; Powers and Duties of Commissioners; Advertising. Amend RSA 21-G:9 by inserting after paragraph V the following new paragraph: VI. Notwithstanding any other provision of law, administrative rule, or administrative process to the contrary, the commissioner may advertise requests for proposals and recruitment of personnel by using the Internet rather than traditional newspaper print media. The department shall regularly publish a notice in traditional print media referring prospective service providers and persons seeking state employment to the state’s website for detailed information about opportunities.</p>	<p>34 New Paragraph; Powers and Duties of Commissioners; Advertising. Amend RSA 21-G:9 by inserting after paragraph V the following new paragraph: VI. Notwithstanding any other provision of law, administrative rule, or administrative process to the contrary, the commissioner may advertise requests for proposals and recruitment of personnel by using the Internet rather than traditional newspaper print media. The department shall regularly publish a notice in traditional print media referring prospective service providers and persons seeking state employment to the state’s website for detailed information about opportunities.</p>
<p>38 Repeal. RSA 126-A:5, XVI, relative to advertising by the department of health and human services, is repealed.</p>	<p>35 Repeal. RSA 126-A:5, XVI, relative to advertising by the department of health and human services, is repealed.</p>
<p>39 Department of Environmental Services; State Revolving Loan Fund; Administrative Fee Increase. Amend RSA 486:14(b) to read as follows: (b) A sum equal to one 2 percent of all loan principal balances outstanding each year, which shall be an administrative charge, shall be set aside to be used by the department of environmental services to pay the costs of administering the state water pollution control and drinking water revolving loan funds. The funds set aside shall be deposited in nonlapsing water pollution control and drinking water loan administration funds and shall be continually appropriated to the department exclusively for the purposes of this section. <i>If the sum of the administrative charge plus interest charge as established by rules of the department of environmental services based on market rates is less than 2 percent for a loan, then the administrative charge shall be equal to this sum and no interest charge shall be assessed</i></p>	<p>36 Department of Environmental Services; State Revolving Loan Fund; Administrative Fee Increase. Amend RSA 486:14(b) to read as follows: (b) A sum equal to one 2 percent of all loan principal balances outstanding each year, which shall be an administrative charge, shall be set aside to be used by the department of environmental services to pay the costs of administering the state water pollution control and drinking water revolving loan funds. The funds set aside shall be deposited in nonlapsing water pollution control and drinking water loan administration funds and shall be continually appropriated to the department exclusively for the purposes of this section. <i>If the sum of the administrative charge plus interest charge as established by rules of the department of environmental services based on market rates is less than 2 percent for a loan, then the administrative charge shall be equal to this sum and no interest charge shall be assessed</i></p>

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<i>on the loan.</i>	<i>on the loan.</i>
<p>40 Department of Environmental Services; Fee for Department Review of Subsurface Plans and Subdivisions. Amend RSA 485-A:30, I to read as follows:</p> <p>I. Any person submitting plans and specifications for a subdivision of land shall pay to the department a fee of [\$150] \$300 per lot. Said fee shall be for reviewing such plans and specifications and making site inspections. Any person submitting plans and specifications for sewage or waste disposal systems shall pay to the department a fee of \$140 for each system. Said fee shall be for reviewing such plans and specifications, making site inspections, the administration of sludge and septage management programs, and for establishing a system for electronic permitting for waste disposal systems, subdivision plans, and for permits and approvals under the department’s land regulation authority. The fees required by this paragraph shall be paid at the time said plans and specifications are submitted and shall be deposited [with the treasurer as unrestricted revenue] in the subsurface systems fund established in paragraph I-b. For the purposes of this paragraph, the term “lot” shall not include tent sites or travel trailer sites in recreational parks which are operated on a seasonal basis for not more than 9 months per year.</p>	<p>AMENDED BY THE SENATE</p> <p>37 Department of Environmental Services; Fees; Subsurface Systems Fund and Septage Management Fund. Amend RSA 485-A:30, I and I-a to read as follows:</p> <p>I. Any person submitting plans and specifications for a subdivision of land shall pay to the department a fee of [\$150] \$300 per lot. Said fee shall be for reviewing such plans and specifications and making site inspections. Any person submitting plans and specifications for sewage or waste disposal systems shall pay to the department a fee of [\$140] \$290 for each system. Said fee shall be for reviewing such plans and specifications, making site inspections, the administration of sludge and septage management programs, and for establishing a system for electronic permitting for waste disposal systems, subdivision plans, and for permits and approvals under the department’s land regulation authority. The fees required by this paragraph shall be paid at the time said plans and specifications are submitted and shall be deposited [with the treasurer as unrestricted revenue] in the subsurface systems fund established in paragraph I-b. For the purposes of this paragraph, the term “lot” shall not include tent sites or travel trailer sites in recreational parks which are operated on a seasonal basis for not more than 9 months per year.</p> <p>I-a. In addition to fees required under paragraph I, any person submitting plans and specifications for sewage or waste disposal systems shall pay to the department a fee of \$10 for each system[. Said fee shall be for supporting a general funded position at the department to advocate for and implement long term septage disposal solutions in partnership with New Hampshire municipalities. In the event and to the extent the department is able to use funds from sources other than the general fund to support the position, it shall receive from the general fund an amount equivalent to the fees collected under this paragraph, in addition to any other appropriations,] for use in the septage handling and treatment facilities grant program to municipalities under RSA 486:3, III. Until July 1, 2010, the fees required by this paragraph</p>

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	<p>shall be paid at the time said plans and specifications are submitted and shall be deposited [with the state treasurer as unrestricted revenue] <i>in the subsurface systems fund established in paragraph I-b. After July 1, 2010, the fees required by this paragraph shall be paid at the time said plans and specifications are submitted and shall be deposited in the septage management fund established in paragraph I-c.</i></p> <p><i>I-b. There is hereby established the subsurface systems fund into which the fees collected under paragraph I shall be deposited. The fund shall be a separate, nonlapsing fund, continually appropriated to the department for the purpose of paying all costs and salaries associated with the subsurface systems program.</i></p> <p><i>I-c. There is hereby established the septage management fund into which the fees collected under paragraph I-a shall be deposited. The fund shall be a separate, nonlapsing fund, continually appropriated to the department for the purpose of paying costs associated with the septage handling and treatment facilities grant program or for research, engineering analysis, or septage sampling and analysis by the department to advance septage management in the state of New Hampshire.</i></p>
<p>41 New Paragraphs; Department of Environmental Services; Fee for Department Review of Subsurface Plans and Subdivisions. Amend RSA 485-A:30 by inserting after paragraph I-a the following new paragraphs:</p> <p>I-b. There is hereby established the subsurface systems fund into which the fees collected under paragraph I shall be deposited. The fund shall be a separate, nonlapsing fund, continually appropriated to the department for the purpose of paying all costs and salaries associated with the subsurface systems program.</p> <p>I-c. Beginning October 1, 2009 and each fiscal quarter thereafter, the department shall submit a quarterly report to the house and senate finance committees, the house resources, recreation, and development committee, and the senate energy, environment, and economic development committee relative to administration of the subsurface systems program.</p>	<p>DELETED BY THE SENATE.</p>

NO COMPARABLE HOUSE SECTION

38 Permit Eligibility; Exemption. Amend RSA 485-A:35 to read as follows:

485-A:35 Permit Eligibility; Exemption.

I.(a) All applications, plans, and specifications submitted in accordance with this chapter for subsurface sewage or waste disposal systems shall be prepared and signed by the person who is directly responsible for them and who has a permit issued by the department to perform the work. The department shall issue a permit to any person who applies to the department, and pays a fee of \$80 and who has demonstrated a sound working knowledge of the procedures and practices required in the site evaluation, design, and operation of subsurface sewage or waste disposal systems. The department shall require an oral or written examination or both to determine who may qualify for a permit. Permits shall be issued from January 1 and shall expire December 31 of every other year. Permits shall be renewable upon proper application, payment of a biennial fee of \$80, and documentation of compliance with the continuing education requirement of subparagraph (b). A permit issued to any person may be suspended, revoked or not renewed only for just cause and after the permit holder has had a full opportunity to be heard by the department. An appeal from a decision to revoke, suspend or not renew a permit may be taken pursuant to RSA 541. *All fees shall be deposited in the subsurface systems fund established in RSA 485-A:30, I-b.*

(b) Permitted designers shall complete a minimum of 3 hours annually of continuing education approved by the department.

II. Any person who desires to submit plans and specifications for a sewage or waste disposal system for the person’s own domicile shall not be required to obtain a permit under this paragraph provided that the person attests to eligibility for this exemption in the application for construction approval. The commissioner shall adopt rules, prepared under the supervision of a professional engineer licensed to practice engineering in the state of New Hampshire, pursuant to RSA 541-A, relative to requiring a permit holder to be a licensed professional engineer with a civil or sanitary designation in order to submit applications for construction approval in certain

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	<p>complex situations. All fees collected pursuant to this [paragraph] section shall be deposited [with the state treasurer as unrestricted revenue] in the subsurface systems fund established in RSA 485-A:30, I-b.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>39 System Installer Permit. Amend RSA 485-A:36, I(a) to read as follows: I.(a) No person shall engage in the business of installing subsurface sewage or waste disposal systems under this subdivision without first obtaining an installer’s permit from the department. The permit holder shall be responsible for installing the subsurface sewage or waste disposal system in accordance with the intent of the approved plan. The department shall issue an installer’s permit to any person who submits an application provided by the department, pays a fee of \$80 and demonstrates a sound working knowledge of RSA 485-A:29-35 and the ability to read approved waste disposal plans. The department shall require an oral or written examination or both to determine who may qualify for an installer’s permit. Individuals who have been actively engaged in the business of installing systems for at least 12 months prior to January 1, 1980, shall not be required to submit to such examination, but shall be issued a permit upon filing an application and paying the initial fee, if application is made before June 30, 1980. Permits shall be issued from January 1 and shall expire December 31 of every other year. Permits shall be renewable upon proper application, payment of a biennial fee of \$80, and documentation of compliance with the continuing education requirement of subparagraph (b). The installer’s permit may be suspended, revoked or not renewed for just cause, including, but not limited to, the installation of waste disposal systems in violation of this subdivision or the refusal by a permit holder to correct defective work. The department shall not suspend, revoke or refuse to renew a permit except for just cause until the permit holder has had an opportunity to be heard by the department. An appeal from such decision to revoke, suspend or not renew a permit may be taken pursuant to RSA 21-O:14. All fees shall be deposited [with the state treasurer as unrestricted revenue] in the subsurface systems fund established in RSA 485-A:30, I-b.</p>
<p>42 New Subparagraph; Dedicated Fund; Subsurface Systems Fund Added. Amend RSA 6:12,</p>	<p>AMENDED BY THE SENATE</p>

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<p>I(b) by inserting after subparagraph (276) the following new subparagraph: (277) Moneys deposited in the subsurface systems fund, under RSA 485-A:30, I-b.</p>	<p>40 New Subparagraphs; Dedicated Funds; Subsurface Systems Fund and Septage Management Fund Added. Amend RSA 6:12, I(b) by inserting after subparagraph (276) the following new subparagraphs: (277) Moneys deposited in the subsurface systems fund, under RSA 485-A:30, I-b. (278) Moneys deposited in the septage management fund, under RSA 485-A:30, I-c.</p>
<p>43 New Subparagraph; General Revenue Exemptions; Motor Vehicle Air Pollution Abatement Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (276) the following new subparagraph: (277) Funds deposited in the motor vehicle air pollution abatement fund established in RSA 125-S:3.</p>	<p>41 New Subparagraph; General Revenue Exemptions; Motor Vehicle Air Pollution Abatement Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (276) the following new subparagraph: (277) Funds deposited in the motor vehicle air pollution abatement fund established in RSA 125-S:3.</p>
<p>44 New Chapter; Motor Vehicle Air Pollution Abatement Fund. Amend RSA by inserting after chapter 125-R the following new chapter: CHAPTER 125-S MOTOR VEHICLE AIR POLLUTION ABATEMENT FUND 125-S:1 Purpose. The general court finds that emissions of air contaminants from motor vehicles represent a potential serious health problem to the citizens of New Hampshire and a threat to the air quality of the state. The purpose of this chapter is to establish a fund to be used for costs incurred by the department of environmental services in the prevention and abatement of emissions of air contaminants from motor vehicles registered for on-road use in the state of New Hampshire. 125-S:2 Definitions. In this chapter: I. “Department” means the department of environmental services. II. “Motor vehicle inspection fee” means the fee collected by the department of safety pursuant to RSA 266:2. III. “Mobile source” means, for the purposes of this chapter, any motor vehicle registered for on-road use by the department of safety, division of motor vehicles.</p>	<p>42 New Chapter; Motor Vehicle Air Pollution Abatement Fund. Amend RSA by inserting after chapter 125-R the following new chapter: CHAPTER 125-S MOTOR VEHICLE AIR POLLUTION ABATEMENT FUND 125-S:1 Purpose. The general court finds that emissions of air contaminants from motor vehicles represent a potential serious health problem to the citizens of New Hampshire and a threat to the air quality of the state. The purpose of this chapter is to establish a fund to be used for costs incurred by the department of environmental services in the prevention and abatement of emissions of air contaminants from motor vehicles registered for on-road use in the state of New Hampshire. 125-S:2 Definitions. In this chapter: I. “Department” means the department of environmental services. II. “Motor vehicle inspection fee” means the fee collected by the department of safety pursuant to RSA 266:2. III. “Mobile source” means, for the purposes of this chapter, any motor vehicle registered for on-road use by the department of safety, division of motor vehicles.</p>

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<p>125-S:3 Fund Established. There is established a motor vehicle air pollution abatement fund, which shall be administered by the department of environmental services. This fund shall be used for costs incurred by the department in the course of carrying out activities that are designed to reduce air pollution in the state from the mobile source sector. All fees and monetary grants, gifts, donations, or interest generated by these funds shall be deposited with the state treasurer in a special nonlapsing fund to be known as the motor vehicle air pollution abatement fund and shall be continually appropriated to the department for the administration of this chapter.</p> <p>125-S:4 Fund Established; Collection. Funding for the motor vehicle air pollution abatement fund shall be from the portion of the motor vehicle inspection fee established by RSA 266:2.</p>	<p>125-S:3 Fund Established. There is established a motor vehicle air pollution abatement fund, which shall be administered by the department of environmental services. This fund shall be used for costs incurred by the department in the course of carrying out activities that are designed to reduce air pollution in the state from the mobile source sector. All fees and monetary grants, gifts, donations, or interest generated by these funds shall be deposited with the state treasurer in a special nonlapsing fund to be known as the motor vehicle air pollution abatement fund and shall be continually appropriated to the department for the administration of this chapter.</p> <p>125-S:4 Fund Established; Collection. Funding for the motor vehicle air pollution abatement fund shall be from the portion of the motor vehicle inspection fee established by RSA 266:2.</p>		
<p>45 Inspection Sticker Fees. Amend RSA 266:2 to read as follows:</p> <p>266:2 Fees. The fee for inspection stickers shall be [\$2.50] \$2.90 for each sticker furnished an approved inspection station. <i>The division shall transfer \$.25 of each fee collected under this section to the motor vehicle air pollution abatement fund established by RSA 125-S:3.</i> All unused stickers returned by the approved inspection station to the division shall be refundable at the rate of [\$2.50] \$2.90 each, except that unused stickers purchased from the division for a fee of \$2.50 shall be refundable at the rate of \$2.50 each.</p>	<p>AMENDED BY THE SENATE</p> <p>43 Inspection Sticker Fees. Amend RSA 266:2 to read as follows:</p> <p>266:2 Fees. The fee for inspection stickers shall be [\$2.50] \$3.25 for each sticker furnished an approved inspection station. <i>The division shall transfer \$.25 of each fee collected under this section to the motor vehicle air pollution abatement fund established by RSA 125-S:3 and \$.25 of each fee collected under this section to the general fund.</i> All unused stickers returned by the approved inspection station to the division shall be refundable at the rate of [\$2.50] \$3.25 each, except that unused stickers purchased from the division for a fee of \$2.50 shall be refundable at the rate of \$2.50 each.</p>		
<p>46 Retirement System; Member Contribution Rates; 2009 - 2010. Amend RSA 100-A:16, I(a) to read as follows:</p> <p>(a) The member annuity savings fund shall be a fund in which shall be accumulated the contributions deducted from the compensation of members to provide for their member annuities together with any amounts transferred thereto from a similar fund under one or more of the predecessor systems. Such contribution shall be, for each member, dependent upon the member's employment classification at the rate determined in accordance with the following table:</p> <table data-bbox="182 1393 881 1425"> <tr> <td>Employees</td> <td>[5.00] 7.00</td> </tr> </table>	Employees	[5.00] 7.00	<p>AMENDED BY THE SENATE</p> <p>44 New Hampshire Retirement System; Member Contribution Rates. Amend RSA 100-A:16, I(a) to read as follows:</p> <p>I. MEMBER ANNUITY SAVINGS FUND.</p> <p>(a) The member annuity savings fund shall be a fund in which shall be accumulated the contributions deducted from the compensation of members to provide for their member annuities together with any amounts transferred thereto from a similar fund under one or more of the predecessor systems. Such contribution shall be, for each member, dependent upon the</p>
Employees	[5.00] 7.00		

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Teachers	[5.00] 7.00
Permanent Policemen	[9.30] 11.00
Permanent Firemen	[9.30] 11.00

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

member's employment classification at the rate determined in accordance with the following table:

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

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

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<p>47 Retirement System; Recalculation of Employer Rates; Re-Certification by Board of Trustees. The retirement system shall utilize the sums attributable to the increase in member contribution rates under RSA 100-A:16, I(a) as amended by section 46 of this act to reduce previously certified employer contribution rates for state fiscal years 2010 and 2011. Notwithstanding the notice requirements of RSA 100-A:16, III, the board of trustees shall recalculate and re-certify employer contribution rates for the state fiscal years 2010 and 2011.</p>	<p>DELETED BY THE SENATE</p>								
<p>48 Retirement System; Member Contribution Rates; 2011 Version. Amend RSA 100-A:16, I(a) to read as follows:</p> <p>(a) The member annuity savings fund shall be a fund in which shall be accumulated the contributions deducted from the compensation of members to provide for their member annuities together with any amounts transferred thereto from a similar fund under one or more of the predecessor systems. Such contribution shall be, for each member, dependent upon the member's employment classification at the rate determined in accordance with the following table:</p> <table data-bbox="182 812 900 998"> <tr> <td>Employees</td> <td>[7.00] 5.00</td> </tr> <tr> <td>Teachers</td> <td>[7.00] 5.00</td> </tr> <tr> <td>Permanent Policemen</td> <td>[11.00] 9.30</td> </tr> <tr> <td>Permanent Firemen</td> <td>[11.00] 9.30</td> </tr> </table> <p>The board of trustees shall certify to the proper authority or officer responsible for making up the payroll of each employer, and such authority or officer shall cause to be deducted from the compensation of each member, except group II members with creditable service in excess of 40 years as provided in RSA 100-A:5, II(b) and RSA 100-A:6, II(b), on each and every payroll of such employer for each and every payroll period, the percentage of earnable compensation applicable to such member. No deduction from earnable compensation under this paragraph shall apply to any group II member with creditable service in excess of 40 years, as provided in RSA 100-A:5, II(b) and RSA 100-A:6, II(b), and this provision for such members shall not affect the method of determining average final compensation as provided in RSA 100-A:1, XVIII. In determining the</p>	Employees	[7.00] 5.00	Teachers	[7.00] 5.00	Permanent Policemen	[11.00] 9.30	Permanent Firemen	[11.00] 9.30	<p>DELETED BY THE SENATE</p>
Employees	[7.00] 5.00								
Teachers	[7.00] 5.00								
Permanent Policemen	[11.00] 9.30								
Permanent Firemen	[11.00] 9.30								

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<p>amount earnable by a member in a payroll period, the board may consider the rate of compensation payable to such member on the first day of a payroll period as continuing throughout the payroll period and it may omit deduction from compensation for any period less than a full payroll period if such person was not a member on the first day of the payroll period, and to facilitate the making of deductions it may modify the deduction required of any member by such an amount as shall not exceed 1/10 of one percent of the annual earnable compensation upon the basis of which such deduction is made. The amounts deducted shall be reported to the board of trustees. Each of such amounts, when deducted, shall be paid to the retirement system at such times as may be designated by the board of trustees and credited to the individual account, in the member annuity savings fund, of the member from whose compensation the deduction was made.</p>	
<p>NO COMPARABLE HOUSE SECTION</p>	<p>45 New Paragraph; Retirement System; Definitions. Amend RSA 100-A:1 by inserting after paragraph XXXI the following new paragraph: XXXII. “Extra or special duty” means member work activities or details for which the employer bills or charges another entity, in whole or in part, for the work activities or details provided.</p>
<p>49 Retirement System; State Annuity Accumulation Fund; Employer Contribution; State Payment. Amend RSA 100-A:16, II(b) and (c) to read as follows: (b) The contributions of each employer for benefits under the retirement system on account of group II members shall consist of a percentage of the earnable compensation of its members to be known as the “normal contribution,” and an additional amount to be known as the “accrued liability contribution,” provided that any employer, other than the state, shall pay 65 70 percent of such total contributions <i>for state fiscal year 2010</i>, and 35 30 percent thereof shall be paid by the state <i>for state fiscal year 2010, and that beginning with state fiscal year 2011 any employer, other than the state, shall pay 75 percent of such total contributions, and 25 percent thereof shall be paid by the state, and that beginning with state fiscal year 2012, and every state fiscal year thereafter, any employer, other than the state, shall pay</i></p>	<p>AMENDED BY THE SENATE 46 Employer Contributions; State Payment; Group II Extra or Special Duty. 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 65 70 percent of such total contributions <i>for state fiscal year 2010</i>, and 35 30 percent thereof shall be paid by the state <i>for state fiscal year 2010, and that beginning with state fiscal year 2011 any employer, other than the state, shall pay 75 percent of such total contributions, and 25 percent thereof shall be paid by the state, and that beginning with state fiscal year</i></p>

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65 percent of such total contributions, and 35 percent thereof shall be paid by the state; 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 ~~[65]~~ **70** percent of such total contributions *for state fiscal year 2010*, and ~~[35]~~ **30** percent thereof shall be paid by the state *for state fiscal year 2010, and that beginning with state fiscal year 2011 any employer, other than the state, shall pay 75 percent of such total contributions, and 25 percent thereof shall be paid by the state, and that beginning with state fiscal year 2012, and every state fiscal year thereafter, any employer, other than the state, shall pay 65 percent of such total contributions, and 35 percent thereof shall be paid by the state;* and provided further that in case of teacher members employed by the state the state shall pay both normal and accrued liability contributions. The rate percent of such normal contribution in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuation, except as provided in subparagraphs (h) and (i).

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 ~~[65]~~ **70** percent of such total contributions *for state fiscal year 2010*, and ~~[35]~~ **30** percent thereof shall be paid by the state *for state fiscal year 2010, and that beginning with state fiscal year 2011 any employer, other than the state, shall pay 75 percent of such total contributions, and 25 percent thereof shall be paid by the state, and that beginning with state fiscal year 2012, and every state fiscal year thereafter, any employer, other than the state, shall pay 65 percent of such total contributions, and 35 percent thereof shall be paid by the state;* and provided further that in case of teacher members employed by the state the state shall pay both normal and accrued liability contributions. The rate percent of such normal contribution in each instance shall be fixed on the basis of the liabilities of the system with respect to the particular members of the various member classifications as shown by actuarial valuation, except as provided in subparagraphs (h) and (i).

NO COMPARABLE HOUSE SECTION

47 New Paragraph; Employer Report; Extra or Special Duty. Amend RSA 100-A:16 by

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	<p>inserting after paragraph V the following new paragraph:</p> <p>VI. Every employer shall report monthly to the retirement system all compensation of group II members that is attributable to extra or special duty. When an employer provides extra or special duty services, the employer shall include in its billing or charge to the entity for whom the extra or special duty is being provided the full amount of contributions required under RSA 100-A:16, II(b) attributable to the extra or special duty. Notwithstanding any provision to the contrary, the employer shall be responsible for the full amount of employer contributions required under RSA 100-A:16, II(b) attributable to extra or special duty.</p>
<p>50 Retiree Health Insurance Premium Contribution for Fiscal Years 2010 and 2011. The retirement system shall deduct from the monthly retirement allowance of retired state employees under the age of 65 years receiving medical and surgical benefits provided pursuant to RSA 21-I:30, the premium contribution amounts for the retiree and covered spouse, if any, of 11.5 percent of such monthly retirement allowance during state fiscal year 2010, and 12 percent of such monthly retirement allowance during state fiscal year 2011. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund.</p>	<p>AMENDED BY THE SENATE</p> <p>48 New Paragraph; Retirement System; Retiree Health Insurance Premium Contribution. Amend RSA 100-A:54 by inserting after paragraph II the following new paragraph:</p> <p>III. The retirement system shall deduct from the monthly retirement allowance of retired state employees under the age of 65 years receiving medical and surgical benefits provided pursuant to RSA 21-I:30, the premium contribution amounts 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. Deducted amounts, which shall be in addition to and notwithstanding any amounts payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b, shall be deposited in the employee and retiree benefit risk management fund. In the event the retiree’s monthly allowance is insufficient to cover the certified contribution amount, the retirement system shall so notify the department of administrative services, which shall invoice and collect from the retiree the remaining contribution amount.</p>
<p>51 New Subparagraph; Retirement System; Certification of State Employer Contributions; Medical Subsidy Payment. Amend RSA 100-A:16, III by inserting after subparagraph (c) the following new subparagraph:</p> <p>(d) Notwithstanding RSA 100-A:16, III(a), on or before June 1, 2009, the</p>	<p>49 New Subparagraph; Retirement System; Certification of State Employer Contributions; Medical Subsidy Payment. Amend RSA 100-A:16, III by inserting after subparagraph (c) the following new subparagraph:</p> <p>(d) Notwithstanding RSA 100-A:16, III(a), on or before June 1, 2009, the</p>

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New Hampshire retirement system board of trustees shall certify to the commissioner of administrative services the amounts that will become due and payable by the state during the biennium beginning July 1, 2009 based upon a state employee group other post-employment benefit (OPEB) plan balance as of July 1, 2009 for the state medical plan subtrust of \$0.00. Such certification shall in all other respects be based upon the data and assumptions used to calculate the state employer rate as certified in September 2008. In no event shall the board of trustees certify a rate in any subsequent year based upon payments made from the medical plan subtrust to the state prior to July 1, 2009.

New Hampshire retirement system board of trustees shall certify to the commissioner of administrative services the amounts that will become due and payable by the state during the biennium beginning July 1, 2009 based upon a state employee group other post-employment benefit (OPEB) plan balance as of July 1, 2009 for the state medical plan subtrust of \$0.00. Such certification shall in all other respects be based upon the data and assumptions used to calculate the state employer rate as certified in September 2008. In no event shall the board of trustees certify a rate in any subsequent year based upon payments made from the medical plan subtrust to the state prior to July 1, 2009.

52 District Courts; Judicial District Consolidation. Amend RSA 502-A:1 to read as follows:
502-A:1 Judicial Districts. A comprehensive system of judicial districts, each with a district court, is hereby organized, constituted and established as follows:
Rockingham County
I. PORTSMOUTH DISTRICT. The Portsmouth district shall consist of the city of Portsmouth and the towns of Newington, Greenland, Rye, and New Castle. The district court for the district shall be located in Portsmouth, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Portsmouth District Court.
II. HAMPTON-EXETER DISTRICT. The Hampton-Exeter district shall consist of the towns of Hampton, Hampton Falls, North Hampton, South Hampton, Seabrook, Exeter, Newmarket, Stratham, Newfields, Fremont, East Kingston, Kensington, Epping, and Brentwood. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.
II-a. [Repealed.]
III. DERRY DISTRICT. The Derry district shall consist of the towns of Derry,

AMENDED BY THE SENATE
50 District Courts; Judicial District Consolidation. Amend RSA 502-A:1 to read as follows:
502-A:1 Judicial Districts. A comprehensive system of judicial districts, each with a district court, is hereby organized, constituted and established as follows:
Rockingham County
I. PORTSMOUTH DISTRICT. The Portsmouth district shall consist of the city of Portsmouth and the towns of Newington, Greenland, Rye, and New Castle. The district court for the district shall be located in Portsmouth, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Portsmouth District Court.
II. HAMPTON-EXETER DISTRICT. The Hampton-Exeter district shall consist of the towns of Hampton, Hampton Falls, North Hampton, South Hampton, Seabrook, Exeter, Newmarket, Stratham, Newfields, Fremont, East Kingston, Kensington, Epping, and Brentwood. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.
II-a. [Repealed.]

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Londonderry, Chester, and Sandown. The district court for the district shall be located in Derry, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Derry District Court.

IV. AUBURN-CANDIA-RAYMOND DISTRICT. The Auburn-Candia-Raymond district shall consist of the towns of Auburn, Candia, Deerfield, Nottingham, Raymond, and Northwood. The court shall be located in Auburn, Candia, or Raymond. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require. The court shall bear the name of the town in which it is located.

V. SALEM DISTRICT. The Salem district shall consist of the towns of Salem, *Plaistow, Hampstead, Kingston, Newton, Atkinson, Danville*, and Windham in Rockingham county and the town of Pelham in Hillsborough county. The district court for the district shall be located in Salem, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Salem District Court.

~~VI. PLAISTOW DISTRICT. The Plaistow district shall consist of the towns of Plaistow, Hampstead, Kingston, Newton, Atkinson, and Danville. The district court for the district shall be located in Plaistow, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Plaistow District Court.]~~

Strafford County

~~VII.] VI.~~ DOVER-SOMERSWORTH-DURHAM DISTRICT. The Dover-Somersworth-Durham district shall consist of the cities of Dover and Somersworth and the towns of Rollinsford, Durham, Lee, and Madbury. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require.

III. DERRY DISTRICT. The Derry district shall consist of the towns of Derry, Londonderry, Chester, and Sandown. The district court for the district shall be located in Derry, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Derry District Court.

IV. AUBURN-CANDIA-RAYMOND DISTRICT. The Auburn-Candia-Raymond district shall consist of the towns of Auburn, Candia, Deerfield, Nottingham, Raymond, and Northwood. The court shall be located in Auburn, Candia, or Raymond. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require. The court shall bear the name of the town in which it is located.

V. SALEM DISTRICT. The Salem district shall consist of the towns of Salem and Windham in Rockingham county and the town of Pelham in Hillsborough county. The district court for the district shall be located in Salem, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Salem District Court.

VI. PLAISTOW DISTRICT. The Plaistow district shall consist of the towns of Plaistow, Hampstead, Kingston, Newton, Atkinson, and Danville. The district court for the district shall be located in Plaistow, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Plaistow District Court.

Strafford County

VII. DOVER-SOMERSWORTH-DURHAM DISTRICT. The Dover-Somersworth-Durham district shall consist of the cities of Dover and Somersworth and the towns of Rollinsford, Durham, Lee, and Madbury. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require.

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Cases arising from the towns of Durham, Lee, and Madbury shall be held regularly at a court facility in the town of Durham.

~~[VII.]~~ **VII.** ROCHESTER DISTRICT. The Rochester district court shall consist of the city of Rochester and the towns of Barrington, Milton, New Durham, Farmington, Strafford, and Middleton. The district court for the district shall be located in Rochester, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Rochester District Court.

Belknap County

~~[IX.]~~ **VIII.** LACONIA DISTRICT. The Laconia district shall consist of the city of Laconia and the towns of Meredith, New Hampton, Gilford, Belmont, Alton, Gilmanton, Center Harbor, and Barnstead. The district court for the district shall be located in Laconia, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Laconia District Court.

Carroll County

~~[X.]~~ **IX.** DISTRICT COURT FOR NORTHERN CARROLL COUNTY. The district for northern Carroll county shall consist of the towns of Conway, Bartlett, Jackson, Eaton, Chatham, Hart’s Location, Albany, Madison and the unincorporated places of Hale’s Location, Cutt’s Grant, Hadley’s Purchase, and those portions of the towns of Waterville and Livermore within the watershed of the Saco River and its tributaries. The district court for the district shall be located in Conway, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the District Court for Northern Carroll County.

~~[XI.]~~ **X.** DISTRICT COURT FOR SOUTHERN CARROLL COUNTY. The district for southern Carroll county shall consist of the towns of Ossipee, Tamworth, Freedom, Effingham, Wakefield, Wolfeboro, Brookfield, Tuftonboro, Moultonborough, and Sandwich. The court shall be located either in Ossipee or in Wolfeboro in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided,

VIII. ROCHESTER DISTRICT. The Rochester district court shall consist of the city of Rochester and the towns of Barrington, Milton, New Durham, Farmington, Strafford, and Middleton. The district court for the district shall be located in Rochester, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Rochester District Court.

Belknap County

IX. LACONIA DISTRICT. The Laconia district shall consist of the city of Laconia and the towns of Meredith, New Hampton, Gilford, Belmont, Alton, Gilmanton, Center Harbor, and Barnstead. The district court for the district shall be located in Laconia, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Laconia District Court.

Carroll County

X. DISTRICT COURT FOR NORTHERN CARROLL COUNTY. The district for northern Carroll county shall consist of the towns of Conway, Bartlett, Jackson, Eaton, Chatham, Hart’s Location, Albany, Madison and the unincorporated places of Hale’s Location, Cutt’s Grant, Hadley’s Purchase, and those portions of the towns of Waterville and Livermore within the watershed of the Saco River and its tributaries. The district court for the district shall be located in Conway, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the District Court for Northern Carroll County.

XI. DISTRICT COURT FOR SOUTHERN CARROLL COUNTY. The district for southern Carroll county shall consist of the towns of Ossipee, Tamworth, Freedom, Effingham, Wakefield, Wolfeboro, Brookfield, Tuftonboro, Moultonborough, and Sandwich. The court shall be located either in Ossipee or in Wolfeboro in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The

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however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The name of the court shall be the District Court for Southern Carroll County.

Merrimack County

~~[XII.]~~ **XI.** CONCORD DISTRICT. The Concord district shall consist of the city of Concord, and the towns of Loudon, Canterbury, Dunbarton, Bow, Hopkinton, Pittsfield, Chichester, and Epsom. The district court for the district shall be located in Concord, holding sessions regularly there and elsewhere in the district as justice may require. The name of the court shall be Concord District Court.

~~[XIII.]~~ **XII.** HOOKSETT DISTRICT. The Hooksett district shall consist of the towns of Allenstown, Pembroke, and Hooksett. The district court for the district shall be located in Hooksett, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the Hooksett District Court.

~~[XIV.]~~ **XIII.** FRANKLIN DISTRICT. The Franklin district shall consist of the city of Franklin and the towns of Northfield, Danbury, Andover, Boscawen, Salisbury, Hill, *Wilmot*, and Webster in Merrimack county and the towns of Sanbornton and Tilton in Belknap county. The district court for the district shall be located in Franklin, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Franklin District Court.

~~[XV.]~~ **XIV.** HENNIKER-HILLSBOROUGH DISTRICT. The Henniker-Hillsborough district shall consist of the towns of Henniker, Warner, and Bradford in Merrimack county and the towns of Hillsborough, Deering, Windsor, Antrim, and Bennington in Hillsborough county. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission

name of the court shall be the District Court for Southern Carroll County.

Merrimack County

XII. CONCORD DISTRICT. The Concord district shall consist of the city of Concord, and the towns of Loudon, Canterbury, Dunbarton, Bow, Hopkinton, Pittsfield, Chichester, and Epsom. The district court for the district shall be located in Concord, holding sessions regularly there and elsewhere in the district as justice may require. The name of the court shall be Concord District Court.

XIII. HOOKSETT DISTRICT. The Hooksett district shall consist of the towns of Allenstown, Pembroke, and Hooksett. The district court for the district shall be located in Hooksett, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the Hooksett District Court.

XIV. FRANKLIN DISTRICT. The Franklin district shall consist of the city of Franklin and the towns of Northfield, Danbury, Andover, Boscawen, Salisbury, Hill, and Webster in Merrimack county and the towns of Sanbornton and Tilton in Belknap county. The district court for the district shall be located in Franklin, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Franklin District Court.

XV. HENNIKER-HILLSBOROUGH DISTRICT. The Henniker-Hillsborough district shall consist of the towns of Henniker, Warner, *Sutton*, and Bradford in Merrimack county and the towns of Hillsborough, Deering, Windsor, Antrim, and Bennington in Hillsborough county. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require. The court shall bear the name of the city or town in which it is located.

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pursuant to RSA 490:5-c. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require. Special sessions of said court for cases arising from the town of Henniker shall be held at the principal court location as the caseload and justice requires. The court shall bear the name of the city or town in which it is located.

~~[XVI. NEW LONDON DISTRICT. The New London district shall consist of the towns of New London, Wilmot, Newbury, and Sutton. The district court for the district shall be located in New London, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be New London District Court.]~~

~~XVII. [Repealed.]~~

Hillsborough County

~~[XVIII.] XV. MANCHESTER DISTRICT. The Manchester district shall consist of the city of Manchester. The district court for the district shall be located in Manchester, holding sessions regularly therein as justice may require. The name of the court shall be Manchester District Court.~~

~~[XIX.] XVI. NASHUA DISTRICT. The Nashua district shall consist of the city of Nashua and the towns of Hudson and Hollis. The district court for the district shall be located in Nashua, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Nashua District Court.~~

~~[XX.] XVII. MERRIMACK DISTRICT. The Merrimack district shall consist of the towns of Merrimack, Litchfield, and Bedford. The district court for the district shall be located in Merrimack, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the Merrimack District Court.~~

~~[XXI.] XVIII. MILFORD DISTRICT. The Milford district shall consist of the towns of Milford, Brookline, Amherst, Mason, Wilton, Lyndeborough, and Mont Vernon. The district court for the district shall be located in Milford, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Milford District Court.~~

~~[XVI. NEW LONDON DISTRICT. The New London district shall consist of the towns of New London, Wilmot, Newbury, and Sutton. The district court for the district shall be located in New London, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be New London District Court.]~~

~~XVII. [Repealed.]~~

Hillsborough County

~~[XVIII.] XVI. MANCHESTER DISTRICT. The Manchester district shall consist of the city of Manchester. The district court for the district shall be located in Manchester, holding sessions regularly therein as justice may require. The name of the court shall be Manchester District Court.~~

~~[XIX.] XVII. NASHUA DISTRICT. The Nashua district shall consist of the city of Nashua and the towns of Hudson and Hollis. The district court for the district shall be located in Nashua, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Nashua District Court.~~

~~[XX.] XVIII. MERRIMACK-MILFORD DISTRICT. The Merrimack-Milford district shall consist of the towns of Merrimack, Litchfield, and Bedford, *Milford, Brookline, Amherst, Mason, Wilton, Lyndeborough, and Mont Vernon*. The district court for the district shall be located in Merrimack, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be the Merrimack District Court.~~

~~[XXI. MILFORD DISTRICT. The Milford district shall consist of the towns of Milford, Brookline, Amherst, Mason, Wilton, Lyndeborough, and Mont Vernon. The district court for the district shall be located in Milford, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Milford District Court.]~~

~~[XXII.] XIX. JAFFREY-PETERBOROUGH DISTRICT. The Jaffrey-Peterborough district shall consist of the towns of Peterborough, Hancock, Greenville, Greenfield, New Ipswich, Temple, and Sharon in Hillsborough county and the towns of Jaffrey, Dublin, Fitzwilliam, and Rindge in~~

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~~[XXII.] XIX. KEENE-JAFFREY-PETERBOROUGH DISTRICT. The Keene-Jaffrey-Peterborough district shall consist of the city of Keene and the towns of Stoddard, Westmoreland, Surry, Gilsum, Sullivan, Nelson, Roxbury, Marlow, Swanzey, Marlborough, Winchester, Richmond, Hinsdale, Walpole, Alstead, Troy, and Chesterfield in Cheshire county, and the towns of Peterborough, Hancock, Greenville, Greenfield, New Ipswich, Temple, and Sharon in Hillsborough county and the towns of Jaffrey, Dublin, Fitzwilliam, and Rindge in Cheshire county. The district court for the district shall be located in Jaffrey or Peterborough, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Jaffrey-Peterborough District Court.~~

~~[XXIII.] XX. HENNIKER-HILLSBOROUGH DISTRICT. The Henniker-Hillsborough district shall consist of the towns of Henniker, Warner, and Bradford in Merrimack county and the towns of Hillsborough, Deering, Windsor, Antrim, and Bennington in Hillsborough county. The district court for the district shall be located in [a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district,] Henniker, holding sessions regularly therein and elsewhere in the district as justice may require, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the [city or town in which it is located] Henniker District Court.~~

~~[XXIV.] XXI. GOFFSTOWN DISTRICT. The Goffstown district shall consist of the towns of Goffstown, Weare, New Boston, and Francestown. The district court for the district shall be located in Goffstown, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Goffstown District Court.~~

Cheshire County

~~[XXV.] KEENE DISTRICT. The Keene district shall consist of the city of Keene and the towns of Stoddard, Westmoreland, Surry, Gilsum, Sullivan, Nelson, Roxbury, Marlow, Swanzey,~~

Cheshire county. The district court for the district shall be located in Jaffrey or Peterborough, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Jaffrey-Peterborough District Court.

~~[XXIII.] XX. HENNIKER-HILLSBOROUGH DISTRICT. The Henniker-Hillsborough district shall consist of the towns of Henniker, Warner, Sutton, and Bradford in Merrimack county and the towns of Hillsborough, Deering, Windsor, Antrim, and Bennington in Hillsborough county. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require. The court shall bear the name of the city or town in which it is located.~~

~~[XXIV.] XXI. GOFFSTOWN DISTRICT. The Goffstown district shall consist of the towns of Goffstown, Weare, New Boston, and Francestown. The district court for the district shall be located in Goffstown, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Goffstown District Court.~~

Cheshire County

~~[XXV.] XXII. KEENE DISTRICT. The Keene district shall consist of the city of Keene and the towns of Stoddard, Westmoreland, Surry, Gilsum, Sullivan, Nelson, Roxbury, Marlow, Swanzey, Marlborough, Winchester, Richmond, Hinsdale, Harrisville, Walpole, Alstead, Troy, and Chesterfield. The district court for the district shall be located in Keene, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Keene District Court.~~

~~[XXVI.] XXIII. JAFFREY-PETERBOROUGH DISTRICT. The Jaffrey-Peterborough district shall consist of the towns of Jaffrey, Dublin, Fitzwilliam, [Troy] and Rindge in Cheshire~~

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~~Marlborough, Winchester, Richmond, Hinsdale, Harrisville, Walpole, Alstead, Troy, and Chesterfield. The district court for the district shall be located in Keene, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Keene District Court.~~

~~XXVI.] XXII. KEENE-JAFFREY-PETERBOROUGH DISTRICT. The Keene-Jaffrey-Peterborough district shall consist of the city of Keene and the towns of Stoddard, Westmoreland, Surry, Gilsum, Sullivan, Nelson, Roxbury, Marlow, Swanzey, Marlborough, Winchester, Richmond, Hinsdale, Walpole, Alstead, Troy, Chesterfield, Jaffrey, Dublin, Fitzwilliam, Troy and Rindge in Cheshire county and the towns of Peterborough, Hancock, Greenville, Greenfield, New Ipswich, Temple, and Sharon in Hillsborough county. The district court for the district shall be located in Jaffrey or Peterborough, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Jaffrey-Peterborough District Court.~~

Sullivan County

~~XXVII.] XXIII. CLAREMONT-NEWPORT DISTRICT. The Claremont-Newport district shall consist of the city of Claremont and the towns of Cornish, Unity, Charlestown, Acworth, Langdon, Plainfield, Newport, Grantham, Croydon, Springfield, Sunapee, Goshen, Lempster, and Washington in Sullivan county and the towns of New London, Newbury, and Sutton in Merrimack county. The district court for the district shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.~~

~~XXVII a. [Repealed.]~~

Grafton County

county and the towns of Peterborough, Hancock, Greenville, Greenfield, New Ipswich, Temple, and Sharon in Hillsborough county. The district court for the district shall be located in Jaffrey or Peterborough, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Jaffrey-Peterborough District Court.

Sullivan County

~~XXVII.] XXIV. CLAREMONT-NEWPORT DISTRICT. The Claremont-Newport district shall consist of the city of Claremont and the towns of Cornish, Unity, Charlestown, Acworth, Langdon, Plainfield, Newport, Grantham, Croydon, Springfield, Sunapee, Goshen, Lempster, and Washington in Sullivan county and the towns of New London, Newbury, and Wilmot in Merrimack county. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.~~

~~XXVII a. [Repealed.]~~

Grafton County

~~XXVIII.] XXV. HANOVER-LEBANON DISTRICT. The Hanover-Lebanon district shall consist of the towns of Hanover, Orford, Lyme, Lebanon, Enfield, Canaan, Grafton, Dorchester, and Orange. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.~~

~~XXIX.] XXVI. HAVERHILL DISTRICT. The Haverhill district shall consist of the towns~~

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~~[XXVIII.]~~ **XXIV.** HANOVER-LEBANON DISTRICT. The Hanover-Lebanon district shall consist of the towns of Hanover, Orford, Lyme, Lebanon, Enfield, Canaan, Grafton, Dorchester, and Orange. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.

~~[XXIX.]~~ **XXV.** HAVERHILL DISTRICT. The Haverhill district shall consist of the towns of Haverhill, Bath, Landaff, Benton, Piermont, and Warren. The district court for the district shall be located in Haverhill, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Haverhill District Court.

~~[XXX.]~~ **XXVI.** LITTLETON DISTRICT. The Littleton district shall consist of the towns of Littleton, Monroe, Lyman, Lisbon, Franconia, Bethlehem, Sugar Hill, and Easton. The district court for the district shall be located in Littleton, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Littleton District Court.

~~[XXXI.]~~ **XXVII.** PLYMOUTH-LINCOLN DISTRICT. The Plymouth-Lincoln district shall consist of the towns of Plymouth, Bristol, Groton, Wentworth, Rumney, Ellsworth, Thornton, Campton, Ashland, Hebron, Holderness, Bridgewater, Alexandria, Lincoln, Woodstock and those portions of the towns of Livermore and Waterville not within the watershed of the Saco River and its tributaries. The district court for the district shall be located in Plymouth, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Plymouth District Court.

Coos County

~~[XXXII.]~~ **XXVIII.** BERLIN-GORHAM DISTRICT. The Berlin-Gorham district shall consist of the city of Berlin and the towns of Gorham, Milan, Dummer, Shelburne, and Randolph

of Haverhill, Bath, Landaff, Benton, Piermont, and Warren. The district court for the district shall be located in Haverhill, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Haverhill District Court.

~~[XXX.]~~ **XXVII.** LITTLETON DISTRICT. The Littleton district shall consist of the towns of Littleton, Monroe, Lyman, Lisbon, Franconia, Bethlehem, Sugar Hill, and Easton. The district court for the district shall be located in Littleton, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Littleton District Court.

~~[XXXI.]~~ **XXVIII.** PLYMOUTH-LINCOLN DISTRICT. The Plymouth-Lincoln district shall consist of the towns of Plymouth, Bristol, Groton, Wentworth, Rumney, Ellsworth, Thornton, Campton, Ashland, Hebron, Holderness, Bridgewater, Alexandria, Lincoln, Woodstock and those portions of the towns of Livermore and Waterville not within the watershed of the Saco River and its tributaries. The district court for the district shall be located in Plymouth, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Plymouth District Court.

Coos County

~~[XXXII.]~~ **XXIX.** BERLIN-GORHAM DISTRICT. The Berlin-Gorham district shall consist of the city of Berlin and the towns of Gorham, Milan, Dummer, Shelburne, and Randolph and the unincorporated places of Cambridge, Success, Bean’s Purchase, Martin’s Location, Green’s Grant, Pinkham’s Grant, Sargent’s Purchase, Thompson and Meserve’s Purchase and Low and Burbank’s Grant. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.

~~[XXXIII.]~~ **COLEBROOK DISTRICT.** The Colebrook district shall consist of the towns of

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<p>and the unincorporated places of Cambridge, Success, Bean’s Purchase, Martin’s Location, Green’s Grant, Pinkham’s Grant, Sargent’s Purchase, Thompson and Meserve’s Purchase and Low and Burbank’s Grant. The court shall be located in a city or town within the judicial district in a location and facility designated pursuant to RSA 490-B:3, having regard for the convenience of the communities within the district, provided, however, that the court shall not be located in any building which does not meet the minimum standard prescribed by the New Hampshire court accreditation commission pursuant to RSA 490:5-c. The court shall bear the name of the city or town in which it is located.</p> <p>[XXXIII.] XXIX. COLEBROOK DISTRICT. The Colebrook district shall consist of the towns of Colebrook, Pittsburg, Clarksville, Wentworth’s Location, Errol, Millsfield, Columbia, Stewartstown, and Stratford and the unincorporated places of Dix’s Grant, Atkinson and Gilmanton Academy Grant, Second College Grant, Dixville, Erving’s Location, and Odell. The district court for the district shall be located in Colebrook, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Colebrook District Court.</p> <p>[XXXIV.] XXX. LANCASTER DISTRICT. The Lancaster district shall consist of the towns of Lancaster, Stark, Northumberland, Carroll, Whitefield, Dalton and, Jefferson, and the unincorporated places of Kilkenny, Bean’s Grant, Chandler’s Purchase, and Crawford’s Purchase. The district court for the district shall be located in Lancaster, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Lancaster District Court.</p>	<p>Colebrook, Pittsburg, Clarksville, Wentworth’s Location, Errol, Millsfield, Columbia, Stewartstown, and Stratford and the unincorporated places of Dix’s Grant, Atkinson and Gilmanton Academy Grant, Second College Grant, Dixville, Erving’s Location, and Odell. The district court for the district shall be located in Colebrook, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Colebrook District Court.]</p> <p>[XXXIV.] XXX. LANCASTER-COLEBROOK DISTRICT. The Lancaster-Colebrook district shall consist of the towns of Lancaster, Stark, Northumberland, Carroll, Whitefield, Dalton [and], Jefferson, Colebrook, Pittsburg, Clarksville, Wentworth’s Location, Errol, Millsfield, Columbia, Stewartstown, and Stratford, and the unincorporated places of Kilkenny, Bean’s Grant, Chandler’s Purchase, [and] Crawford’s Purchase, Dix’s Grant, Atkinson and Gilmanton Academy Grant, Second College Grant, Dixville, Erving’s Location, and Odell. The district court for the district shall be located in Lancaster, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Lancaster District Court.</p>
<p>53 Committee Established. There is established a committee to study closing the Claremont, Colebrook, and Milford district courts.</p>	<p>AMENDED BY THE SENATE</p> <p>51 Committee Established. There is established a committee to evaluate the physical consolidation of the Claremont and Newport district courts and family division sites.</p>
<p>54 Membership and Compensation.</p> <p>I. The members of the committee shall be as follows:</p>	<p>AMENDED BY THE SENATE</p> <p>52 Membership and Compensation.</p>

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<p>(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.</p> <p>(b) Three members of the senate, appointed by the president of the senate.</p> <p>II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.</p>	<p>I. The members of the committee shall be as follows:</p> <p>(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.</p> <p>(b) Two members of the senate, appointed by the president of the senate.</p> <p>II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.</p>
<p>55 Duties. The committee shall study closing the Claremont, Colebrook, and Milford district courts.</p>	<p>AMENDED BY THE SENATE</p> <p>53 Duties. The committee shall evaluate the physical consolidation of the Claremont and Newport district courts and family division sites.</p>
<p>56 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.</p>	<p>AMENDED BY THE SENATE</p> <p>54 Chairperson; Quorum. The members of the committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named house member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.</p>
<p>57 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, 2009.</p>	<p>AMENDED BY THE SENATE</p> <p>55 Report. The committee shall report its findings and any recommendations for proposed legislation regarding the physical consolidation of the Claremont and Newport district courts and family division sites to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2010.</p>
<p>58 New Paragraph; Discretionary Sentences; Release from State Prison. Amend RSA 651:25 by inserting after paragraph VI the following new paragraph:</p> <p>VII.(a) The commissioner of corrections may release a prisoner who is serving a New Hampshire state sentence to the custody and control of the United States Immigration and Customs Enforcement if all of the following requirements are satisfied:</p> <p>(1) The department of corrections receives an order of deportation for the prisoner from the United States Immigration and Customs Enforcement;</p>	<p>56 New Paragraph; Discretionary Sentences; Release from State Prison. Amend RSA 651:25 by inserting after paragraph VI the following new paragraph:</p> <p>VII.(a) The commissioner of corrections may release a prisoner who is serving a New Hampshire state sentence to the custody and control of the United States Immigration and Customs Enforcement if all of the following requirements are satisfied:</p> <p>(1) The department of corrections receives an order of deportation for the prisoner from the United States Immigration and Customs Enforcement;</p>

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<p>(2) The prisoner has served at least 1/3 of the minimum sentences imposed by the court;</p> <p>(3) The prisoner was not convicted of a violent crime, or any crime of obstruction of justice, or sentenced to an extended term of imprisonment under RSA 651:6; and</p> <p>(4) The prisoner was not convicted of a sexual offense as defined in RSA 651-B:1, V.</p> <p>(b) If a prisoner who is released from his or her state sentence pursuant to this section returns illegally to the United States, on notification from any federal or state law enforcement agency that the prisoner is in custody, the commissioner of corrections shall revoke the prisoner’s release and immediately file a detainer seeking the prisoner’s return to the custody of the department of corrections to serve the remainder of his or her sentence.</p>	<p>(2) The prisoner has served at least 1/3 of the minimum sentences imposed by the court;</p> <p>(3) The prisoner was not convicted of a violent crime, or any crime of obstruction of justice, or sentenced to an extended term of imprisonment under RSA 651:6; and</p> <p>(4) The prisoner was not convicted of a sexual offense as defined in RSA 651-B:1, V.</p> <p>(b) If a prisoner who is released from his or her state sentence pursuant to this section returns illegally to the United States, on notification from any federal or state law enforcement agency that the prisoner is in custody, the commissioner of corrections shall revoke the prisoner’s release and immediately file a detainer seeking the prisoner’s return to the custody of the department of corrections to serve the remainder of his or her sentence.</p>
<p>59 Department of Administrative Services; Suspension of Bumping Rights. The displacement of classified state employees by more senior classified state employees, or so-called bumping, pursuant to administrative rule Per 1101.02 (i) through (l) under the authority of RSA 21-I:43 by the director of the division of personnel is hereby suspended from the effective date of this section to June 30, 2011.</p>	<p>AMENDED BY THE SENATE</p> <p>57 Department of Administrative Services; Suspension of Bumping Rights. The displacement of classified state employees by more senior classified state employees, or so-called bumping, pursuant to administrative rule Per 1101.02 (i) through (l) under the authority of RSA 21-I:43 by the director of the division of personnel is hereby suspended from the effective date of this section to June 30, 2011. 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.</p>
<p>60 Rehiring of Laid Off State Employees.</p> <p>I. For purposes of this section, “laid off” means any person who receives written notice of the state’s intent to lay him or her off or who is laid off between July 1, 2009 and June 30, 2011, as a result of reorganization or downsizing of state government.</p> <p>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</p>	<p>58 Rehiring of Laid Off State Employees.</p> <p>I. For purposes of this section, “laid off” means any person who receives written notice of the state’s intent to lay him or her off or who is laid off between July 1, 2009 and June 30, 2011, as a result of reorganization or downsizing of state government.</p> <p>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</p>

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<p>laid off, as defined in paragraph I, if such person is not currently employed by the state of New Hampshire, if he or she meets the minimum qualifications for the position, and if the laid off employee does not receive a promotion as a result of the rehire.</p> <p>III. The head of each department or agency shall submit the name and classification of any individual laid off between July 1, 2009 and June 30, 2011, to the director of the division of personnel within 10 days of the layoff.</p>	<p>laid off, as defined in paragraph I, if such person is not currently employed by the state of New Hampshire, if he or she meets the minimum qualifications for the position, and if the laid off employee does not receive a promotion as a result of the rehire.</p> <p>III. The head of each department or agency shall submit the name and classification of any individual laid off between July 1, 2009 and June 30, 2011, to the director of the division of personnel within 10 days of the layoff.</p>
<p>61 State Employees Group Insurance; Restrictions on Self-Insured Plans. Amend RSA 21-I:30-b, I(a) to read as follows:</p> <p>(a) [An amount] Five percent of estimated [to be necessary to pay] annual claims and administrative costs [for the assumed risk for one month] of the health plan; and</p>	<p>59 State Employees Group Insurance; Restrictions on Self-Insured Plans. Amend RSA 21-I:30-b, I(a) to read as follows:</p> <p>(a) [An amount] Five percent of estimated [to be necessary to pay] annual claims and administrative costs [for the assumed risk for one month] of the health plan; and</p>
<p>62 Department of Administrative Services; Commissioner; Directors. Amend RSA 21-I:2, II to read as follows:</p> <p>II. The commissioner shall nominate for appointment by the governor, with the consent of the council, each division director, the assistant commissioner, the deputy commissioner, the internal auditor, the financial data manager and the senior operational analyst. The division directors, the assistant commissioner, the deputy commissioner, the internal auditor, the financial data manager and the senior operational analyst shall each serve for a term of 4 years.</p>	<p>60 Department of Administrative Services; Commissioner; Directors. Amend RSA 21-I:2, II to read as follows:</p> <p>II. The commissioner shall nominate for appointment by the governor, with the consent of the council, each division director, the assistant commissioner, the deputy commissioner, the internal auditor, the financial data manager and the senior operational analyst. The division directors, the assistant commissioner, the deputy commissioner, the internal auditor, the financial data manager and the senior operational analyst shall each serve for a term of 4 years.</p>
<p>63 New Section; Department of Administrative Services; Deputy Commissioner. Amend RSA 21-I by inserting after section 3-a the following new section:</p> <p>21-I:3-b Deputy Commissioner.</p> <p>I. The commissioner of administrative services shall nominate a deputy commissioner as provided in RSA 21-I:2, II. The deputy commissioner shall be qualified to hold that position by reason of education and experience. The deputy commissioner shall perform such duties as are assigned by the commissioner.</p> <p>II. The salary of the deputy commissioner shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position</p>	<p>61 New Section; Department of Administrative Services; Deputy Commissioner. Amend RSA 21-I by inserting after section 3-a the following new section:</p> <p>21-I:3-b Deputy Commissioner.</p> <p>I. The commissioner of administrative services shall nominate a deputy commissioner as provided in RSA 21-I:2, II. The deputy commissioner shall be qualified to hold that position by reason of education and experience. The deputy commissioner shall perform such duties as are assigned by the commissioner.</p> <p>II. The salary of the deputy commissioner shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position</p>

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<p>which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.</p>	<p>which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.</p>
<p>64 Department of Administrative Services; Salary of Deputy Commissioner. The position of deputy commissioner established under RSA 21-I:3-b shall be unfunded for the biennium ending June 30, 2011. In the event funding becomes available during the biennium, the commissioner of the department of administrative services may request transfer approval authority from the fiscal committee of the general court, and if granted, shall transfer such funds to fund the position.</p>	<p>62 Department of Administrative Services; Salary of Deputy Commissioner. The position of deputy commissioner established under RSA 21-I:3-b shall be unfunded for the biennium ending June 30, 2011. In the event funding becomes available during the biennium, the commissioner of the department of administrative services may request transfer approval authority from the fiscal committee of the general court, and if granted, shall transfer such funds to fund the position.</p>
<p>65 Compensation of Certain State Officers; Salaries Established. Amend RSA 94:1-a, I(b) as follows: Delete: GG Department of administrative services director of plant and property management Insert: HH Department of administrative services director of plant and property management</p>	<p>63 Compensation of Certain State Officers; Salaries Established. Amend RSA 94:1-a, I(b) as follows: Delete: GG Department of administrative services director of plant and property management Insert: HH Department of administrative services director of plant and property management</p>
<p>66 Real Estate Commission; Renewal Notice. Amend RSA 331-A:19, I to read as follows: I. The commission shall mail each licensee a renewal [form] notice or, at the licensee's request, the commission may provide the renewal [form] notice by other means acceptable to the commission, at least 60 days before expiration of the license.</p>	<p>64 Real Estate Commission; Renewal Notice. Amend RSA 331-A:19, I to read as follows: I. The commission shall mail each licensee a renewal [form] notice or, at the licensee's request, the commission may provide the renewal [form] notice by other means acceptable to the commission, at least 60 days before expiration of the license.</p>
<p>67 Real Estate Commission; Rulemaking Notice. Amend RSA 331-A:7, VII to read as follows: VII. Provide notice [in a publication of the commission sent by U.S. mail] to all persons licensed under this chapter of any proposed rulemaking undertaken by the commission, any changes to administrative rules adopted by the commission, and any pertinent changes in New Hampshire law. [The funds necessary for the printing, postage, and mailing of such notice shall be expended from funds of the commission not otherwise appropriated.]</p>	<p>65 Real Estate Commission; Rulemaking Notice. Amend RSA 331-A:7, VII to read as follows: VII. Provide notice [in a publication of the commission sent by U.S. mail] to all persons licensed under this chapter of any proposed rulemaking undertaken by the commission, any changes to administrative rules adopted by the commission, and any pertinent changes in New Hampshire law. [The funds necessary for the printing, postage, and mailing of such notice shall be expended from funds of the commission not otherwise appropriated.]</p>
<p>68 New Section; Department of Transportation; Director of Policy and Administration. Amend RSA 21-L by inserting after section 5-a the following new section:</p>	<p>66 New Section; Department of Transportation; Director of Policy and Administration. Amend RSA 21-L by inserting after section 5-a the following new section:</p>

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21-L:5-b Director of Policy and Administration.

I. There is established within the department a position of an unclassified director of policy and administration. The commissioner of transportation shall nominate a director of policy and administration for appointment by the governor, with consent of the council. The director shall serve a term of 4 years. The director shall be qualified to hold that position by reason of education and experience.

II. The director shall perform such duties as are assigned by the commissioner or deputy commissioner and, in accordance with applicable laws, shall administer the following:

- (a) Bureau of human resources.
- (b) Office of stewardship and compliance.
- (c) Office of federal compliance.
- (d) Office of hearings and legislation.
- (e) Office of public information.
- (f) Executive office administrative support.

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

21-L:5-b Director of Policy and Administration.

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- (e) Office of public information.
- (f) Executive office administrative support.

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

69 Eastern New Hampshire Turnpike; Authority Granted. Amend the introductory paragraph of RSA 237:17 to read as follows:

237:17 Authority Granted. The commissioner of transportation, with the approval of the governor and council, shall locate and construct a continuous highway from a point on the Massachusetts-New Hampshire boundary in the town of Seabrook to a point **on the New Hampshire-Maine boundary** in the city of Portsmouth, and from ~~[said point]~~ **the Portsmouth traffic circle** in the city of Portsmouth to a point in the vicinity of the ~~[city of Rochester]~~ **town of Milton**, and shall operate and maintain said highway as a toll road as

67 Eastern New Hampshire Turnpike; Authority Granted. Amend the introductory paragraph of RSA 237:17 to read as follows:

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<p>hereinafter provided.</p>	<p>hereinafter provided.</p>
<p>70 Highways Named. Amend RSA 237:18 to read as follows: 237:18 Highways Named. The portion of the toll road from the Massachusetts-New Hampshire boundary in the town of Seabrook [connecting with route 1 in Maine] to a point on the New Hampshire-Maine boundary in the city of Portsmouth shall be designated as the Blue Star memorial highway as provided in chapter 115, Laws of 1949, and shall be located on the road as now constructed. That part of the said toll road from [a point] the Portsmouth traffic circle in the city of Portsmouth to a point in the vicinity of the [city of Rochester] town of Milton, shall be designated and named Spaulding turnpike.</p>	<p>68 Highways Named. Amend RSA 237:18 to read as follows: 237:18 Highways Named. The portion of the toll road from the Massachusetts-New Hampshire boundary in the town of Seabrook [connecting with route 1 in Maine] to a point on the New Hampshire-Maine boundary in the city of Portsmouth shall be designated as the Blue Star memorial highway as provided in chapter 115, Laws of 1949, and shall be located on the road as now constructed. That part of the said toll road from [a point] the Portsmouth traffic circle in the city of Portsmouth to a point in the vicinity of the [city of Rochester] town of Milton, shall be designated and named Spaulding turnpike.</p>
<p>71 New Section; Department of Transportation; Expansion of the Turnpike System. Amend RSA 237 by inserting after section 49-a the following new section: 237:50 Acquisition; Authority Granted. I. The department of transportation, acting by and on behalf of the state, is hereby authorized to convey to the bureau of turnpikes, and the bureau of turnpikes is authorized to acquire from the state, a portion of Interstate Route 95 in the city of Portsmouth for the sum of \$120,000,000 and on such other terms and provisions as the commissioner of transportation and the bureau of turnpikes determine are reasonable or necessary to complete the acquisition. The bureau of turnpikes is authorized to acquire, expand, and make improvements to the eastern New Hampshire turnpike from the northerly expansion joint of the Interstate Route 95 bridge over the Spaulding Turnpike, U.S. Route 4 and N.H. Route 16 (bridge No. 197/122) north to point on the New Hampshire-Maine boundary in the city of Portsmouth, such improvements to include the installation of open road tolling for the toll on Interstate Route 95 in Hampton. II. The bureau of turnpikes shall operate and maintain this section of highway, which shall become part of the eastern New Hampshire turnpike under RSA 237:17 and the Blue Star turnpike under RSA 237:18. III. Acquisition and expansion of the eastern New Hampshire turnpike system for</p>	<p>69 New Section; Department of Transportation; Expansion of the Turnpike System. Amend RSA 237 by inserting after section 49-a the following new section: 237:50 Acquisition; Authority Granted. I. The department of transportation, acting by and on behalf of the state, is hereby authorized to convey to the bureau of turnpikes, and the bureau of turnpikes is authorized to acquire from the state, a portion of Interstate Route 95 in the city of Portsmouth for the sum of \$120,000,000 and on such other terms and provisions as the commissioner of transportation and the bureau of turnpikes determine are reasonable or necessary to complete the acquisition. The bureau of turnpikes is authorized to acquire, expand, and make improvements to the eastern New Hampshire turnpike from the northerly expansion joint of the Interstate Route 95 bridge over the Spaulding turnpike, U.S. Route 4, and N.H. Route 16 (bridge No. 197/122) north to a point on the New Hampshire-Maine boundary in the city of Portsmouth, such improvements to include the installation of open road tolling for the toll on Interstate Route 95 in Hampton. II. The bureau of turnpikes shall operate and maintain this section of highway, which shall become part of the eastern New Hampshire turnpike under RSA 237:17 and the Blue Star turnpike under RSA 237:18. III. Acquisition and expansion of the eastern New Hampshire turnpike system for</p>

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

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

72 Issuance of Revenue Bonds. Amend RSA 237-A:2 to read as follows:

237-A:2 Issuance of Revenue Bonds. The state may issue bonds under this chapter to be known as “turnpike system revenue bonds.” The bonds may be issued from time to time for the purpose of financing the project costs of construction of any turnpike or of paying or refunding any bonds issued pursuant to RSA 237 or interest thereon. Any such bonds issued to pay or refund bonds issued pursuant to RSA 237 or interest thereon may be issued in sufficient amount to cover items described in RSA 237-A:7. Bonds issued hereunder shall be special obligations of the state and the principal of, premium, if any, and interest on all bonds shall be payable solely from the particular funds provided therefor under this chapter. The bonds shall be issued by the treasurer in such amounts as the governor and council shall determine, not exceeding in the aggregate [~~\$586,050,000~~] **\$766,050,000**. Bonds of each issue shall be dated, shall bear interest at such rate or rates, including rates variable from time to time as determined by such index, banker’s loan rate or other method as may be determined by the treasurer, and shall mature at such time or times as may be determined by the treasurer, except that no bond shall mature more than 40 years from the date of its issue. Bonds may be made redeemable before maturity either at the option of the state or at the option of the holder, or on the occurrence of specified events, at such price or prices and under such terms and conditions as may be fixed by the treasurer prior to the issue of bonds. The treasurer shall determine the form and details of bonds. Subject to RSA 93-A, the bonds shall be signed by the treasurer and countersigned by the governor. The bonds may be

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

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

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<p>sold in such manner, either at public or private sale, for such price, at such rate or rates of interest, or at such discount in lieu of interest, as the treasurer may determine.</p>	<p>sold in such manner, either at public or private sale, for such price, at such rate or rates of interest, or at such discount in lieu of interest, as the treasurer may determine.</p>
<p>73 Department of Transportation; Turnpike System Funds. Amend RSA 237:7, I(a) to read as follows: (a) Improvements to the Blue Star memorial highway. RSA 237:2, I, IX. [55,800,000] 70,000,000</p>	<p>71 Department of Transportation; Turnpike System Funds. Amend RSA 237:7, I(a) to read as follows: (a) Improvements to the Blue Star memorial highway. RSA 237:2, I, IX. [55,800,000] 70,000,000</p>
<p>74 Department of Transportation; Turnpike System Funds. Amend RSA 237:7, I(k) to read as follows: (k) Toll collection equipment. RSA 237:2, VIII, IX. [39,000,000] 119,000,000</p>	<p>72 Department of Transportation; Turnpike System Funds. Amend RSA 237:7, I(k) to read as follows: (k) Toll collection equipment. RSA 237:2, VIII, IX. [39,000,000] 119,000,000</p>
<p>75 Department of Transportation; Turnpike System Funds. Amend RSA 237:7, I(m) to read as follows: (m) Construction of a second barrel from exits 12 to 16 on the Spaulding Turnpike with related interchange improvements from exits 11 to 16. RSA 237:2, IX. [138,200,000] 160,000,000</p>	<p>73 Department of Transportation; Turnpike System Funds. Amend RSA 237:7, I(m) to read as follows: (m) Construction of a second barrel from exits 12 to 16 on the Spaulding Turnpike with related interchange improvements from exits 11 to 16. RSA 237:2, IX. [138,200,000] 160,000,000</p>
<p>76 New Subparagraphs; Department of Transportation; Turnpike System Funds. Amend RSA 237:7, I by inserting after subparagraph (o) the following new subparagraphs: (p) Acquisition of a 1.6 mile section of I-95. 120,000,000 (q) Repairs and improvements to the bridge on N.H. 107 over I-95 in Seabrook. 2,000,000 (r) Construction of the Newington-Dover Little Bay Bridge project. 275,000,000 (s) Construction of noise barriers along I-95 in Portsmouth. 1,000,000</p>	<p>76 New Subparagraphs; Department of Transportation; Turnpike System Funds. Amend RSA 237:7, I by inserting after subparagraph (o) the following new subparagraphs: (p) Acquisition of a 1.6 mile section of I-95. 120,000,000 (q) Repairs and improvements to the bridge on N.H. 107 over I-95 in Seabrook. 2,000,000 (r) Construction of the Newington-Dover Little Bay Bridge project. 275,000,000 (s) Construction of noise barriers along I-95 in Portsmouth. 1,000,000</p>
<p>77 New Paragraph; Turnpike System; Authority. Amend RSA 237:2 by inserting after paragraph IX the following new paragraph: X. Acquire, expand, and make improvements to the eastern New Hampshire turnpike from the northerly expansion joint of the Interstate Route 95 bridge over the Spaulding Turnpike, U.S. Route 4 and N.H. Route 16 (bridge No. 197/22) north to a point on the New Hampshire-Maine border in the city of Portsmouth, said improvements to include the installation of open road tolling</p>	<p>AMENDED BY THE SENATE 75 New Paragraph; Turnpike System; Authority. Amend RSA 237:2 by inserting after paragraph IX the following new paragraph: X. Acquire, expand, and make improvements to the eastern New Hampshire turnpike from the northerly expansion joint of the Interstate Route 95 bridge over the Spaulding turnpike, U.S. Route 4 and N.H. Route 16 (bridge No. 197/122) north to a point on the New Hampshire-</p>

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<p>for the toll currently on Interstate Route 95 in the town of Hampton.</p>	<p>Maine border in the city of Portsmouth, said improvements to include the installation of open road tolling for the toll currently on Interstate Route 95 in the town of Hampton.</p>
<p>78 New Paragraph; E-Z Pass Operations Interagency Agreement. Amend RSA 237:16-c by inserting after paragraph III the following new paragraph: IV. The commissioner may enter into discussions with other state jurisdictions to create reciprocal agreements for the enforcement and collection of tolls and administrative fees due under the E-Z Pass system. The departments of transportation and safety may release driver’s and owner’s information to other jurisdictions relative to enforcement or collection of tolls and may take such other action as is necessary to effectuate the reciprocal enforcement agreements.</p>	<p>76 New Paragraph; E-Z Pass Operations Interagency Agreement. Amend RSA 237:16-c by inserting after paragraph III the following new paragraph: IV. The commissioner may enter into discussions with other state jurisdictions to create reciprocal agreements for the enforcement and collection of tolls and administrative fees due under the E-Z Pass system. The departments of transportation and safety may release driver’s and owner’s information to other jurisdictions relative to enforcement or collection of tolls and may take such other action as is necessary to effectuate the reciprocal enforcement agreements.</p>
<p>79 Department of Transportation; Welcome Centers. In order to better serve the public while utilizing revenue generating opportunities, the general court supports the idea of commercializing the rest areas, welcome centers, and state liquor store sites along the highways and turnpikes. The commissioner of the department of transportation is authorized to issue requests for proposals relative to the sale, lease, or concession of these areas, including the use of public/private partnerships to develop and reconstruct the rest areas, welcome areas, and state liquor store sites along the turnpikes and highways as may be necessary to provide full service centers with food, liquor sales, gas, and other retail goods and services for the traveling public. Any proposal accepted by the commissioner under this section shall be submitted for approval in accordance with laws governing the disposition of state-owned real estate.</p>	<p>77 Department of Transportation; Welcome Centers. In order to better serve the public while utilizing revenue-generating opportunities, the general court supports the idea of commercializing the rest areas, welcome centers, and state liquor store sites along the highways and turnpikes. The commissioner of the department of transportation is authorized to issue requests for proposals relative to the sale, lease, or concession of these areas, including the use of public/private partnerships to develop and reconstruct the rest areas, welcome areas, and state liquor store sites along the turnpikes and highways as may be necessary to provide full service centers with food, liquor sales, gas, and other retail goods and services for the traveling public. Any proposal accepted by the commissioner under this section shall be submitted for approval in accordance with laws governing the disposition of state-owned real estate.</p>
<p>80 Fish and Game Department; Game Management Account. Notwithstanding RSA 206:34-b or any other provision of law, for the biennium ending June 30, 2011, all moneys collected from the sale of moose, bear, turkey, and waterfowl stamps, licenses, applications, and permits shall be deposited in the fish and game fund and shall be used for the purposes specified in RSA 206:34-a.</p>	<p>78 Fish and Game Department; Game Management Account. Notwithstanding RSA 206:34-b or any other provision of law, for the biennium ending June 30, 2011, all moneys collected from the sale of moose, bear, turkey, and waterfowl stamps, licenses, applications, and permits shall be deposited in the fish and game fund and shall be used for the purposes specified in RSA 206:34-a.</p>
<p>81 State Government Waste Reduction, Recycling, and Recycled Products Purchase. Notwithstanding any provision of law, for the biennium ending June 30, 2011, the requirements of RSA 9-C:4, III and RSA 9-C:8-10 are suspended.</p>	<p>AMENDED BY THE SENATE 79 State Government Waste Reduction, Recycling, and Recycled Products Purchase; Plan for State Recycling Program. Amend 2008, 359:1 to read as follows:</p>

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	<p>359:1 Plan for State Recycling Program. This act is a plan for the state recycling program and shall not mandate the expenditure of funds during the 2008-2009 [biennium] and 2010-2011 bienniums.</p>
<p>82 Boards, Commissions, and Councils; Expiration Date.</p> <p>I. All non-regulatory boards, commissions, councils, advisory committees, and task forces in state government created by statute or administrative rule shall expire on June 30, 2011, unless reinstated by the general court. The office of legislative services shall provide a list of all such boards, commissions, councils, advisory committees, and task forces in state government created by statute or administrative rule to the speaker of the house of representatives, the senate president, and the governor on or before September 30, 2009.</p> <p>II. All non-regulatory boards, commissions, councils, advisory committees, and task forces created by executive order, or by a department, agency, or administratively-attached agency in the executive branch, shall expire on June 30, 2011, unless reinstated by the governor. Each commissioner or agency head shall provide a list of all such boards, commissions, councils, advisory committees, and task forces created by the department, agency, or administratively attached agency to the governor on or before September 30, 2009. For each advisory committee listed that was not created by statute, the commissioner or agency head shall identify whether the advisory committee was established in accordance with RSA 21-G:11.</p> <p>III. The supreme court shall conduct a review of all boards, commissions, councils, advisory committees, and task forces created by the judicial branch or by court order and shall eliminate non-essential boards, commissions, councils, advisory committees, and task forces on or before June 30, 2011.</p>	<p>AMENDED BY THE SENATE</p> <p>80 Boards, Commissions, and Councils; Expiration Date.</p> <p>I.(a) Except as provided in subparagraph (b), all non-regulatory boards, commissions, councils, advisory committees, and task forces in state government created by statute or administrative rule shall expire on June 30, 2011, unless reinstated by the general court. The office of legislative services shall provide a list of all such boards, commissions, councils, advisory committees, and task forces in state government created by statute or administrative rule to the speaker of the house of representatives, the senate president, and the governor on or before September 30, 2009.</p> <p>(b) The McAuliffe-Shepard discovery center commission shall be exempt from the provisions of subparagraph (a).</p> <p>(c) All non-regulatory boards, commissions, councils, advisory committees, and task forces created by executive order, or by a department, agency, or administratively-attached agency in the executive branch, shall expire on June 30, 2011, unless reinstated by the governor. Each commissioner or agency head shall provide a list of all such boards, commissions, councils, advisory committees, and task forces created by the department, agency, or administratively attached agency to the governor on or before September 30, 2009. For each advisory committee listed that was not created by statute, the commissioner or agency head shall identify whether the advisory committee was established in accordance with RSA 21-G:11.</p> <p>(d) The supreme court shall conduct a review of all boards, commissions, councils, advisory committees, and task forces created by the judicial branch or by court order and shall eliminate non-essential boards, commissions, councils, advisory committees, and task forces on or before June 30, 2011.</p>

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	<p>II.(a) There is established a committee to study the list of non-regulatory boards, commissions, councils, advisory committees, and task forces under paragraph I.</p> <p>(b) The members of the committee shall be as follows:</p> <p>(1) Two members of the senate, appointed by the president of the senate.</p> <p>(2) Three members of the house of representatives, appointed by the speaker of the house of representatives.</p> <p>(c) Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.</p> <p>(d) The committee shall study the list of non-regulatory boards, commissions, councils, advisory committees, and task forces under paragraph I and shall make recommendations relative to which such entities shall be eliminated.</p> <p>(e) 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. Four members of the committee shall constitute a quorum.</p> <p>(f) 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.</p>
<p>83 Committee on Consolidation of Boards, Commissions, and Councils Established.</p> <p>I. There is established a committee to study the consolidation of administrative and adjudicative functions of boards, commissions, and councils regulating occupations and licensing professionals to provide for increased efficiency and cost savings.</p> <p>II. The members of the committee shall be as follows:</p> <p>(a) Six members of the house of representatives, 3 of whom shall be members of the finance committee and 3 of whom shall be members of the executive departments and administration committee, appointed by the speaker of the house of representatives.</p>	<p>81 Committee on Consolidation of Boards, Commissions, and Councils Established.</p> <p>I. There is established a committee to study the consolidation of administrative and adjudicative functions of boards, commissions, and councils regulating occupations and licensing professionals to provide for increased efficiency and cost savings.</p> <p>II. The members of the committee shall be as follows:</p> <p>(a) Six members of the house of representatives, 3 of whom shall be members of the finance committee and 3 of whom shall be members of the executive departments and administration committee, appointed by the speaker of the house of representatives.</p>

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(b) Two members of the senate, one of whom shall be a member of the finance committee and one of whom shall be a member of the executive departments and administration committee, 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 how to enhance the administrative efficiency of occupational licensing boards. In conducting the study, the committee shall consider how greater efficiency can be achieved in the following areas:

(a) The relationship between the boards and the agencies to which the boards are attached;

(b) The relationship between the administrative prosecutions unit, department of justice and the boards and the development of uniform access to investigative assistance and legal assistance with prosecutions;

(c) The relationship between the civil bureau, department of justice and the boards and the development of uniform access to legal assistance with board procedural issues;

(d) The relationship between the rules and procedures unit, department of administrative services and the boards;

(e) Consolidation of or uniformity in the administrative functions of the boards, including but not limited to, purchasing, personnel management, database design, and website design;

(f) Physically grouping some boards together with shared staff and office and meeting space;

(g) Creating a new department of professional regulation that includes all occupational licensing boards;

(h) Any other areas deemed necessary by the committee.

V. The members of the study committee shall elect a chairperson from among the

(b) Two members of the senate, one of whom shall be a member of the finance committee and one of whom shall be a member of the executive departments and administration committee, 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 how to enhance the administrative efficiency of occupational licensing boards. In conducting the study, the committee shall consider how greater efficiency can be achieved in the following areas:

(a) The relationship between the boards and the agencies to which the boards are attached;

(b) The relationship between the administrative prosecutions unit, department of justice, and the boards and the development of uniform access to investigative assistance and legal assistance with prosecutions;

(c) The relationship between the civil bureau, department of justice, and the boards and the development of uniform access to legal assistance with board procedural issues;

(d) The relationship between the rules and procedures unit, department of administrative services, and the boards;

(e) Consolidation of or uniformity in the administrative functions of the boards, including but not limited to, purchasing, personnel management, database design, and website design;

(f) Physically grouping some boards together with shared staff and office and meeting space;

(g) Creating a new department of professional regulation that includes all occupational licensing boards;

(h) Any other areas deemed necessary by the committee.

V. The members of the study committee shall elect a chairperson from among the

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<p>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. Five members of the committee shall constitute a quorum.</p> <p>VI. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2009.</p>	<p>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. Five members of the committee shall constitute a quorum.</p> <p>VI. The committee shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2009.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>82 New Section; Department of Resources and Economic Development; Workforce Development. Amend RSA 12-A by inserting after section 2-i the following new section:</p> <p>12-A:2-j Workforce Development. The commissioner of the department of resources and economic development shall plan, develop, and administer workforce investment activities, programs, and grants under the federal Workforce Investment Act of 1998, 29 U.S.C. section 2801 et seq., as such may be amended, reauthorized, and in effect from time to time, and shall discharge the day-to-day operational responsibilities and obligations of the New Hampshire Workforce Opportunity Council established under RSA 12-A:60. The commissioner shall coordinate with the New Hampshire Workforce Opportunity Council to promote state and local investment systems that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the nation.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>83 New Paragraph; Powers of the Director of Economic Development. Amend RSA 12-A:22 by inserting after subparagraph IX the following new paragraph:</p> <p>X. Plan, develop, and administer programs to assist in the implementation of the Workforce Investment Act of 1998, 29 U.S.C. section 2801 et seq., as such may be amended, reauthorized, and in effect from time to time, implement the state plan established by the governor and the Workforce Opportunity Council, and perform the following additional functions:</p> <p>(a) Through the Youth Council, select youth providers of training services in the local areas.</p>

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	<p>(b) Identify eligible providers of training services in the local area.</p> <p>(c) Identify eligible providers of intensive services, if not otherwise provided by the One-Stop operator.</p> <p>(d) Develop a budget for carrying out the duties of the Workforce Opportunity Council, subject to the approval of the commissioner.</p> <p>(e) Oversee local programs of youth activities, local employment, and training service.</p> <p>(f) Establish, in conjunction with the commissioner, local performance measures.</p> <p>(g) Assist the commissioner in developing statewide employment statistics systems described in the Wagner-Peyser Act.</p> <p>(h) Coordinate workforce investment activities authorized and implemented within the state with economic development strategies, and develop the employer linkages with such activities.</p> <p>(i) Make available to the public, on a regular basis through open meetings, information regarding Workforce Opportunity Council activities including information regarding the state plan prior to its submission, and information regarding membership, the designation and certification of One-Stop operators and the award of grants or contracts to eligible providers of youth activities and, as requested, minutes of formal meetings of the Workforce Opportunity Council.</p> <p>(j) Review the operation of programs and the availability, responsiveness, and adequacy of state services, and make recommendations to the governor, appropriate chief elected officials, service providers, the legislature, and general public with respect to steps to improve the effectiveness of these services and programs.</p> <p>(k) Review plans of all state agencies providing employment training, and related services, and provide comments and recommendations to the governor, the legislature, the state agencies and appropriate federal agencies on the relevancy and effectiveness of employment and training and related services delivery system in the state.</p>
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84 New Subdivision; Department of Resources and Economic Development; Workforce Opportunity Council. Amend RSA 12-A by inserting after section 59 the following new subdivision:

Workforce Opportunity Council

12-A:60 Workforce Opportunity Council. The state workforce opportunity council, established pursuant to Executive Order 2001-1, shall be a part of the department of resources and economic development. The commissioner shall oversee the responsibilities of the state workforce opportunity council.

AMENDED BY THE SENATE

84 New Subdivision; Department of Resources and Economic Development; New Hampshire Workforce Opportunity Council; Workforce Opportunity Fund. Amend RSA 12-A by inserting after section 59 the following new subdivision:

New Hampshire Workforce Opportunity Council

12-A:60 New Hampshire Workforce Opportunity Council.

I. There is established a New Hampshire Workforce Opportunity Council.

II. Membership of the council shall be as set forth in section 111(b) of the Workforce Investment Act of 1998, Public Law 105-220, codified at 29 U.S.C. section 2801 et seq., as such may be amended, reauthorized, and in effect from time to time. Members of the council shall be appointed by the governor and shall serve at the pleasure of the governor. The governor shall select a chairperson for the council from among the members of the council, in accordance with 29 U.S.C. section 2821(c).

III. The council shall meet no less frequently than semi-annually, shall have the powers and responsibilities of the state workforce investment board under the Workforce Investment Act of 1998, and shall assist the governor in:

(a) Development of the state plan required under section 112 of the Workforce Investment Act of 1998.

(b) Development and continuous improvement of a statewide system of activities that are funded under this subdivision or carried out through a One-Stop delivery system described in section 134c of the Workforce Investment Act of 1998, that receives funds under that act, including:

(1) Development of linkages in order to assure coordination and non-duplication among the programs and activities described in section 121(b) of the Workforce Investment Act of 1998; and

(2) Review of local plans under the Workforce Investment Act of 1998, if any.

	<p>(c) Commenting at least once annually on the measures taken pursuant to the Carl D. Perkins Vocational and Applied Technology Education Act, 20 U.S.C. section 2323(b)(3).</p> <p>(d) Designation of local areas as required in section 116 of the Workforce Investment Act of 1998.</p> <p>(e) Development of the allocation formulas for the distribution of funds for adult employment and training activities and youth activities to local areas as permitted under sections 128(b)(3)(B) and 133(b)(3)(B) of the Workforce Investment Act of 1998.</p> <p>(f) Development and continuous improvement of comprehensive state performance measures including state adjusted levels of performance, to assess the effectiveness of the workforce investment activities in the state as required under section 136(b) of the Workforce Investment Act of 1998.</p> <p>(g) Preparation of the annual report to the United States Secretary of Labor described in section 136(d) of the Workforce Investment Act of 1998.</p> <p>(h) Development of the statewide employment statistics system described in section 15(e) of the Wagner-Peyser Act.</p> <p>(i) Development of an application for an incentive grant under 20 U.S.C. section 9273.</p> <p>12-A:61 New Hampshire Workforce Opportunity Fund.</p> <p>I. There is hereby established the New Hampshire workforce opportunity fund which shall be nonlapsing, continually appropriated to, and administered by the commissioner of the department of resources and economic development. Said fund shall be for the purpose of receiving financial assistance under the Workforce Investment Act of 1998 and providing funds for grants and other workforce development initiatives.</p> <p>II. The fund shall be distributed or expended by the commissioner after consultation with the New Hampshire Workforce Opportunity Council established in RSA 12-A:60 and the approval of the governor and council for any of the following purposes:</p> <p>(a) Workforce Investment Act Adult and Dislocated Worker programs.</p>
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	<p>(b) Workforce Investment Act Youth programs.</p> <p>(c) Workforce Investment Act Senior Community Service Employment programs.</p> <p>(d) Workforce Investment Act Disability programs.</p> <p>(e) Workforce Investment Act Regional Innovation and National Emergency grant programs.</p> <p>(f) Other projects, programs or grants recognized as being beneficial to workforce development initiatives and consistent with the goals of the Workforce Investment Act.</p> <p>III.(a) The department may accept gifts, grants, donations, or other moneys for the purposes of this section. Said moneys shall be deposited into the New Hampshire workforce opportunity fund.</p> <p>(b) The commissioner may enter into contracts and agreements and may take other actions that may be necessary or desirable to effect the transfer to it of operations currently conducted by The Workforce Opportunity Council, Inc. or the New Hampshire Workforce Opportunity Council under the Workforce Investment Act, and to effect the transfer of assets utilized by them in doing so; and, the commissioner may assume, bear, and agree to perform those contracts of the Workforce Opportunity Council, Inc. or the New Hampshire Workforce Opportunity Council that may be necessary or desirable for carrying out the purposes of this section.</p> <p>IV. The commissioner of the department of resources and economic development shall have the authority to enter into such agreements for leasing real property, acquiring goods, and engaging services to perform Rapid Response activities in accordance with this subdivision. The commissioner shall provide the governor and council an information item not less frequently than semi-annually describing all such agreements and amounts expended pursuant thereto. Such agreements shall be made pursuant to forms of agreement that shall be approved by governor and council which forms of agreement have been reviewed by the attorney general and the commissioner of the department of administrative services.</p>
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	<p>V. In accordance with RSA 12-A:51-58, the commissioner of resources and economic development shall have the authority to make grants to New Hampshire employers for the purpose of training employees in accordance with this chapter, such grants not to exceed the amounts specified in RSA 282-A:87, IV(a)(2), and not to exceed to any single employer in any grant year the sum of \$70,000, unless first approved by governor and council. The commissioner shall provide the governor and council an information item not less frequently than semi-annually describing all such grants expended pursuant thereto. Such grants shall be made pursuant to a form of agreement that shall be approved by governor and council after review by the attorney general and the commissioner of the department of administrative services.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>85 New Subparagraph; Application of Receipts; Workforce Opportunity Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (276) the following new subparagraph:</p> <p style="padding-left: 40px;">(277) Moneys deposited into the New Hampshire workforce opportunity fund established in RSA 12-A:61.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>86 Training Fund. Amend RSA 282-A:138-a to read as follows:</p> <p>282-A:138-a Training Fund.</p> <p>I. There is hereby created in the state treasury a special fund to be known as the training fund. Commencing January 1, 2002, the moneys in this fund may be used, solely as determined by the commissioner of [employment security] resources and economic development in accordance with rules and guidelines adopted by the commissioner of resources and economic development, for funding training under the job training program for economic growth, established under RSA 12-A:51-58. Rulemaking authority relative to administration of the grant award process shall [remain] be with the commissioner of resources and economic development pursuant to RSA 12-A:54, II(a).</p> <p>II. The commissioner of [employment security] resources and economic development shall act as the fiscal agent for moneys deposited in the training fund. All costs incurred by the commissioner acting as fiscal agent of the training fund shall be paid from such fund.</p>

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	<p>III. Any interest earned on the moneys in this fund shall [be deposited in the fund established by RSA 282 A:140 and shall be expended only as provided by that section, and not for any other purpose] remain in the fund and shall be expended as provided in paragraph I .</p> <p>IV. Any moneys paid into the training fund during a calendar year, which are either not obligated by June 30 of the following year or spent by June 30 of the year thereafter, shall be continually appropriated and shall not lapse [and be deposited into the fund established by RSA 282 A:140 and shall be expended only as provided by that section and not for any other purpose].</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>87 Repeal. 2000, 317:2, relative to membership on the workforce investment board, is repealed.</p>
<p>85 Department of Insurance; New Hampshire Citizens Health Initiative. The New Hampshire insurance department is hereby authorized and directed to seek governor and council approval to enter into a cooperative project agreement with the university system of New Hampshire, acting through the university of New Hampshire, whereby the New Hampshire Institute for Health Policy and Practice will support the efforts of the New Hampshire Citizens Health Initiative (CHI). This agreement shall provide for operational support of the CHI, as well as technical assistance and consultant services to support CHI Pillar Projects relating to health care provider reimbursement, medical home, health information technology and exchange, and health care finance and structure transparency. Funding for this agreement provided by the insurance department shall not exceed \$380,000 through June 30, 2011.</p>	<p>88 Department of Insurance; New Hampshire Citizens Health Initiative. The New Hampshire insurance department is hereby authorized and directed to seek governor and council approval to enter into a cooperative project agreement with the university system of New Hampshire, acting through the university of New Hampshire, whereby the New Hampshire Institute for Health Policy and Practice will support the efforts of the New Hampshire Citizens Health Initiative (CHI). This agreement shall provide for operational support of the CHI, as well as technical assistance and consultant services to support CHI Pillar Projects relating to health care provider reimbursement, medical home, health information technology and exchange, and health care finance and structure transparency. Funding for this agreement provided by the insurance department shall not exceed \$380,000 through June 30, 2011.</p>
<p>86 Legislative Branch; Revised Health Benefit Plan. The legislative branch shall lapse \$73,546 during the fiscal year ending June 30, 2010 and \$159,350 during the fiscal year ending June 30, 2011 in connection with the implementation of the revised health benefit plan for unclassified and nonclassified state employees.</p>	<p>AMENDED BY THE SENATE</p> <p>89 Legislative Branch; Revised Health Benefit Plan. The legislative branch shall lapse \$57,975 during the fiscal year ending June 30, 2010 and \$125,613 during the fiscal year ending June 30, 2011 in connection with the implementation of the revised health benefit plan for unclassified and nonclassified state employees.</p>
<p>87 Judicial Branch; Revised Health Benefit Plan. The judicial branch shall lapse \$345,563</p>	<p>AMENDED BY THE SENATE</p>

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<p>during the fiscal year ending June 30, 2010 and \$748,725 during the fiscal year ending June 30, 2011 in connection with the implementation of the revised health benefit plan for unclassified and nonclassified state employees.</p>	<p>90 Judicial Branch; Revised Health Benefit Plan. The judicial branch shall lapse \$258,818 during the fiscal year ending June 30, 2010 and \$560,772 during the fiscal year ending June 30, 2011 in connection with the implementation of the revised health benefit plan for unclassified and nonclassified state employees.</p>
<p>88 New Section; Real Estate Commission; Fees Collected Electronically; Handling Charge. Amend RSA 331-A by inserting after section 24-a the following new section: 331-A:24-b Handling Charge. If the real estate commission collects a fee electronically for any license, any document, or any other purpose under this chapter, the commission shall collect a handling charge for each fee paid electronically, including by Internet or facsimile, by adding 2 percent to the total collected.</p>	<p>91 New Section; Real Estate Commission; Fees Collected Electronically; Handling Charge. Amend RSA 331-A by inserting after section 24-a the following new section: 331-A:24-b Handling Charge. If the real estate commission collects a fee electronically for any license, any document, or any other purpose under this chapter, the commission shall collect a handling charge for each fee paid electronically, including by Internet or facsimile, by adding 2 percent to the total collected.</p>
<p>89 Horse and Dog Racing; Employees. Amend RSA 284:3 to read as follows: 284:3 Employees. At least 85 percent of the persons employed by a person, association, or corporation conducting a racing plant <i>or simulcasting</i> under the provisions hereof shall have resided in this state for a period of not less than one year. The provisions of this section shall not apply to the construction of a racing plant or its equipment.</p>	<p>AMENDED BY THE SENATE 92 Horse and Dog Racing; Employees. Amend RSA 284:3 to read as follows: 284:3 Employees. At least 85 70 percent of the persons employed by a person, association, or corporation conducting a racing plant <i>or simulcasting</i> under the provisions hereof shall have resided in this state for a period of not less than one year. The provisions of this section shall not apply to the construction of a racing plant or its equipment.</p>
<p>90 New Paragraph; Racing and Charitable Gaming Commission; Fees to Cover Costs of Administering Live Racing. Amend RSA 284:6-a by inserting after paragraph V the following new paragraph: VI. The racing and charitable gaming commission shall establish and adjust annual fees for licensees conducting live racing in an amount sufficient to generate revenue that approximates the direct costs of administering the live racing provisions of this chapter.</p>	<p>DELETED BY THE SENATE</p>
<p>91 Horse and Dog Racing; Racing and Charitable Gaming Commission; Rulemaking. Amend RSA 284:12, III to read as follows: III. The operation of race tracks on which running or harness horse or dog races or meets <i>or simulcastings</i> are held.</p>	<p>93 Horse and Dog Racing; Racing and Charitable Gaming Commission; Rulemaking. Amend RSA 284:12, III to read as follows: III. The operation of race tracks on which running or harness horse or dog races or meets <i>or simulcastings</i> are held.</p>

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<p>92 Horse and Dog Racing; License Required; Investigation Fees. Amend RSA 284:12-a to read as follows:</p> <p>284:12-a License Required; Investigation Fees.</p> <p>I. No person, association, corporation, or any other type of entity shall hold <i>or simulcast</i> any running or harness horse or dog race or meet at <i>or for</i> which pari-mutuel pools are sold without a license from the commission.</p> <p>II. Investigation fees shall be collected by the commission and shall be continually appropriated to the commission and used by the commission to offset the costs of conducting background checks and monitoring of license applicants and licensees as required under this section, RSA 284:16, RSA 284:16-a, RSA 284:18-a, RSA 284:19, RSA 284:20, [and] RSA 284:20-b, <i>RSA 284:22, and RSA 284:22-a.</i> Funds received hereunder and not expended for such investigations shall lapse to the general fund 2 years after receipt of such funds.</p>	<p>94 Horse and Dog Racing; License Required; Investigation Fees. Amend RSA 284:12-a to read as follows:</p> <p>284:12-a License Required; Investigation Fees.</p> <p>I. No person, association, corporation, or any other type of entity shall hold <i>or simulcast</i> any running or harness horse or dog race or meet at <i>or for</i> which pari-mutuel pools are sold without a license from the commission.</p> <p>II. Investigation fees shall be collected by the commission and shall be continually appropriated to the commission and used by the commission to offset the costs of conducting background checks and monitoring of license applicants and licensees as required under this section, RSA 284:16, RSA 284:16-a, RSA 284:18-a, RSA 284:19, RSA 284:20, [and] RSA 284:20-b, <i>RSA 284:22, and RSA 284:22-a.</i> Funds received hereunder and not expended for such investigations shall lapse to the general fund 2 years after receipt of such funds.</p>
<p>93 License; Live Running or Harness Horse Racing. Amend the introductory paragraph of RSA 284:15, I to read as follows:</p> <p>I. Any person, association, or corporation desiring to hold <i>or simulcast</i> a running or harness horse race or meet for public exhibition, at <i>or for</i> which pari-mutuel pools are to be sold, shall apply to said commission for a license to do so. The application shall be signed and sworn to by the person or executive officer of the association or corporation and shall contain the following information:</p>	<p>95 License; Live Running or Harness Horse Racing. Amend the introductory paragraph of RSA 284:15, I to read as follows:</p> <p>I. Any person, association, or corporation desiring to hold <i>or simulcast</i> a running or harness horse race or meet for public exhibition, at <i>or for</i> which pari-mutuel pools are to be sold, shall apply to said commission for a license to do so. The application shall be signed and sworn to by the person or executive officer of the association or corporation and shall contain the following information:</p>
<p>94 Requirements; Simulcast Dog Racing. Amend RSA 284:15-a to read as follows:</p> <p>284:15-a Requirements. Any person, association, or corporation desiring to hold <i>or simulcast</i> a dog race for public exhibition at <i>or for</i> which pari-mutuel pools are to be sold, shall apply to said commission for a license to do so. The application shall be signed and sworn to by the person or executive officer of the association or corporation and shall contain the information set forth in RSA 284:15. Any New Hampshire agricultural fair association certified as such, by the commissioner of agriculture, markets, and food, shall be entitled to one special 6 day racing license</p>	<p>96 Requirements; Simulcast Dog Racing. Amend RSA 284:15-a to read as follows:</p> <p>284:15-a Requirements. Any person, association, or corporation desiring to hold <i>or simulcast</i> a dog race for public exhibition at <i>or for</i> which pari-mutuel pools are to be sold, shall apply to said commission for a license to do so. The application shall be signed and sworn to by the person or executive officer of the association or corporation and shall contain the information set forth in RSA 284:15. Any New Hampshire agricultural fair association certified as such, by the commissioner of agriculture, markets, and food, shall be entitled to one special 6-day racing</p>

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<p>annually.</p>	<p>license annually.</p>
<p>95 Issuance of Licenses; Simulcast Racing. Amend RSA 284:16 to read as follows: 284:16 Issuance of Licenses. If the commission is satisfied that all the provisions hereof and the rules and regulations prescribed have been and will be complied with by the applicant and that the financial backing upon which said application is predicated is sound and is committed in support of said application, it may issue a license which shall expire on the thirty-first day of December. The license shall set forth the name of the licensee, the place where the races or race meets or simulcastings are to be held, and the time and number of days during which racing or simulcasting may be conducted by said licensee. Any license issued shall not be transferable nor assignable. Said commission shall have power to revoke any license for good cause upon reasonable notice and hearing. The commission may at any time for cause require the removal of any employee or official employed by any licensee hereunder. The license of any corporation shall automatically cease upon the change in ownership, legal or equitable, of 50 percent or more of the voting stock of the corporation and the corporation shall not hold a running or harness horse race or meet for public exhibition without a new license.</p>	<p>97 Issuance of Licenses; Simulcast Racing. Amend RSA 284:16 to read as follows: 284:16 Issuance of Licenses. If the commission is satisfied that all the provisions hereof and the rules and regulations prescribed have been and will be complied with by the applicant and that the financial backing upon which said application is predicated is sound and is committed in support of said application, it may issue a license which shall expire on the thirty-first day of December. The license shall set forth the name of the licensee, the place where the races or race meets or simulcastings are to be held, and the time and number of days during which racing or simulcasting may be conducted by said licensee. Any license issued shall not be transferable nor assignable. Said commission shall have power to revoke any license for good cause upon reasonable notice and hearing. The commission may at any time for cause require the removal of any employee or official employed by any licensee hereunder. The license of any corporation shall automatically cease upon the change in ownership, legal or equitable, of 50 percent or more of the voting stock of the corporation and the corporation shall not hold a running or harness horse race or meet for public exhibition without a new license.</p>
<p>96 Issuance of Licenses; Simulcasting Races. Amend RSA 284:16-a to read as follows: 284:16-a Issuance of Licenses. If the greyhound racing commission is satisfied that all the provisions hereof and the rules and regulations prescribed have been and will be complied with by the applicant and that the financial backing upon which said application is predicated is sound and is committed in support of said application, it may issue a license which shall expire on the thirty-first day of December. The license shall set forth the name of the licensee, the place where the races or race meets or simulcastings are to be held, and the time and number of days during which racing or simulcasting may be conducted by said licensee. Any license issued shall not be transferable nor assignable. Said commission shall have power to revoke any license for good cause upon reasonable notice and hearing. The commission may at any time for cause require the removal of any employee or official employed by any licensee hereunder. The license of any</p>	<p>98 Issuance of Licenses; Simulcasting Races. Amend RSA 284:16-a to read as follows: 284:16-a Issuance of Licenses. If the greyhound racing commission is satisfied that all the provisions hereof and the rules and regulations prescribed have been and will be complied with by the applicant and that the financial backing upon which said application is predicated is sound and is committed in support of said application, it may issue a license which shall expire on the thirty-first day of December. The license shall set forth the name of the licensee, the place where the races or race meets or simulcastings are to be held, and the time and number of days during which racing or simulcasting may be conducted by said licensee. Any license issued shall not be transferable nor assignable. Said commission shall have power to revoke any license for good cause upon reasonable notice and hearing. The commission may at any time for cause require the removal of any employee or official employed by any licensee hereunder. The license of any</p>

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<p>corporation shall automatically cease upon the change in ownership, legal or equitable, of 50 percent or more of the voting stock of the corporation and the corporation shall not hold a dog race or meet for public exhibition without a new license. Any New Hampshire agricultural fair association certified as such, by the commissioner of agriculture, markets, and food, shall be entitled to one special 6-day license annually to hold a dog race meet.</p>	<p>corporation shall automatically cease upon the change in ownership, legal or equitable, of 50 percent or more of the voting stock of the corporation and the corporation shall not hold a dog race or meet for public exhibition without a new license. Any New Hampshire agricultural fair association certified as such, by the commissioner of agriculture, markets, and food, shall be entitled to one special 6-day license annually to hold a dog race meet.</p>
<p>97 Pari-Mutuel Pools on Simulcast Racing; Live Running and Harness Horse Racing. Amend RSA 284:22-a, I(c) to read as follows: (c) “Licensee” means any individual, association, partnership, joint venture, corporation, or other organization or other entity which holds a license under RSA 284 to conduct a race meet, <i>or if the election is made pursuant to RSA 284:22-a, II(c), “licensee” means any individual, association, partnership, joint venture, corporation, or other organization or entity which holds a license under RSA 284 to conduct simulcasting at a facility at which live running or harness horse racing or live dog racing was conducted in 2008.</i></p>	<p>99 Pari-Mutuel Pools on Simulcast Racing; Live Running and Harness Horse Racing. Amend RSA 284:22-a, I(c) to read as follows: (c) “Licensee” means any individual, association, partnership, joint venture, corporation, or other organization or other entity which holds a license under RSA 284 to conduct a race meet, <i>or if the election is made pursuant to RSA 284:22-a, II(c), “licensee” means any individual, association, partnership, joint venture, corporation, or other organization or entity which holds a license under RSA 284 to conduct simulcasting at a facility at which live running or harness horse racing or live dog racing was conducted in 2008.</i></p>
<p>98 New Subparagraph; Pari-Mutuel Pools on Simulcast Racing; Live Running and Harness Horse Racing. Amend RSA 284:22-a, II by inserting after subparagraph (b) the following new subparagraph: (c) Notwithstanding subparagraph II(a), an individual, association, partnership, joint venture, corporation, or other organization or entity may be issued a license to conduct simulcasting without conducting live racing provided such person makes such election with the approval of the commission and such person or entity held a license on January 1, 2009 under this chapter to conduct a race meet.</p>	<p>AMENDED BY THE SENATE 100 New Subparagraph; Pari-Mutuel Pools on Simulcast Racing; Live Running and Harness Horse Racing. Amend RSA 284:22-a, II by inserting after subparagraph (b) the following new subparagraph: (c) Notwithstanding subparagraph II(a), an individual, association, partnership, joint venture, corporation, or other organization or entity may be issued a license to conduct simulcasting without conducting live racing provided such person or entity makes such election with the approval of the commission and such person or entity either held a license on January 1, 2009 under this chapter to conduct a race meet or seeks to conduct simulcasting without conducting live racing at a facility at which live racing was authorized to be conducted in 2009.</p>
<p>99 Applicability. The fees established in RSA 284:6-a, VI as inserted by section 90 of this act shall apply to licenses issued on or after January 1, 2010.</p>	<p>DELETED BY THE SENATE</p>

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<p>100 Department of Revenue Administration; Position of Chief Multi-State Auditor Established.</p> <p>I. There is established the unclassified position of chief multi-state auditor for the department of revenue administration. The salary for the position shall be as set forth in RSA 94:1-a.</p> <p>II. The commissioner shall appoint a qualified person, who shall serve at the pleasure of the commissioner, to the position established in paragraph I.</p>	<p>101 Department of Revenue Administration; Position of Chief Multi-State Auditor Established.</p> <p>I. There is established the unclassified position of chief multi-state auditor for the department of revenue administration. The salary for the position shall be as set forth in RSA 94:1-a.</p> <p>II. The commissioner shall appoint a qualified person, who shall serve at the pleasure of the commissioner, to the position established in paragraph I.</p>
<p>101 Unclassified Officers; Chief Multi-State Auditor Added. Amend RSA 94:1-a, I(a) as follows:</p> <p>Insert:</p> <p>DD Department of revenue administration chief multi-state auditor</p>	<p>102 Unclassified Officers; Chief Multi-State Auditor Added. Amend RSA 94:1-a, I(a) as follows:</p> <p>Insert:</p> <p>DD Department of revenue administration chief multi-state auditor</p>
<p>102 New Section; Supreme Court; Judicial Branch Information Technology Fund. Amend RSA 490 by inserting after section 26-g the following new section:</p> <p>490:26-h Judicial Branch Information Technology Fund.</p> <p>I. Except as provided in paragraph IV:</p> <p>(a) Fourteen percent of each entry fee collected in the judicial branch family division and in the supreme, district, superior, and probate courts and 16.67 percent of the penalty assessment collected pursuant to RSA 188-F:31 shall be deposited in the judicial branch information technology fund.</p> <p>(b) Moneys in the fund shall be nonlapsing and continually appropriated to the supreme court for maintenance and infrastructure renewal of judicial branch information technology, including both hardware and software, as recommended by the director of the administrative office of the courts and approved by the supreme court.</p> <p>II. The state treasurer shall establish procedures for deposits to and expenditures from the judicial branch information technology fund. The fund shall be a dedicated fund for the improvement of judicial branch information technology.</p>	<p>103 New Section; Supreme Court; Judicial Branch Information Technology Fund. Amend RSA 490 by inserting after section 26-g the following new section:</p> <p>490:26-h Judicial Branch Information Technology Fund.</p> <p>I. Except as provided in paragraph IV:</p> <p>(a) Fourteen percent of each entry fee collected in the judicial branch family division and in the supreme, district, superior, and probate courts and 16.67 percent of the penalty assessment collected pursuant to RSA 188-F:31 shall be deposited in the judicial branch information technology fund.</p> <p>(b) Moneys in the fund shall be nonlapsing and continually appropriated to the supreme court for maintenance and infrastructure renewal of judicial branch information technology, including both hardware and software, as recommended by the director of the administrative office of the courts and approved by the supreme court.</p> <p>II. The state treasurer shall establish procedures for deposits to and expenditures from the judicial branch information technology fund. The fund shall be a dedicated fund for the improvement of judicial branch information technology.</p>

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<p>III. The funds on deposit in the judicial branch information technology fund shall be invested by the state treasurer in obligations of the United States government, in government agency obligations, in obligations which are legal investments for savings banks and trust companies, and in all types of savings accounts or certificates of deposit of both state or federally chartered institutions.</p> <p>IV. On or before September 1 of each year, the judicial branch shall submit a written report of the income and expenditures of the judicial branch information technology fund to the fiscal committee of the general court and the state treasurer. If such report is not submitted, any balance in the fund shall lapse to the general fund and the percentage of each entry fee which is designated for the judicial branch information technology fund under paragraph I shall be deposited in the general fund.</p>	<p>III. The funds on deposit in the judicial branch information technology fund shall be invested by the state treasurer in obligations of the United States government, in government agency obligations, in obligations which are legal investments for savings banks and trust companies, and in all types of savings accounts or certificates of deposit of both state or federally chartered institutions.</p> <p>IV. On or before September 1 of each year, the judicial branch shall submit a written report of the income and expenditures of the judicial branch information technology fund to the fiscal committee of the general court and the state treasurer. If such report is not submitted, any balance in the fund shall lapse to the general fund and the percentage of each entry fee which is designated for the judicial branch information technology fund under paragraph I shall be deposited in the general fund.</p>
<p>103 Penalty Assessment. Amend RSA 188-F:31, I to read as follows:</p> <p>I. Every court shall levy a penalty assessment of \$2 or [20] 24 percent, whichever is greater, on each fine or penalty imposed by the court for a criminal offense, including any fine or penalty for a violation of RSA title XXI or any municipal ordinance, except for a violation of a municipal ordinance relating to motor vehicles unlawfully left or parked.</p>	<p>104 Penalty Assessment. Amend RSA 188-F:31, I to read as follows:</p> <p>I. Every court shall levy a penalty assessment of \$2 or [20] 24 percent, whichever is greater, on each fine or penalty imposed by the court for a criminal offense, including any fine or penalty for a violation of RSA title XXI or any municipal ordinance, except for a violation of a municipal ordinance relating to motor vehicles unlawfully left or parked.</p>
<p>104 Penalty Assessment. Amend RSA 188-F:31, IV to read as follows:</p> <p>IV. The clerk of each court shall collect all penalty assessments and shall transmit the amount collected under paragraphs I-III to the state treasurer for deposit in the following funds. The state treasurer shall deposit [65] 54.17 percent of the amount collected in the police standards and training council training fund, [20] 16.67 percent of the amount collected in the victims' assistance fund, 16.67 percent of the amount collected in the judicial branch information technology fund, and the remainder in the general fund.</p>	<p>105 Penalty Assessment. Amend RSA 188-F:31, IV to read as follows:</p> <p>IV. The clerk of each court shall collect all penalty assessments and shall transmit the amount collected under paragraphs I-III to the state treasurer for deposit in the following funds. The state treasurer shall deposit [65] 54.17 percent of the amount collected in the police standards and training council training fund, [20] 16.67 percent of the amount collected in the victims' assistance fund, 16.67 percent of the amount collected in the judicial branch information technology fund, and the remainder in the general fund.</p>
<p>105 Supreme Court; Entry Fees. Amend RSA 490:24, I to read as follows:</p> <p>I. For the benefit of the state, there shall be paid to the clerk for the entry of every reserved case, bill of exceptions, petition, appeal, or other action, for the filing of every motion or</p>	<p>106 Supreme Court; Entry Fees. Amend RSA 490:24, I to read as follows:</p> <p>I. For the benefit of the state, there shall be paid to the clerk for the entry of every reserved case, bill of exceptions, petition, appeal, or other action, for the filing of every motion or</p>

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<p>other document supplementary to the entered case, and for any service rendered by the clerk, such fees as shall from time to time be established by the court. The clerk shall set aside 7 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 14 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid into the law library revolving fund established in RSA 490:25, III.</p>	<p>other document supplementary to the entered case, and for any service rendered by the clerk, such fees as shall from time to time be established by the court. The clerk shall set aside 7 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 14 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h. The proceeds of fees for motions to appear in court pro hac vice shall be paid into the law library revolving fund established in RSA 490:25, III.</p>
<p>106 Judicial Branch Family Division; Entry Fees. Amend RSA 490-D:12, II to read as follows: II. Fees as established by the supreme court under RSA 490:26-a shall be paid to the clerk of the judicial branch family division for the benefit of the state. The clerk shall set aside 7 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 14 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h.</p>	<p>107 Judicial Branch Family Division; Entry Fees. Amend RSA 490-D:12, II to read as follows: II. Fees as established by the supreme court under RSA 490:26-a shall be paid to the clerk of the judicial branch family division for the benefit of the state. The clerk shall set aside 7 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 14 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h.</p>
<p>107 Superior Court; Entry Fees. Amend RSA 499:18, II to read as follows: II. The clerk shall set aside 7 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 14 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h.</p>	<p>108 Superior Court; Entry Fees. Amend RSA 499:18, II to read as follows: II. The clerk shall set aside 7 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 14 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h.</p>
<p>108 District Court Entry Fees. Amend RSA 502-A:28, II to read as follows: II. The clerk shall set aside 7 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 14 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h.</p>	<p>109 District Court Entry Fees. Amend RSA 502-A:28, II to read as follows: II. The clerk shall set aside 7 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 14 percent of each entry fee paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h.</p>
<p>109 Probate Court Entry Fees. Amend RSA 548:23-a, II to read as follows: II. The register shall set aside 7 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 14 percent of each entry fee</p>	<p>110 Probate Court Entry Fees. Amend RSA 548:23-a, II to read as follows: II. The register shall set aside 7 percent of each entry fee paid into the court for deposit into a special escrow account established under RSA 490:26-c and 14 percent of each entry fee</p>

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<p><i>paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h.</i></p>	<p><i>paid into the court for deposit into the judicial branch information technology fund established under RSA 490:26-h.</i></p>
<p>110 New Subparagraph; Application of Receipts; Judicial Branch Information Technology Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (276) the following new subparagraph: (277) Moneys deposited in the judicial branch information technology fund established under RSA 490:26-h.</p>	<p>111 New Subparagraph; Application of Receipts; Judicial Branch Information Technology Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (276) the following new subparagraph: (277) Moneys deposited in the judicial branch information technology fund established under RSA 490:26-h.</p>
<p>111 Uniform Fines; Judicial Branch Information Technology Fund. Amend RSA 262:44, I to read as follows: I. Such defendant shall receive, in addition to the summons, a uniform fine schedule entitled “Notice of Fine, Division of Motor Vehicles” which shall contain the normal fines for violations of the provisions of title XXI on vehicles for which a plea may be entered by mail. The defendant shall be given a notice of fine indicating the amount of the fine plus penalty assessment at the time the summons is issued; except if, for cause, the summoning authority wishes the defendant to appear personally. Defendants summoned to appear personally shall do so on the arraignment date specified in the summons, unless otherwise ordered by the court. Defendants who are issued a summons and notice of fine and who wish to plead guilty or nolo contendere shall enter their plea on the summons and return it with payment of the fine plus penalty assessment to the director of the division of motor vehicles within 30 days of the date of the summons. The director of the division of motor vehicles shall remit the penalty assessments collected to the police standards and training council for deposit in the police standards and training council training fund and to the state treasurer to be credited and continually appropriated to the victims’ assistance fund and the judicial branch information technology fund in the percentages and manner prescribed in RSA 188-F:31. Fines shall be paid over to the treasurer for deposit in the highway fund, or to such department or agency of the state as the law provides, within 14 days of their receipt.</p>	<p>AMENDED BY THE SENATE 112 Uniform Fines; Judicial Branch Information Technology Fund; Credit Cards. Amend RSA 262:44, I to read as follows: I. Such defendant shall receive, in addition to the summons, a uniform fine schedule entitled “Notice of Fine, Division of Motor Vehicles” which shall contain the normal fines for violations of the provisions of title XXI on vehicles for which a plea may be entered by mail. The defendant shall be given a notice of fine indicating the amount of the fine plus penalty assessment at the time the summons is issued; except if, for cause, the summoning authority wishes the defendant to appear personally. Defendants summoned to appear personally shall do so on the arraignment date specified in the summons, unless otherwise ordered by the court. Defendants who are issued a summons and notice of fine and who wish to plead guilty or nolo contendere shall enter their plea on the summons and return it with payment of the fine plus penalty assessment to the director of the division of motor vehicles within 30 days of the date of the summons. <i>The director of the division of motor vehicles may accept payment of the fine by credit card in lieu of cash payment. Any transaction costs assessed by the issuer of the credit card shall be paid out of the portion of the fine amount which is credited as agency income and not out of the penalty assessment charged by the district court.</i> The director of the division of motor vehicles shall remit the penalty assessments collected to the police standards and training council for deposit in the police standards and training council training fund and to the</p>

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	<p>state treasurer to be credited and continually appropriated to the victims’ assistance fund <i>and the judicial branch information technology fund</i> in the percentages and manner prescribed in RSA 188-F:31. Fines shall be paid over to the [treasurer for deposit in the highway fund, or to such department or agency of the state as the law provides,] <i>state treasurer, and shall be credited as agency income by the department of safety</i> within 14 days of their receipt.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>113 Beverage. Amend RSA 175:1, VIII to read as follows: VIII. “Beverage” means any beer, wine, similar fermented malt or vinous liquors and fruit juices and any other liquid intended for human consumption as a beverage having an alcoholic content of not less than 1/2 of one percent by volume and not more than 6 percent alcohol by volume at 60 degrees Fahrenheit and specialty beer as defined in RSA 175:1, LXIV-a. <i>The commission may approve any cider greater than 6 percent.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>114 New Subparagraph; General Revenue Exceptions. Amend RSA 6:12, I(b) by inserting after subparagraph (276) the following new subparagraph: (277) Moneys deposited in the liquor commission fund established in RSA 176:16.</p>
<p>112 Purchase of Supplies; Exemptions; Liquor Commission. RSA 21-I:18, I(b) is repealed and reenacted to read as follows: (b) The liquor commission is completely exempted from the provisions of this chapter, provided that the liquor commission uses competitive bidding when acquiring consumable supplies, materials, goods, and services that are necessary for, incidental to, or related to the operation of the liquor commission.</p>	<p>115 Purchase of Supplies; Exemptions; Liquor Commission. RSA 21-I:18, I(b) is repealed and reenacted to read as follows: (b) The liquor commission is completely exempted from the provisions of this chapter, provided that the liquor commission uses competitive bidding when acquiring consumable supplies, materials, goods, and services that are necessary for, incidental to, or related to the operation of the liquor commission.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>116 Divisions and Directors. RSA 176:8 is repealed and reenacted to read as follows: 176:8 Divisions and Directors. The commission shall have 3 divisions under the direction of unclassified division directors. The directors shall be appointed by the commission and serve at the pleasure of the commission based on good behavior and competence. There shall be a division of marketing, merchandising, and warehousing, a division of administration, and a division of enforcement and licensing.</p>

<p>NO COMPARABLE HOUSE SECTION</p>	<p>117 Liquor Commission Funds. Amend RSA 176:16 to read as follows: 176:16 Funds.</p> <p>I. Except as provided in paragraph II, <i>the state treasurer shall credit</i> all gross revenue derived by the commission from the sale of liquor, or from license fees, [shall be deposited into the general funds of the state. The expenses of administration and all other expenditures provided for in this title shall be paid by the state treasurer on warrants of the governor with the advice and consent of council.] <i>and interest received on such moneys, to a special fund, to be known as the liquor commission fund, from which the treasurer shall pay all expenses of the commission incident to the administration of this title. Any balance left in such fund after such expenses are paid shall be deposited in the general fund on a daily basis.</i></p> <p>II. Fifty percent of the amount by which the current year gross profits exceed fiscal year 2001 actual gross profit, but not more than 5 percent of the current year gross profits derived by the commission from the sale of liquor and other revenues, shall be deposited into the alcohol abuse prevention and treatment fund established by RSA 176-A:1.</p> <p><i>III. Notwithstanding any other provision of law, if the expenditure of additional funds over budget estimates is necessary for the proper functioning of the commission, the commission may request, with prior approval of the fiscal committee of the general court, that the governor and council authorize the transfer of funds from the liquor commission fund for expenses related to retirement and health benefits.</i></p> <p><i>IV. The commission may transfer funds totaling up to 5 percent of the operating budget in any fiscal year for any specific purposes to funds for other purposes within and among the appropriations for the operation of the commission. The commission shall report on a semi-annual basis to the fiscal committee of the general court all transfers accomplished under the provisions of this section. The provisions of this section shall not be subject to RSA 9:16-a, RSA 9:17-a, and RSA 9:17-c.</i></p>
<p>113 Liquor Commission; State Stores. RSA 177:1 is repealed and reenacted to read as follows:</p>	<p>AMENDED BY THE SENATE</p>

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<p>177:1 State Stores. The commission may lease and purchase and equip, in the name of the state, such stores, warehouses, supplies, materials, products, and other merchandising requirements for the sale or promotion of liquor and related products as are necessary to carry out the provisions of this chapter. The commission may lease, in the name of the state, space in state stores for the purpose of installing automated teller machines. No newly established state store shall be operated within 200 feet of any public or private school, church, chapel, or parish house.</p>	<p>118 Liquor Commission; State Stores. RSA 177:1 is repealed and reenacted to read as follows: 177:1 State Stores. The commission may lease, purchase, and equip, in the name of the state, such stores, warehouses, supplies, materials, equipment, products, and other marketing and merchandising requirements for the sale or promotion of liquor and related products as are necessary to carry out the provisions of this chapter. The commission may lease, in the name of the state, space in state stores for the purpose of installing automated teller machines. No newly established state store shall be operated within 200 feet of any public or private school, church, chapel, or parish house.</p>
<p>114 Closing of State Liquor Stores. RSA 177:2, I is repealed and reenacted to read as follows: I. The commission may close any state liquor store to improve profitability and efficiency. In determining net operating profit or loss, the commission shall adhere to generally accepted accounting principles for both revenues and expenses and shall include an allocation for indirect costs. All information regarding a decision to close any state liquor store shall be made available, by the commission, to the public upon request. The commission shall provide public notice 30 days prior to closing any state liquor store.</p>	<p>119 Closing of State Liquor Stores. RSA 177:2, I is repealed and reenacted to read as follows: I. The commission may close any state liquor store to improve profitability and efficiency. In determining net operating profit or loss, the commission shall adhere to generally accepted accounting principles for both revenues and expenses and shall include an allocation for indirect costs. All information regarding a decision to close any state liquor store shall be made available, by the commission, to the public upon request. The commission shall provide public notice 30 days prior to closing any state liquor store.</p>
<p>115 Licensing of Agency Liquor Stores. During the period beginning July 1, 2009 and ending June 30, 2011: I. The liquor commission may only issue new agency liquor store licenses for stores in the same market area in which the commission has closed state liquor stores during the biennium, but no more than one new agency liquor store may be licensed in any single market area. II. The commission shall issue no more than 3 new agency liquor store licenses.</p>	<p>DELETED BY THE SENATE</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>120 References Changed. Amend RSA 178:11, V to read as follows: V. Liquor/wine/beverage warehouseurs shall submit a monthly report both to the liquor commission enforcement <i>and licensing</i> division and the [warehouse and transportation] <i>marketing, merchandising, and warehousing</i> division of the commission by the tenth day of the following month indicating the quantity, type, size, and brands of all product received, stored,</p>

<p>NO COMPARABLE HOUSE SECTION</p>	<p>or shipped on their premises.</p> <p>121 New Section; Combination Conditional License. Amend RSA 178 by inserting after section 17 the following new section:</p> <p>178:17-a Combination Conditional License.</p> <p>I. At its discretion, the commission may combine license types and issue a combination conditional license to a licensee that holds or is seeking more than one license for a single establishment. In issuing a combination conditional license, the commission may suspend or modify any existing licensing requirement established under title XIII and may impose additional conditions. The commission may deny, in its discretion, any license under this section that constitutes a risk to public health, safety, or welfare of any community.</p> <p>II. The commission shall issue a combination conditional license in accordance with RSA 541-A:39.</p> <p>III. This section shall not be interpreted to create a license category that does not exist in statute.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>122 Location of Agency Liquor Stores. Amend RSA 177:11 to read as follows:</p> <p>177:11 Location of Agency Liquor Stores.</p> <p>I. The commission may license an agency liquor store only when the following requirements are met:</p> <p>(a) The proposed agency liquor store is located in a municipality which has voted in favor of the operation of state liquor stores under RSA 175:7.</p> <p>(b) The proposed agency liquor store is located in a municipality where there is no state liquor store.</p> <p>(c) Neither the proposed agency liquor store nor any state liquor store is within 5 road miles of an existing state liquor store or an existing agency liquor store.</p> <p>II. The commission may not replace a state liquor store which closes with an agency liquor store, unless the state liquor store was closed under the provisions of RSA 177:2.</p>

	<p>III. In the event that a proposed agency liquor store will replace a state liquor store, the commission shall make reasonable efforts to provide state employees other positions, if available.</p> <p><i>III-a. In determining the location of a proposed agency store, the commission shall consider its effect on the economy, availability of liquor, and customers within the surrounding relevant market. For the purposes of this section, “surrounding relevant market” means the geographic area that is reasonably intended to be served by the agency store.</i></p> <p>IV. The commission shall issue a license for an agency liquor store within a municipality by the following procedure:</p> <p>(a) The commission shall, in accordance with RSA 541-A, give public notice that agency liquor stores may be established in a particular municipality <i>to serve persons located in that municipality and in the surrounding relevant market. The public notice shall identify the surrounding relevant market that the agency store is intended to serve and all municipalities, or portions thereof, included therein. A copy of the public notice shall at the same time be forwarded by certified mail by the commission to the governing body of the municipality in which the agency store may be established and to the governing body of any additional municipalities located, in whole or in part, in the surrounding relevant market that the agency store is intended to serve.</i> The commission shall request all parties in the municipality, interested in establishing an agency liquor store there, to apply to the commission.</p> <p>(b) The commission shall provide all applicants with the necessary information for the establishment of agency liquor stores.</p> <p>(c) Upon receipt of all applications for agency liquor stores licenses in a municipality, the commission shall notify the [municipal officers] governing body of that municipality <i>and of any additional municipalities located, in whole or in part, in the surrounding relevant market</i> of the proposed location of each applicant [at least 15 days before the final selection of an</p>
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	<p>applicant or applicants by the commission] and shall suspend all action on such applications for 30 days in order to allow the affected municipalities and any other interested person to submit written comments to the commission on the proposed location of a new agency store in a municipality.</p> <p>(d) [The commission shall issue a license to all persons qualifying under the commission's rules.] <i>Upon the written request of the municipality in which the proposed agency store may be located, or of any municipality located in the surrounding relevant market as identified by the commission, that is received by the commission within 14 days of the date of the public notice forwarded to such a municipality under subparagraph (a), the commission shall in accordance with RSA 541-A publish notice and schedule a hearing on the proposed location of an agency store in such municipality. Any public hearing shall be held within 45 days of the close of the public comment period in the municipality in which the agency store may be located.</i></p> <p>(e) The commission shall [notify] <i>provide written notice by certified mail to all applicants, to the municipality in which the agency store is to be located, and to any other municipality located in the surrounding relevant market of the final selection of an applicant or applicants, and shall provide any applicant denied a license written notification of the reasons for the denial by certified mail to the mailing address given by the applicant in [his] the application for an agency liquor store license.</i></p> <p>(f) <i>The commission shall issue a license to all persons qualifying under the commission's rules.</i></p> <p>V. Any applicant aggrieved by a decision made by the commission may appeal the decision in accordance with RSA 541. <i>For purposes of rehearing and appeal, the date of the written notice of final selection of an applicant or applicants shall constitute the decision of the commission.</i></p>
<p>116 Repeal. 2008, 296:31 and 32, relative to eligibility for certain wine discounts, are</p>	<p>DELETED BY THE SENATE</p>

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<p>repealed.</p>	
<p>117 Department of Health and Human Services and Department of Safety Agreement Relative to Fee for State Criminal Record Check. Notwithstanding any provision of law to the contrary, the commissioner of the department of safety and the commissioner of the department of health and human services shall negotiate a reduced fee for performing a state criminal record check of department of health and human services employees, service providers, and licensed and license-exempt child day care providers.</p>	<p>123 Department of Health and Human Services and Department of Safety Agreement Relative to Fee for State Criminal Record Check. Notwithstanding any provision of law to the contrary, the commissioner of the department of safety and the commissioner of the department of health and human services shall negotiate a reduced fee for performing a state criminal record check of department of health and human services employees, service providers, and licensed and license-exempt child day care providers.</p>
<p>118 New Subparagraph; Rulemaking Exemption; Fee for Criminal Record Check. Amend RSA 541-A:21, I by inserting after subparagraph (bb) the following new subparagraph: (cc) RSA 106-B:14, I-a, relative to the fee for criminal record checks of department of health and human services employees, service providers, and licensed and license-exempt child day care providers.</p>	<p>124 New Subparagraph; Rulemaking Exemption; Fee for Criminal Record Check. Amend RSA 541-A:21, I by inserting after subparagraph (bb) the following new subparagraph: (cc) RSA 106-B:14, I-a, relative to the fee for criminal record checks of department of health and human services employees, service providers, and licensed and license-exempt child day care providers.</p>
<p>119 Annulment of Criminal Records. Amend RSA 651:5, IX to read as follows: IX. When a petition for annulment is timely brought, the court shall require the department of corrections to report to the court concerning any state or federal convictions, arrests or prosecutions of the petitioner and any other information which the court believes may aid in making a determination on the petition. The department shall charge the petitioner a fee of \$100 to cover the cost of such investigation unless the petitioner demonstrates that he <i>or she</i> is indigent, or he has been found not guilty, or his <i>the</i> case has been dismissed or not prosecuted in accordance with paragraph II. <i>The department of safety shall charge the successful petitioner a fee of \$100 for researching and correcting the criminal history record accordingly, unless the petitioner demonstrates that he or she is indigent, or has been found not guilty, or the case has been dismissed or not prosecuted in accordance with paragraph II.</i> The court shall provide a copy of the petition to the prosecutor of the underlying offense and permit them to be heard regarding the interest of justice in regard to the petition.</p>	<p>125 Annulment of Criminal Records. Amend RSA 651:5, IX to read as follows: IX. When a petition for annulment is timely brought, the court shall require the department of corrections to report to the court concerning any state or federal convictions, arrests or prosecutions of the petitioner and any other information which the court believes may aid in making a determination on the petition. The department shall charge the petitioner a fee of \$100 to cover the cost of such investigation unless the petitioner demonstrates that he <i>or she</i> is indigent, or he has been found not guilty, or his <i>the</i> case has been dismissed or not prosecuted in accordance with paragraph II. <i>The department of safety shall charge the successful petitioner a fee of \$100 for researching and correcting the criminal history record accordingly, unless the petitioner demonstrates that he or she is indigent, or has been found not guilty, or the case has been dismissed or not prosecuted in accordance with paragraph II.</i> The court shall provide a copy of the petition to the prosecutor of the underlying offense and permit them to be heard regarding the interest of justice in regard to the petition.</p>
<p>120 Great Bay; Reference to Saltwater License. Amend RSA 211:17-b to read as follows:</p>	<p>126 Great Bay; Reference to Saltwater License. Amend RSA 211:17-b to read as follows:</p>

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211:17-b Operation of Motor Vehicles, Snowmobiles, or OHRVs on Ice on Great Bay. No person shall drive a motor vehicle, snowmobile, or OHRV on the ice on Great Bay, except that any person who holds a New Hampshire ~~[fishing]~~ **recreational saltwater** license **under RSA 214:9, XVI** may do so, provided that he **or she** does not drive or park his **or her** vehicle any closer than 300 feet to any occupied so-called bob-house, fishing shanty, or fishing hole other than the one ~~[he]~~ **the person** occupies. The provisions of this section shall not apply to any person engaged in emergency rescue operations or public service of any description. No person driving a motor vehicle, snowmobile, or OHRV on the ice on Great Bay shall operate said vehicle at a speed greater than 10 miles per hour. Whoever violates any provision of this section shall be guilty of a violation.

211:17-b Operation of Motor Vehicles, Snowmobiles, or OHRVs on Ice on Great Bay. No person shall drive a motor vehicle, snowmobile, or OHRV on the ice on Great Bay, except that any person who holds a New Hampshire ~~[fishing]~~ **recreational saltwater** license **under RSA 214:9, XVI** may do so, provided that he **or she** does not drive or park his **or her** vehicle any closer than 300 feet to any occupied so-called bob-house, fishing shanty, or fishing hole other than the one ~~[he]~~ **the person** occupies. The provisions of this section shall not apply to any person engaged in emergency rescue operations or public service of any description. No person driving a motor vehicle, snowmobile, or OHRV on the ice on Great Bay shall operate said vehicle at a speed greater than 10 miles per hour. Whoever violates any provision of this section shall be guilty of a violation.

121 New Paragraph; Licenses; Application; Recreational Saltwater License. Amend RSA 214:9 by inserting after paragraph XV the following new paragraph:

127 New Paragraph; Licenses; Application; Recreational Saltwater License. Amend RSA 214:9 by inserting after paragraph XV the following new paragraph:

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

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

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

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

(c) A nonresident holding a valid recreational saltwater license or a for-hire charter or

(c) A nonresident holding a valid recreational saltwater license or a for-hire charter or

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

(d) In this paragraph:

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

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

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

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

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

(e) The following fees shall apply:

- (1) \$15 for resident and nonresident individuals.
- (2) \$75 for charter boats and other for hire vessels, except party boats.
- (3) \$150 for party boats.

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

122 License Required; Marine Species Added. Amend RSA 214:1 to read as follows:

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

(d) In this paragraph:

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

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

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

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

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

(e) The following fees shall apply:

- (1) \$15 for resident and nonresident individuals.
- (2) \$75 for charter boats and other for-hire vessels, except party boats.
- (3) \$150 for party boats.

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

128 License Required; Marine Species Added. Amend RSA 214:1 to read as follows:

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<p>214:1 License Required. No person, except as hereinafter provided, shall at any time fish, hunt, trap, shoot, pursue, take or kill freshwater fish, <i>marine and estuarine finfish species</i>, saltwater smelt, saltwater shad, saltwater salmonoids, wild birds, or wild animals in this state, without first procuring a proper and valid license to do so, and then only in accordance with the terms of such license and subject to all the provisions of this title. The licensee shall carry such license on his <i>or her</i> person when so engaged, and the license shall be subject to inspection on demand of any person.</p>	<p>214:1 License Required. No person, except as hereinafter provided, shall at any time fish, hunt, trap, shoot, pursue, take or kill freshwater fish, <i>marine and estuarine finfish species</i>, saltwater smelt, saltwater shad, saltwater salmonoids, wild birds, or wild animals in this state, without first procuring a proper and valid license to do so, and then only in accordance with the terms of such license and subject to all the provisions of this title. The licensee shall carry such license on his <i>or her</i> person when so engaged, and the license shall be subject to inspection on demand of any person.</p>
<p>123 Licenses for Aged Persons. Amend RSA 214:6 to read as follows: 214:6 Licenses for Aged Persons. Any resident of this state who is over 65 years of age and who is receiving public aid may, upon presentation of proof of such aid, make application to the executive director of fish and game for a special license to [fish] <i>take</i>, and to transport fish [and saltwater smelt], under the restrictions of this title. Such license shall be marked in such manner as the executive director may designate and there shall be no fee for such license.</p>	<p>129 Licenses for Aged Persons. Amend RSA 214:6 to read as follows: 214:6 Licenses for Aged Persons. Any resident of this state who is over 65 years of age and who is receiving public aid may, upon presentation of proof of such aid, make application to the executive director of fish and game for a special license to [fish] <i>take</i>, and to transport fish [and saltwater smelt], under the restrictions of this title. Such license shall be marked in such manner as the executive director may designate and there shall be no fee for such license.</p>
<p>124 Fishing License; Saltwater Species Removed. Amend RSA 214:9, II to read as follows: II. If the applicant is a resident of this state and wishes to fish, \$33, and the agent shall thereupon issue a resident fishing license, which shall entitle the licensee to kill, take and transport all species of freshwater fish, [saltwater smelt, saltwater shad, and saltwater salmonoids] under the restrictions of this title.</p>	<p>130 Fishing License; Saltwater Species Removed. Amend RSA 214:9, II to read as follows: II. If the applicant is a resident of this state and wishes to fish, \$33, and the agent shall thereupon issue a resident fishing license, which shall entitle the licensee to kill, take and transport all species of freshwater fish, [saltwater smelt, saltwater shad, and saltwater salmonoids] under the restrictions of this title.</p>
<p>125 One-Day Fishing License; Saltwater Species Removed. Amend RSA 214:9, II-b to read as follows: II-b. If the applicant is a resident of this state and wishes to fish for one day, \$8, and the agent shall thereupon issue a one-day resident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish[- saltwater smelt, saltwater shad, and saltwater salmonoids], for said time only, under the restrictions of this title.</p>	<p>131 One-Day Fishing License; Saltwater Species Removed. Amend RSA 214:9, II-b to read as follows: II-b. If the applicant is a resident of this state and wishes to fish for one day, \$8, and the agent shall thereupon issue a one-day resident fishing license, which shall entitle the licensee to kill, take, and transport all species of freshwater fish[- saltwater smelt, saltwater shad, and saltwater salmonoids], for said time only, under the restrictions of this title.</p>
<p>126 Hunting and Fishing License; Saltwater Species Removed. Amend RSA 214:9, III to read as follows:</p>	<p>132 Hunting and Fishing License; Saltwater Species Removed. Amend RSA 214:9, III to read as follows:</p>

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<p>III. If the applicant is a resident of this state and wishes to hunt and fish, \$44, and the agent shall thereupon issue a resident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill or take, except by use of traps, and to transport wild birds, wild animals, and all species of freshwater fish[- saltwater smelt, saltwater shad, and saltwater salmonids] under the restrictions of this title.</p>	<p>III. If the applicant is a resident of this state and wishes to hunt and fish, \$44, and the agent shall thereupon issue a resident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill or take, except by use of traps, and to transport wild birds, wild animals, and all species of freshwater fish[- saltwater smelt, saltwater shad, and saltwater salmonids] under the restrictions of this title.</p>
<p>127 Hunting and Fishing License; Saltwater Species Removed. Amend RSA 214:9, VI-a to read as follows:</p> <p>VI-a. If the applicant is a nonresident and wishes to hunt and fish, \$139, and the agent shall thereupon issue a nonresident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill, or take, except by use of traps, and to transport wild birds, wild animals, and all species of freshwater fish[- saltwater smelt, saltwater shad, and saltwater salmonids] under the restrictions of this title.</p>	<p>133 Hunting and Fishing License; Saltwater Species Removed. Amend RSA 214:9, VI-a to read as follows:</p> <p>VI-a. If the applicant is a nonresident and wishes to hunt and fish, \$139, and the agent shall thereupon issue a nonresident hunting and fishing license, which shall entitle the licensee to hunt, shoot, kill, or take, except by use of traps, and to transport wild birds, wild animals, and all species of freshwater fish[- saltwater smelt, saltwater shad, and saltwater salmonids] under the restrictions of this title.</p>
<p>128 Nonresident Fishing License; Saltwater Species Removed. Amend the introductory paragraph of RSA 214:9, VIII to read as follows:</p> <p>VIII. If the applicant is a nonresident, 16 years of age or older, and wishes to take any species of freshwater fish[- saltwater smelt, saltwater shad, or saltwater salmonids], \$51, and the agent shall thereupon issue a nonresident fishing license which shall entitle the licensee to kill, take and transport all species of freshwater fish[- saltwater smelt, saltwater shad, and saltwater salmonids,] under the restrictions of this title, provided that:</p>	<p>134 Nonresident Fishing License; Saltwater Species Removed. Amend the introductory paragraph of RSA 214:9, VIII to read as follows:</p> <p>VIII. If the applicant is a nonresident, 16 years of age or older, and wishes to take any species of freshwater fish[- saltwater smelt, saltwater shad, or saltwater salmonids], \$51, and the agent shall thereupon issue a nonresident fishing license which shall entitle the licensee to kill, take and transport all species of freshwater fish[- saltwater smelt, saltwater shad, and saltwater salmonids,] under the restrictions of this title, provided that:</p>
<p>129 References Changed; Special License for Persons Over 68 Years of Age. Amend RSA 214:7-a to read as follows:</p> <p>214:7-a Persons Over 68 Years of Age. Any resident of this state who is 68 years of age or over may make application, to any authorized agent of the state for the sale of freshwater fishing, hunting or trapping licenses, for a special license to fish[-] in freshwaters and hunt or trap, under the restrictions of this title. Such license may permit the use of a muzzle-loading firearm and bow and arrow. The license shall be marked in such manner as the executive director may</p>	<p>135 References Changed; Special License for Persons Over 68 Years of Age. Amend RSA 214:7-a to read as follows:</p> <p>214:7-a Persons Over 68 Years of Age. Any resident of this state who is 68 years of age or over may make application, to any authorized agent of the state for the sale of freshwater fishing, hunting or trapping licenses, for a special license to fish[-] in freshwaters and hunt or trap, under the restrictions of this title. Such license may permit the use of a muzzle-loading firearm and bow and arrow. The license shall be marked in such manner as the executive director may</p>

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<p>designate, and there shall be no fee, including the agent’s fee, for such license. The license shall be effective for the resident during the remainder of the resident’s life, as long as the applicant remains a resident of the state, unless sooner suspended or revoked by the executive director. The minimum residency requirements of RSA 214:7-b are applicable.</p>	<p>designate, and there shall be no fee, including the agent’s fee, for such license. The license shall be effective for the resident during the remainder of the resident’s life, as long as the applicant remains a resident of the state, unless sooner suspended or revoked by the executive director. The minimum residency requirements of RSA 214:7-b are applicable.</p>																				
<p>130 Lifetime Licenses. Amend RSA 214:9-c, I(a) to read as follows: I.(a) The executive director, at the department of fish and game headquarters only, shall issue lifetime hunting, <i>freshwater</i> fishing, or combination hunting and <i>freshwater</i> fishing licenses similar to that issued on an annual basis under RSA 214:9, III to any resident applicant upon payment of the proper fee, which shall be established by the executive director in accordance with the provisions of paragraph II.</p>	<p>136 Lifetime Licenses. Amend RSA 214:9-c, I(a) to read as follows: I.(a) The executive director, at the department of fish and game headquarters only, shall issue lifetime hunting, <i>freshwater</i> fishing, or combination hunting and <i>freshwater</i> fishing licenses similar to that issued on an annual basis under RSA 214:9, III to any resident applicant upon payment of the proper fee, which shall be established by the executive director in accordance with the provisions of paragraph II.</p>																				
<p>131 Repeal. The following are repealed: I. RSA 211:47, relative to an exception for fishing from the Piscataqua river. II. RSA 214:1-a, relative to ice fishing on Great Bay.</p>	<p>137 Repeal. The following are repealed: I. RSA 211:47, relative to an exception for fishing from the Piscataqua river. II. RSA 214:1-a, relative to ice fishing on Great Bay.</p>																				
<p>132 Registration Fees. Amend RSA 270-E:5, I to read as follows: I. The registration fees for commercial, private, and pleasure vessels, including rentals and airboats shall be as follows:</p> <table data-bbox="236 967 927 1190"> <tr> <td>(a) Up to and including 16 feet</td> <td>[\$12] \$18.50</td> </tr> <tr> <td>(b) 16.1 feet to 21 feet</td> <td>[\$17] \$26</td> </tr> <tr> <td>(c) 21.1 feet to 30 feet</td> <td>[\$26] \$38</td> </tr> <tr> <td>(d) 30.1 feet to 45 feet</td> <td>[\$36] \$53</td> </tr> <tr> <td>(e) 45.1 feet and over</td> <td>[\$46] \$70.50</td> </tr> </table>	(a) Up to and including 16 feet	[\$12] \$18.50	(b) 16.1 feet to 21 feet	[\$17] \$26	(c) 21.1 feet to 30 feet	[\$26] \$38	(d) 30.1 feet to 45 feet	[\$36] \$53	(e) 45.1 feet and over	[\$46] \$70.50	<p>AMENDED BY THE SENATE</p> <p>138 Registration Fees. Amend RSA 270-E:5, I to read as follows: I. The registration fees for commercial, private, and pleasure vessels, including rentals and airboats shall be as follows:</p> <table data-bbox="1486 1016 2166 1239"> <tr> <td>(a) Up to and including 16 feet</td> <td>[\$12] \$24</td> </tr> <tr> <td>(b) 16.1 feet to 21 feet</td> <td>[\$17] \$34</td> </tr> <tr> <td>(c) 21.1 feet to 30 feet</td> <td>[\$26] \$52</td> </tr> <tr> <td>(d) 30.1 feet to 45 feet</td> <td>[\$36] \$72</td> </tr> <tr> <td>(e) 45.1 feet and over</td> <td>[\$46] \$92</td> </tr> </table>	(a) Up to and including 16 feet	[\$12] \$24	(b) 16.1 feet to 21 feet	[\$17] \$34	(c) 21.1 feet to 30 feet	[\$26] \$52	(d) 30.1 feet to 45 feet	[\$36] \$72	(e) 45.1 feet and over	[\$46] \$92
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<p>133 Lake Restoration and Preservation Fee. Amend RSA 270-E:5, II(a) to read as follows: (a) [\$5] \$7.50 for each registration specified in paragraph I. The fees collected under this subparagraph shall be paid into the lake restoration and preservation fund established under RSA 487:25.</p>	<p>139 Lake Restoration and Preservation Fee. Amend RSA 270-E:5, II(a) to read as follows: (a) [\$5] \$7.50 for each registration specified in paragraph I. The fees collected under this subparagraph shall be paid into the lake restoration and preservation fund established under RSA 487:25.</p>																				

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<p>134 Agent Fee. Amend RSA 270-E:5, II(c) to read as follows:</p> <p>(c) [\$1.50] \$5 for each registration processed by an authorized agent of the department who is not an employee of the department. The fees collected under this subparagraph shall be collected and retained by the authorized agent as compensation for processing the registration.</p>	<p>140 Agent Fee. Amend RSA 270-E:5, II(c) to read as follows:</p> <p>(c) [\$1.50] \$5 for each registration processed by an authorized agent of the department who is not an employee of the department. The fees collected under this subparagraph shall be collected and retained by the authorized agent as compensation for processing the registration.</p>
<p>135 Transfer Fee. Amend RSA 270-E:10 to read as follows:</p> <p>270-E:10 Notice of Transfer; Destruction or Abandonment. The owner shall furnish the department written notice of the transfer of all or any part of his <i>or her</i> interest, other than the creation of a security interest, in a vessel registered in this state pursuant to this chapter or the destruction or abandonment of such vessel within 15 days of its transfer, destruction, or abandonment. Such transfer, destruction, or abandonment shall terminate the certificate of numbers for such vessel, except that in the case of a transfer of a part interest which does not affect the owner’s rights to operate such vessel, the transfer shall not terminate the certificate of numbers. If a vessel is transferred, the original number shall be retained by the new owner. A person who transfers the ownership of a vessel, upon filing a new application, may have another boat registered in his <i>or her</i> name for the remainder of the period for which the vessel is registered for [\$3] \$5.</p>	<p>141 Transfer Fee. Amend RSA 270-E:10 to read as follows:</p> <p>270-E:10 Notice of Transfer; Destruction or Abandonment. The owner shall furnish the department written notice of the transfer of all or any part of his <i>or her</i> interest, other than the creation of a security interest, in a vessel registered in this state pursuant to this chapter or the destruction or abandonment of such vessel within 15 days of its transfer, destruction, or abandonment. Such transfer, destruction, or abandonment shall terminate the certificate of numbers for such vessel, except that in the case of a transfer of a part interest which does not affect the owner’s rights to operate such vessel, the transfer shall not terminate the certificate of numbers. If a vessel is transferred, the original number shall be retained by the new owner. A person who transfers the ownership of a vessel, upon filing a new application, may have another boat registered in his <i>or her</i> name for the remainder of the period for which the vessel is registered for [\$3] \$5.</p>
<p>136 Commercial Vessels; Penalty and License Fees. Amend RSA 270-E:22 and RSA 270-E:23 to read as follows:</p> <p>270-E:22 Commercial Vessels; Penalty.</p> <p>I. Any person who shall use any commercial vessel or commercial outboard motor on any public waters in this state without a certificate of inspection, or shall act as captain, master, pilot, engineer or operator on any such boat or launch without having <i>passed an examination administered by the department and having</i> been examined and certified <i>by the department</i> in that capacity, or shall so act when his <i>or her</i> certificate has been revoked or suspended, or who shall violate any rule adopted by the department with reference to the inspection, equipment, or operation of such vessels or launches, shall be guilty of a misdemeanor if</p>	<p>142 Commercial Vessels; Penalty and License Fees. Amend RSA 270-E:22 and RSA 270-E:23 to read as follows:</p> <p>270-E:22 Commercial Vessels; Penalty.</p> <p>I. Any person who shall use any commercial vessel or commercial outboard motor on any public waters in this state without a certificate of inspection, or shall act as captain, master, pilot, engineer or operator on any such boat or launch without having <i>passed an examination administered by the department and having</i> been examined and certified <i>by the department</i> in that capacity, or shall so act when his <i>or her</i> certificate has been revoked or suspended, or who shall violate any rule adopted by the department with reference to the inspection, equipment, or operation of such vessels or launches, shall be guilty of a misdemeanor if</p>

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a natural person, or guilty of a felony if any other person.

II. The commissioner, after hearing, may revoke or suspend the certificate of any captain, master, pilot, or engineer of any commercial vessel for violation of RSA 270 or the rules and regulations prescribed thereunder.

III. All licenses to operate a commercial vessel shall expire ~~[the second December 31 following]~~ **5 years from** the date of issuance.

IV. A person who possesses a valid license issued by the federal government shall be deemed to comply with this section.

270-E:23 License Fees. There shall be paid to the commissioner for every ~~[general]~~ certificate of captain, master, pilot, or engineer, ~~[\$4] \$15[; and for every limited certificate of captain, master, pilot, or engineer, \$2].~~ A ~~[general]~~ certificate shall entitle the holder thereof to act in the capacity named on any vessel of the class described in the certificate~~[- a limited certificate shall entitle the holder to act in such capacity only on a particular vessel named in the certificate].~~ Only one certificate shall be required to entitle the holder thereof to act in any or all of the above capacities on any motorized vessel permitted to carry a maximum of 25 persons. ***If a person fails the examination required by RSA 270-E:22, I, the person may retake the examination for a fee of \$10 paid to the commissioner.*** The fees paid ***for re-examinations and*** for certificates issued under this section shall be deposited in the navigation safety fund established under RSA 270-E:6-a.

137 Addition to Boat Fee. Amend RSA 487:25, I to read as follows:

I. The fee of ~~[\$5]~~ **\$7.50** collected under the provisions of RSA 270-E:5, II(a) shall be paid to the director of the division of motor vehicles. The director of the division of motor vehicles shall pay over said fee to the state treasurer who shall keep the fee in a special fund to be expended by the department of environmental services. The department shall use \$.50 of the fee for lake restoration and preservation measures, exclusive of exotic aquatic weed control, ~~[\$1.50]~~ **\$3** of the fee for the control of exotic aquatic weeds, and ~~[\$3]~~ **\$4** of the fee for the milfoil and other exotic

a natural person, or guilty of a felony if any other person.

II. The commissioner, after hearing, may revoke or suspend the certificate of any captain, master, pilot, or engineer of any commercial vessel for violation of RSA 270 or the rules and regulations prescribed thereunder.

III. All licenses to operate a commercial vessel shall expire ~~[the second December 31 following]~~ **5 years from** the date of issuance.

IV. A person who possesses a valid license issued by the federal government shall be deemed to comply with this section.

270-E:23 License Fees. There shall be paid to the commissioner for every ~~[general]~~ certificate of captain, master, pilot, or engineer, ~~[\$4] \$15[; and for every limited certificate of captain, master, pilot, or engineer, \$2].~~ A ~~[general]~~ certificate shall entitle the holder thereof to act in the capacity named on any vessel of the class described in the certificate~~[- a limited certificate shall entitle the holder to act in such capacity only on a particular vessel named in the certificate].~~ Only one certificate shall be required to entitle the holder thereof to act in any or all of the above capacities on any motorized vessel permitted to carry a maximum of 25 persons. ***If a person fails the examination required by RSA 270-E:22, I, the person may retake the examination for a fee of \$10 paid to the commissioner.*** The fees paid ***for re-examinations and*** for certificates issued under this section shall be deposited in the navigation safety fund established under RSA 270-E:6-a.

143 Addition to Boat Fee. Amend RSA 487:25, I to read as follows:

I. The fee of ~~[\$5]~~ **\$7.50** collected under the provisions of RSA 270-E:5, II(a) shall be paid to the director of the division of motor vehicles. The director of the division of motor vehicles shall pay over said fee to the state treasurer who shall keep the fee in a special fund to be expended by the department of environmental services. The department shall use \$.50 of the fee for lake restoration and preservation measures, exclusive of exotic aquatic weed control, ~~[\$1.50]~~ **\$3** of the fee for the control of exotic aquatic weeds, and ~~[\$3]~~ **\$4** of the fee for the milfoil and other exotic

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<p>aquatic plants prevention program. The department shall deposit the [\$3] \$4 into a special account within the lake restoration and preservation fund which shall be used to administer the milfoil and other exotic aquatic plants prevention program. The special fund shall be nonlapsing. All funds received under this section are continually appropriated to the department for the purposes of this subdivision.</p>	<p>aquatic plants prevention program. The department shall deposit the [\$3] \$4 into a special account within the lake restoration and preservation fund which shall be used to administer the milfoil and other exotic aquatic plants prevention program. The special fund shall be nonlapsing. All funds received under this section are continually appropriated to the department for the purposes of this subdivision.</p>										
<p>138 Registration Fees. RSA 270-E:5, I is repealed and reenacted to read as follows: I. The registration fees for commercial, private, and pleasure vessels, including rentals and airboats shall be as follows:</p> <table border="0" style="margin-left: 40px;"> <tr> <td>(a) Up to and including 16 feet</td> <td style="text-align: right;">\$12</td> </tr> <tr> <td>(b) 16.1 feet to 21 feet</td> <td style="text-align: right;">\$17</td> </tr> <tr> <td>(c) 21.1 feet to 30 feet</td> <td style="text-align: right;">\$26</td> </tr> <tr> <td>(d) 30.1 feet to 45 feet</td> <td style="text-align: right;">\$36</td> </tr> <tr> <td>(e) 45.1 feet and over</td> <td style="text-align: right;">\$46</td> </tr> </table>	(a) Up to and including 16 feet	\$12	(b) 16.1 feet to 21 feet	\$17	(c) 21.1 feet to 30 feet	\$26	(d) 30.1 feet to 45 feet	\$36	(e) 45.1 feet and over	\$46	<p>DELETED BY THE SENATE</p>
(a) Up to and including 16 feet	\$12										
(b) 16.1 feet to 21 feet	\$17										
(c) 21.1 feet to 30 feet	\$26										
(d) 30.1 feet to 45 feet	\$36										
(e) 45.1 feet and over	\$46										
<p>139 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (276) the following new subparagraph: (277) Moneys deposited in the New Hampshire road and bridge account established under RSA 260:32-a.</p>	<p>DELETED BY THE SENATE</p>										
<p>140 Levy of Tolls and Exemptions. Amend the introductory paragraph of RSA 260:32 to read as follows: 260:32 Levy of Tolls and Exemptions. There is hereby imposed a road toll of \$.18 per gallon upon the sale of each gallon of motor fuel sold by distributors thereof. <i>The road toll on gasoline shall increase to \$.23 per gallon beginning July 1, 2009; to \$.28 per gallon beginning April 1, 2010; and to \$.33 per gallon beginning April 1, 2011. The road toll on special fuel (diesel) shall increase to \$.20 on July 1, 2010; \$.22 on July 1, 2012; \$.25 on July 1, 2014; \$.29 on July 1, 2016; and \$.33 on July 1, 2018.</i> The road toll shall be collected by the distributor from the purchaser and remitted to the state in the manner hereinafter set forth. <i>All</i></p>	<p>DELETED BY THE SENATE</p>										

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<p><i>amounts collected in excess of \$.18 per gallon shall be apportioned as follows: 80 percent shall be deposited on a monthly basis into the New Hampshire road and bridge account established in RSA 260:32-a, and 20 percent shall be deposited on a monthly basis into the highway and bridge betterment account established in RSA 235:23-a, II.</i> Provided, that the road toll shall not apply to:</p>	
<p>141 New Sections; Account Established; Apportionment. Amend RSA 260 by inserting after section 32 the following new sections:</p> <p>260:32-a Account Established. There is established a separate account in the highway fund called the New Hampshire road and bridge account to be used exclusively for the construction, reconstruction, and maintenance of state and municipal roads and bridges in the state. The account shall consist of 80 percent of the funds attributable to all road toll revenue collected in excess of \$.18 per gallon. The amount deposited into the New Hampshire road and bridge account is hereby exclusively and continually appropriated to the department of transportation and shall be nonlapsing.</p> <p>260:32-b Apportionment. In each fiscal year, the commissioner shall allocate an amount equal to 12 percent of the total road toll revenue collected in the preceding fiscal year to be distributed to cities and towns in accordance with the formula in RSA 235:23, I and shall be in addition to any amounts allocated under that paragraph. The remaining 88 percent in the New Hampshire road and bridge account shall be allocated to the department of transportation exclusively for the construction, reconstruction, and maintenance of state roads and bridges.</p>	<p>DELETED BY THE SENATE</p>
<p>142 Use of Road Tolls. Amend RSA 260:35 to read as follows:</p> <p>260:35 Use of Road Tolls. The road tolls shall be used initially to pay the interest and principal due on any bonds and notes issued pertaining to highway purposes, and the remainder shall be paid into the highway fund. <i>The allocation limitations established under RSA 9:9-b shall apply only to the funds attributable to the first \$.18 per gallon of road toll revenue. Eighty percent of the funds collected in excess of \$.18 per gallon shall be deposited into</i></p>	<p>DELETED BY THE SENATE</p>

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<p><i>the New Hampshire road and bridge account established in RSA 260:32-a and 20 percent of the funds collected in excess of \$.18 per gallon shall be deposited into the highway and bridge betterment account established in RSA 235:23, II and apportioned in accordance with RSA 260:32-b.</i></p>	
<p>143 Motor Fuel and Petroleum Products Transporter. Amend RSA 260:42, I to read as follows: I. Every person not registered as a distributor who transports motor fuel or products subject to the fees stipulated in RSA 146-A, to a point or points outside the state from a point or points within the state, to a point or points within the state from a point or points outside the state, or to a point or points within the state from a point or points within the state, every common carrier or contract carrier who transports motor fuel or petroleum products, and every licensed distributor who transports motor fuel or petroleum products exclusive of the carrier's own product shall be licensed with the commissioner as a motor fuel and petroleum products transporter.</p>	<p>DELETED BY THE SENATE</p>
<p>144 Motor Fuel and Petroleum Products Transporter. Amend RSA 260:42, V to read as follows: V. The transporter shall report to the commissioner on forms prescribed by the commissioner, not later than the twentieth of the succeeding calendar month, subject to prosecution for unsworn falsification, all deliveries of motor fuel and petroleum products made to or from points within the state during the previous calendar month. Such reports shall contain sufficient information to identify the quantities delivered, the consignor, the consignee and such additional information as the commissioner may require. A report shall be filed for any month in which no activity occurs. Information required pursuant to this paragraph which has been deemed confidential or as to which a request for confidential treatment is pending shall not be shown to or reviewed by any person other than the employees of the department who have a legitimate need to know the information for the purposes of enforcement of this subdivision, or fuel</p>	<p>DELETED BY THE SENATE</p>

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<p>tax officials of another state as required by RSA 260:56, I, in which case the officials shall be required by the commissioner to agree to a similar limitation on disclosure before such information is furnished.</p>	
<p>145 Commission Established. There is established a commission to study future sustainable revenue sources for funding improvements to state and municipal highways and bridges.</p>	<p>DELETED BY THE SENATE</p>
<p>146 Membership and Compensation.</p> <p>I. The members of the commission shall be as follows:</p> <p>(a) Three members of the house of representatives, appointed by the speaker of the house of representatives.</p> <p>(b) One member of the senate, appointed by the president of the senate.</p> <p>(c) The commissioner of the department of revenue administration, or designee.</p> <p>(d) The commissioner of the department of safety, or designee.</p> <p>(e) The commissioner of the department of transportation, or designee.</p> <p>(f) The commissioner of the department of environmental services, or designee.</p> <p>(g) The commissioner of the department of resources and economic development, or designee.</p> <p>II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.</p>	<p>DELETED BY THE SENATE</p>
<p>147 Duties. The commission shall study revenue sources that are fair and adequate to meet the funding needs of state and municipal highways and bridges based on the new technology in electric, hybrid, and other alternative fuel automobiles.</p>	<p>DELETED BY THE SENATE</p>
<p>148 Chairperson; Quorum. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Five members of the commission shall constitute a quorum.</p>	<p>DELETED BY THE SENATE</p>
<p>149 Report. The commission shall report its findings and any recommendations for proposed</p>	<p>DELETED BY THE SENATE</p>

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<p>legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2010.</p>	
<p>150 New Section; Outdoor Advertising; Liquor Stores. Amend RSA 236 by inserting after section 73-a the following new section: 236:73-b Liquor Stores. The department of transportation shall design, locate, and erect along state highways suitable signs to advertise nearby state liquor stores.</p>	<p>144 New Section; Outdoor Advertising; Liquor Stores. Amend RSA 236 by inserting after section 73-a the following new section: 236:73-b Liquor Stores. The department of transportation shall design, locate, and erect along state highways suitable signs to advertise nearby state liquor stores.</p>
<p>151 Chartered Public Schools; Average Daily Membership in Attendance Limited. I. For the fiscal year ending June 30, 2010, the average daily membership in attendance (ADMA) as defined in RSA 198:38, I for all chartered public schools approved pursuant to RSA 194-B:3-a on or before June 30, 2009 shall not exceed 1,353 pupils. During the fiscal year, the commissioner of the department of education may adjust enrollments on a school-by-school basis, and within the ADMA limit established in this paragraph, as necessary for the efficient administration of available chartered public school seats. II. For the fiscal year ending June 30, 2011, the average daily membership in attendance (ADMA) as defined in RSA 198:38, I for all chartered public schools approved pursuant to RSA 194-B:3-a on or before June 30, 2009 shall not exceed 1,519 pupils. During the fiscal year, the commissioner of the department of education may adjust enrollments on a school-by-school basis, and within the ADMA limit established in this paragraph, as necessary for the efficient administration of available chartered public school seats. III. The commissioner of the department of education shall obtain approval from the fiscal committee of the general court, and from the governor and council, for funding for any chartered public school approved between July 1, 2009 and June 30, 2011, and to amend the ADMA limits established in paragraphs I and II of this section. Such funding may be paid on the warrant of the governor out of any money in the treasury not otherwise appropriated.</p>	<p>AMENDED BY THE SENATE 145 Chartered Public Schools; Average Daily Membership in Attendance Limited. I. For the fiscal year ending June 30, 2010, the average daily membership in attendance (ADMA) as defined in RSA 198:38, I for all chartered public schools approved pursuant to RSA 194-B:3-a shall not exceed 850 pupils. During the fiscal year, the commissioner of the department of education may adjust enrollments on a school-by-school basis, and within the ADMA limit established in this paragraph, as necessary for the efficient administration of available chartered public school seats. II. For the fiscal year ending June 30, 2011, the average daily membership in attendance (ADMA) as defined in RSA 198:38, I for all chartered public schools approved pursuant to RSA 194-B:3-a shall not exceed 950 pupils. During the fiscal year, the commissioner of the department of education may adjust enrollments on a school-by-school basis, and within the ADMA limit established in this paragraph, as necessary for the efficient administration of available chartered public school seats.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>146 Chartered Public Schools. No new chartered public schools shall be approved by the state board of education under the provisions of RSA 194-B:3-a between July 1, 2009 and June 30, 2011.</p>

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<p>152 Department of Health and Human Services; Coordination of the Tobey School and the Philbrook Center. The department of health and human services shall study the cost and service efficiencies that could be realized through a coordination of resources, facilities, and personnel between the Tobey School and the Philbrook Center. The department shall report the findings of the study to the fiscal committee of the general court on or before December 31, 2009.</p>	<p>DELETED BY THE SENATE</p>
<p>153 Department of Health and Human Services; Division of Family Assistance; Employment Support Program; Transportation. The department of health and human services, division of family assistance, shall withdraw its request for proposals for transportation for the employment support program for the biennium ending June 30, 2011 issued prior to the effective date of this section. The division shall issue a new request for proposals for transportation for the employment support program for the biennium ending June 30, 2011 after evaluating the feasibility of an ownership option that involves providing down payments for purchases of new motor vehicles.</p>	<p>147 Department of Health and Human Services; Division of Family Assistance; Employment Support Program; Transportation. The department of health and human services, division of family assistance, shall withdraw its request for proposals for transportation for the employment support program for the biennium ending June 30, 2011 issued prior to the effective date of this section. The division shall issue a new request for proposals for transportation for the employment support program for the biennium ending June 30, 2011 after evaluating the feasibility of an ownership option that involves providing down payments for purchases of new motor vehicles.</p>
<p>154 Department of Health and Human Services; Medicaid Classification. The department of health and human services shall submit a Medicaid state plan amendment creating a Medicaid provider classification for approval by the Centers for Medicare and Medicaid Services that recognizes Children’s Hospital at Dartmouth-Hitchcock as the state’s children’s hospital providing comprehensive pediatric specialty and subspecialty services. Diagnostic related group (DRG) rates shall be differentiated from other hospital rates and shall reflect the uniqueness and intensity of pediatric services provided and the need to preserve the availability of such services to the Medicaid population.</p>	<p>148 Department of Health and Human Services; Medicaid Classification. The department of health and human services shall submit a Medicaid state plan amendment creating a Medicaid provider classification for approval by the Centers for Medicare and Medicaid Services that recognizes Children’s Hospital at Dartmouth-Hitchcock as the state’s children’s hospital providing comprehensive pediatric specialty and subspecialty services. Diagnostic related group (DRG) rates shall be differentiated from other hospital rates and shall reflect the uniqueness and intensity of pediatric services provided and the need to preserve the availability of such services to the Medicaid population.</p>
<p>155 Department of Health and Human Services; Catastrophic Aid Program. The department of health and human services shall submit to the federal Centers for Medicare and Medicaid Services a Medicaid state plan amendment for the purpose of defining the criteria by which catastrophic claims payments will be made to reflect only those claims with diagnostic related group (DRG) weights greater than 4.0 and lengths of stay greater than 30 days to support the</p>	<p>149 Department of Health and Human Services; Catastrophic Aid Program. The department of health and human services shall submit to the federal Centers for Medicare and Medicaid Services a Medicaid state plan amendment for the purpose of defining the criteria by which catastrophic claims payments will be made to reflect only those claims with diagnostic related group (DRG) weights greater than 4.0 and lengths of stay greater than 30 days to support the</p>

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<p>most medically complex/high acuity cases. Funds are to be used to provide for additional inpatient payments outside of the DRG system where the DRG payment plus any other insurance is below 25 percent of hospital charge. The total funds available for catastrophic claims shall equal 3.3 percent of the projected annual inpatient expenditure. Reimbursement shall be limited to 65 percent of charges, reduced by prior payments, DRG allowed amounts, and third party insurance. The state shall expend half of the catastrophic fund no later than December 31 of each year and the second half no later than June 30 of each year. Claims shall be submitted to the New Hampshire Medicaid program by December 15 and June 15 for the respective 6-month periods in order to be considered for catastrophic payment. Claims shall be paid based upon date of service until catastrophic funds for that 6-month period are exhausted. No claims or portions of claims shall be carried over into the subsequent 6-month period, nor shall excess funds be carried over into the subsequent 6-month period.</p>	<p>most medically complex/high acuity cases. Funds are to be used to provide for additional inpatient payments outside of the DRG system where the DRG payment plus any other insurance is below 25 percent of hospital charge. The total funds available for catastrophic claims shall equal 3.3 percent of the projected annual inpatient expenditure. Reimbursement shall be limited to 65 percent of charges, reduced by prior payments, DRG allowed amounts, and third party insurance. The state shall expend half of the catastrophic fund no later than December 31 of each year and the second half no later than June 30 of each year. Claims shall be submitted to the New Hampshire Medicaid program by December 15 and June 15 for the respective 6-month periods in order to be considered for catastrophic payment. Claims shall be paid based upon date of service until catastrophic funds for that 6-month period are exhausted. No claims or portions of claims shall be carried over into the subsequent 6-month period, nor shall excess funds be carried over into the subsequent 6-month period.</p>
<p>156 Nullification of HB 658-FN. If HB 658-FN of the 2009 legislative session becomes law and the effective date of HB 658-FN is on or after July 1, 2009, HB 658-FN shall not take effect. If HB 658-FN becomes law and the effective date of HB 658-FN is prior to July 1, 2009, the provisions of HB 658-FN are hereby nullified.</p>	<p>DELETED BY THE SENATE</p>
<p>157 Bureau of Elderly and Adult Services; Nursing Services. For the fiscal year ending June 30, 2009, the appropriations contained in 2007, 262:1 in PAU 05-01-08-04-01, class 90 nursing services and class 87 home health services shall be nonlapsing, and any balance remaining at the end of the fiscal year shall be paid to nursing homes and home health services providers as additional rates. The additional rates shall be based on the rate-setting methodology in effect on the effective date of this section. The commissioner shall file a report with the fiscal committee of the general court by October 1, 2009 which details the balance carried forward from fiscal year 2009 and the amounts to be paid as additional rates.</p>	<p>150 Bureau of Elderly and Adult Services; Nursing Services. For the fiscal year ending June 30, 2009, the appropriations contained in 2007, 262:1 in PAU 05-01-08-04-01, class 90 nursing services and class 87 home health services shall be nonlapsing, and any balance remaining at the end of the fiscal year shall be paid to nursing homes and home health services providers as additional rates. The additional rates shall be based on the rate-setting methodology in effect on the effective date of this section. The commissioner shall file a report with the fiscal committee of the general court by October 1, 2009 which details the balance carried forward from fiscal year 2009 and the amounts to be paid as additional rates.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>151 Committee to Study the Transfer of Liquor Enforcement Functions to the Department of Safety.</p>

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	<p>I. There is established a committee to study the transfer of liquor enforcement functions to the department of safety.</p> <p>II.(a) The members of the committee shall be as follows:</p> <p>(1) Two members of the senate, appointed by the president of the senate.</p> <p>(2) Three members of the house of representatives, appointed by the speaker of the house of representatives.</p> <p>(b) Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.</p> <p>III. The committee shall study the transfer of liquor enforcement functions to the department of safety.</p> <p>IV. 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.</p> <p>V. 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, 2009.</p>
<p>158 New Subparagraph; Department of Safety; General Functions. Amend RSA 21-P:2, II by inserting after subparagraph (i) the following new subparagraph:</p> <p>(j) Enforcing alcoholic beverage laws.</p>	<p>DELETED BY THE SENATE</p>
<p>159 Definitions. Amend RSA 175:1, LIV-a to read as follows:</p> <p>LIV-a. “Private club” means an organization incorporated under the laws of this state, whose members are equal shareholders, whose assets belong to the members equally, and whose members have an equal vote in club affairs and a right to run for club offices. The licensed area of a private club shall be operated solely for the use of members and their accompanied guests, and shall be open for inspection by investigators of the commission department of safety and local</p>	<p>DELETED BY THE SENATE</p>

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<p>law enforcement officials whenever operating.</p>	
<p>160 Liquor Commission. Amend RSA 176:8, I to read as follows: I. The commission shall have a bureau of [enforcement and] licensing to be headed by the chief of [enforcement and] licensing, who shall have such labor grade as may be determined by the division of personnel. The chief of [enforcement and] licensing shall report to the commission, supervise the day-to-day activities of the commission's [enforcement and] licensing functions, and perform such additional duties as the commission shall from time to time assign. The chief shall handle all license applications and shall make recommendations, in writing, to the commission, on whether to grant the license application. The commission shall then either grant or deny the request, stating its reasons in writing. An aggrieved applicant may appeal the commission's decision to the commission as a whole. [Recommendations for fines, revocations, and suspensions of licenses shall follow the same procedure.]</p>	<p>DELETED BY THE SENATE</p>
<p>161 References Deleted. Amend RSA 176:10 to read as follows: 176:10 Preference Given. Any person who served for not less than 90 days in the armed forces of the United States during “any war in which the United States was engaged, and received an honorable discharge from such service,” shall be given preference in appointment under the provisions of RSA 176:7[-RSA 176:9,] and RSA 177:4, [and RSA 179:59,] if qualified for such positions.</p>	<p>DELETED BY THE SENATE</p>
<p>162 Closing of State Stores. Amend RSA 177:2, II to read as follows: II. In order to properly reflect the operating expenses of each state store, the commission shall prepare annually an indirect cost allocation plan for all indirect operating expenses of the commission. All such expenses of the commission, with the exception of the [enforcement and] licensing division operating expenses, shall be included in the plan and allocated to all state stores on a consistent, rational basis. The indirect cost allocation plan for each fiscal year shall be submitted to the fiscal committee and the governor and council for approval, no later than 3 months before the start of each fiscal year.</p>	<p>DELETED BY THE SENATE</p>

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<p>163 Reference Deleted. Amend RSA 178:11, V to read as follows:</p> <p>V. Liquor/wine/beverage warehouseurs shall submit a monthly report [both] to the [liquor commission enforcement division and the warehouse and] transportation division of the commission by the tenth day of the following month indicating the quantity, type, size, and brands of all product received, stored, or shipped on their premises.</p>	<p>DELETED BY THE SENATE</p>
<p>164 Reference Changed. Amend RSA 178:22, V(h)(12) to read as follows:</p> <p>(12) Violations of subparagraph (11) of this subparagraph shall be investigated by the [enforcement division of the liquor commission] department of safety and directed to the department of justice for examination of issues unrelated to this title.</p>	<p>DELETED BY THE SENATE</p>
<p>165 Reference Deleted. Amend RSA 178:22, V(l)(4) to read as follows:</p> <p>(4) No license shall be issued under subparagraph (l)(1) for premises holding other licenses issued by the commission except rental facilities on licensed club premises approved by the commission. Notwithstanding any other provision of law, the commission [or its investigators] may suspend without warning any license issued under subparagraph (l)(1) if, in their opinion, such sale of liquor and beverages is contrary to the public interest.</p>	<p>DELETED BY THE SENATE</p>
<p>166 Reference Deleted. Amend RSA 178:30, IX to read as follows:</p> <p>IX. Notwithstanding any other provision of law, the commission [or its investigators] may suspend, without warning, any license issued under paragraph I, if in their opinion, such continued sale or service of alcoholic beverages is contrary to the public interest.</p>	<p>DELETED BY THE SENATE</p>
<p>167 Limited Credits. Amend RSA 179:13, V to read as follows:</p> <p>V. Each wholesale distributor, brew pub licensee, or beverage manufacturer shall notify any retailer reported to the commission pursuant to RSA 179:13, I who is delinquent in making payment of accounts. Notification shall be delivered in writing to the licensee by a representative of the wholesaler, brew pub licensee, or beverage manufacturer. Proof of notification shall be forwarded to the commission, [whose enforcement division] who shall issue an administrative notice for a violation of the provisions of RSA 179:13, I [and shall forward a report of violation for</p>	<p>DELETED BY THE SENATE</p>

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<p>administrative action. Any license issued to any business violating the provisions of RSA 179:13, I may be suspended by the commission for nonpayment of accounts which are delinquent more than 15 days from the date of the wholesale distributor's, brew pub licensee's, or beverage manufacturer's notification, providing the requirements of this section have been met.</p>	
<p>168 Reference Changed. Amend RSA 179:15 to read as follows: 179:15 Transportation of Beverages and Wine. A person may transport or deliver beverages and wines in this state without a license, provided such beverages and wines were obtained as authorized by this title and provided such beverages and wines are for consumption only and not for resale purposes. Licensees may transport and deliver to their place of business beverages and wines purchased as authorized under this title, and, except on-premises licensees, may transport and deliver anywhere in the state such beverages and wines ordered from and sold by them in vehicles operated under the control of themselves or of their employees or agents, provided that the owner of such vehicles shall carry a copy of the license issued by the commission in the vehicle driven on behalf of the licensee for whom they are transporting such beverages and wines. Every person operating such a vehicle, when engaged in such transportation or delivery, shall carry a copy of the license in the vehicle so operated, and shall carry such evidence as the commission by rule may prescribe showing the origin and destination of the beverages and wines being transported or delivered. Upon demand of any law enforcement officer, investigator, or employee of the commission department of safety, the person operating such vehicle shall produce for inspection a copy of the license and the evidence required by this section. Failure to produce such license or evidence shall constitute prima facie evidence of unlawful transportation. Except as otherwise provided, beverages and wines may be transported within the state only by a railroad or steamboat corporation or by a person regularly and lawfully conducting a general express or trucking business, and in each case holding a valid carrier's license issued by the commission. Nothing in this section shall prohibit individual retail licensees from arranging for the delivery of wine products to a location central for the parties involved.</p>	<p>DELETED BY THE SENATE</p>

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<p>169 Reference Deleted. Amend RSA 179:35 to read as follows:</p> <p>179:35 Retention of Invoices and Sale and Delivery Slips. All invoices, sales slips, and delivery slips, current and covering a period of 60 days prior to the current date pertaining to purchases of beverages and liquor shall be retained by the licensee on the premises or be readily available for examination by the [commission or its liquor investigators] department of safety.</p>	<p>DELETED BY THE SENATE</p>
<p>170 References Deleted. Amend the section heading of RSA 179:56 and RSA 179:56, I to read as follows:</p> <p>179:56 Hearings; [Investigations;] False Statement; Enforcement Policy.</p> <p>I. The commission shall adopt and publish rules pursuant to RSA 541-A, to govern its proceedings and to regulate the mode and manner of all [investigations and] hearings before it. All hearings before the commission shall be in accordance with RSA 541-A:31-36. In any such [investigation or] hearing the commission shall not be bound by the technical rules of evidence. The commission, or any member, may subpoena witnesses and administer oaths in any proceeding or examination instituted before or conducted by it, and may compel, by subpoena, the production of any accounts, books, contracts, records, documents, memoranda, and papers of any kind whatever. Witnesses summoned before the 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.</p>	<p>DELETED BY THE SENATE</p>
<p>171 Prosecutions. Amend RSA 179:59 to read as follows:</p> <p>179:59 Prosecutions. [The commission shall appoint liquor investigators whose primary function shall be the proper prosecution of this title. The liquor 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 [commission] department of safety shall have the primary responsibility for the enforcement of all liquor and beverage laws upon premises where liquor and beverages are lawfully sold, stored, distributed, or manufactured. Any person violating the provisions of any law may be prosecuted by the [commission or any of its investigators as provided in this section] department of safety, or by county or city attorneys, or</p>	<p>DELETED BY THE SENATE</p>

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<p>by sheriffs or their deputies, or by police officials of towns.</p>	
<p>172 Repeal. The following are repealed: I. RSA 176:9, relative to liquor investigators. II. RSA 179:60, relative to interference with liquor investigators.</p>	<p>DELETED BY THE SENATE</p>
<p>173 Transfer of Functions, Positions, Equipment, Records, and Accounts; Rules Continued. I. Notwithstanding any provision of law to the contrary, all of the functions, positions, powers, duties, responsibilities, and funding of the liquor commission used for enforcement of alcoholic beverage laws shall be transferred to the department of safety. The transfer provided in this section shall include all of the equipment, books, papers, and records of the liquor commission related to enforcement functions. II. All existing rules, statutory responsibilities, regulations, and procedures relating to enforcement in effect, in operation, or adopted in or by the liquor commission are transferred to the department of safety, and are declared in effect and shall continue in effect until rescinded, revised, or amended in accordance with applicable law.</p>	<p>DELETED BY THE SENATE</p>
<p>174 Federal Fiscal Stabilization Funds for Deposit into the Education Trust Fund. It is the intent of the general court to deposit \$123,000,000 of state fiscal stabilization funds received from the United States Department of Education under the provisions of the American Recovery and Reinvestment Act of 2009 into the education trust fund established in RSA 198:39. Funds deposited into the education trust fund shall only be used in a manner consistent with section 14002 (a)(2)(A)(i)(II) of the American Recovery and Reinvestment Act of 2009, and the funding formulae contained in RSA 194-B:11 and RSA 198, for the purpose of funding increases in adequacy and equity aid provided to school districts and chartered public schools in fiscal years 2010 and 2011.</p>	<p>DELETED BY THE SENATE</p>
<p>175 New Paragraphs; Certification of Reduced Ignition Propensity Cigarettes. Amend RSA 339-F:6 by inserting after paragraph III the following new paragraphs: IV. If a manufacturer has certified a cigarette pursuant to paragraph II, and thereafter</p>	<p>152 New Paragraphs; Certification of Reduced Ignition Propensity Cigarettes. Amend RSA 339-F:6 by inserting after paragraph III the following new paragraphs: IV. If a manufacturer has certified a cigarette pursuant to paragraph II, and thereafter</p>

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<p>makes any change to the cigarette that is likely to alter its compliance with the reduced cigarette propensity standard under RSA 339-F:3, such cigarette shall not be sold or offered for sale in this state until the manufacturer retests the cigarette in accordance with the testing standards in RSA 339-F:3 and maintains records of the retesting as required by RSA 339-F:5. Any altered cigarette that does not meet the performance standard in RSA 339-F:4 shall not be sold in this state.</p> <p>V. For each cigarette listed for certification a manufacturer shall pay a fee of \$250 to the department of safety for deposit in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d for the purpose of providing fire safety education pursuant to RSA 153:10-c.</p> <p>VI. For each cigarette re-certified under this chapter a manufacturer shall pay a fee of \$250 to the department of safety for deposit in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d for the purpose of providing fire safety education pursuant to RSA 153:10-c.</p>	<p>makes any change to the cigarette that is likely to alter its compliance with the reduced cigarette ignition propensity standard under RSA 339-F:3, such cigarette shall not be sold or offered for sale in this state until the manufacturer retests the cigarette in accordance with the testing standards in RSA 339-F:3 and maintains records of the retesting as required by RSA 339-F:5. Any altered cigarette that does not meet the performance standard in RSA 339-F:4 shall not be sold in this state.</p> <p>V. For each cigarette listed for certification a manufacturer shall pay a fee of \$250 to the department of safety for deposit in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d for the purpose of providing fire safety education pursuant to RSA 153:10-c.</p> <p>VI. For each cigarette re-certified under this chapter a manufacturer shall pay a fee of \$250 to the department of safety for deposit in the fire standards and training and emergency medical services fund established in RSA 21-P:12-d for the purpose of providing fire safety education pursuant to RSA 153:10-c.</p>
<p>176 Tobacco Tax; Definition of Tobacco Products. Amend RSA 78:1, XIV to read as follows: XIV. "Tobacco products" means cigarettes, loose tobacco, [and] smokeless tobacco, <i>snuff, and cigars, but shall not include premium cigars.</i></p>	<p>153 Tobacco Tax; Definition of Tobacco Products. Amend RSA 78:1, XIV to read as follows: XIV. "Tobacco products" means cigarettes, loose tobacco, [and] smokeless tobacco, <i>snuff, and cigars, but shall not include premium cigars.</i></p>
<p>177 New Paragraph; Definition of Premium Cigars. Amend RSA 78:1 by inserting after paragraph XX the following new paragraph: XXI. "Premium cigars" means cigars which are made entirely by hand of all natural tobacco leaf, hand constructed and hand wrapped, wholesaling for \$2 or more, and weighing more than 3 pounds per 1000 cigars. These cigars shall be kept in a humidor at the proper humidity.</p>	<p>154 New Paragraph; Definition of Premium Cigars. Amend RSA 78:1 by inserting after paragraph XX the following new paragraph: XXI. "Premium cigars" means cigars which are made entirely by hand of all natural tobacco leaf, hand constructed and hand wrapped, wholesaling for \$2 or more, and weighing more than 3 pounds per 1000 cigars. These cigars shall be kept in a humidor at the proper humidity.</p>
<p>178 Tobacco Tax Imposed on Tobacco Products Other Than Cigarettes. Amend RSA 78:7-c to read as follows: 78:7-c Tax Imposed on Tobacco Products Other Than Cigarettes. A tax upon the retail consumer is hereby imposed on tobacco products other than cigarettes at a rate of [19] <i>48.59</i></p>	<p>155 Tobacco Tax Imposed on Tobacco Products Other Than Cigarettes. Amend RSA 78:7-c to read as follows: 78:7-c Tax Imposed on Tobacco Products Other Than Cigarettes. A tax upon the retail consumer is hereby imposed on tobacco products other than cigarettes at a rate of [19] <i>48.59</i></p>

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<p>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. <i>No such tax shall be imposed on premium cigars.</i></p>	<p>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. <i>No such tax shall be imposed on premium cigars.</i></p>
<p>179 Insurance; Premium Tax. Amend RSA 400-A:32, I(a)(3) and (4) to read as follows: (3) Effective January 1, [2010] 2012, 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] 2013, 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.</p>	<p>DELETED BY THE SENATE</p>
<p>180 New Paragraph; Insurer Retention Plan; Reporting. Amend 2006, 277:4 by inserting after paragraph II the following new paragraph: III. Before May 15, 2010, the insurance commissioner and the commissioner of the department of resources and economic development shall jointly present a report to the house and senate ways and means committees detailing the number of re-domestications and new jobs associated therewith, in addition to comparative data on the total number of property and casualty insurance jobs and insurance revenues in the state in 2006 and 2010.</p>	<p>DELETED BY THE SENATE</p>
<p>181 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.</p>	<p>DELETED BY THE SENATE</p>

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<p>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.</p> <p>IV. If only a portion of the decedent’s estate is located in this state, the tax shall be determined as follows:</p> <p>(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.</p> <p>(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.</p>	
<p>182 When Payable. Amend RSA 87:2 to read as follows:</p> <p>87:2 When Payable. The New Hampshire estate tax shall be payable to the department of revenue administration [at the same time or times at which the United States estate tax is payable] 9 months after the date of death of the decedent and shall bear interest as prescribed in RSA 21-J:28.</p>	<p>DELETED BY THE SENATE</p>
<p>183 Estates Affected. Amend RSA 87:11 to read as follows:</p> <p>87:11 Estates Affected. The provisions [hereof] of this chapter shall apply to the estates of all decedents dying after [April 28, 1931] January 1, 2010 and shall also apply to the estate of any decedent with respect to which the United States estate tax had not been paid on [April 28, 1931] January 1, 2010.</p>	<p>DELETED BY THE SENATE</p>
<p>184 Penalty. Amend RSA 87:19 to read as follows:</p> <p>87:19 Penalty. If an executor, administrator, trustee, fiduciary, or custodian neglects or refuses to comply with any of the requirements of RSA 87:17 or RSA 87:18, such person shall be</p>	<p>DELETED BY THE SENATE</p>

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<p>liable to a penalty of not more than \$1,000, to be recovered by the department of revenue administration for the use of the state, and, upon petition by the department, notice and hearing, the probate court may remove such person, and appoint another person administrator with the will annexed, or administrator, as the case may be. <i>Such administrator shall also be responsible for any other penalties and interest applicable under RSA 21-J.</i></p>	
<p>185 Repeal. The following are repealed: II. RSA 87:5, relative to lien of tax. II. RSA 87:7, relative to intent of chapter. III. RSA 87:9, relative to chapter void, when.</p>	<p>DELETED BY THE SENATE</p>
<p>186 Exemption Increased. Amend RSA 77:3, I to read as follows: I. Taxable income is that income received from interest and dividends during the tax year prior to the assessment date by: (a) Individuals who are inhabitants or residents of this state for any part of the taxable year whose gross interest and dividend income from all sources, including income from a qualified investment company pursuant to RSA 77:4, V, exceeds [\$2,400] \$5,000 during that taxable period. (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] \$5,000 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. (c) Fiduciaries deriving their appointment from a court of this state whose gross interest and dividend income from all sources exceeds [\$2,400] \$5,000 during the taxable year.</p>	<p>DELETED BY THE SENATE</p>
<p>187 New Paragraph; Taxable Income; Capital Gains. Amend RSA 77:4 by inserting after paragraph V the following new paragraph:</p>	<p>DELETED BY THE SENATE</p>

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<p>V-a. The capital gain reported on Schedule D of the taxpayer's federal income tax return.</p>	
<p>188 Exemptions. Amend RSA 77:5, I to read as follows: I. Income of [\$2,400] \$5,000.</p>	<p>DELETED BY THE SENATE</p>
<p>189 Married Taxpayers; Joint Returns. Amend RSA 77:5-a to read as follows: 77:5-a Married Taxpayers; Joint Returns. A married taxpayer may claim the exemptions provided in RSA 77:5 for both self and spouse, regardless of the ownership of the income from interest [or], dividends, on capital gains, provided that both husband and wife file a joint return.</p>	<p>DELETED BY THE SENATE</p>
<p>190 Returns and Declaration. Amend RSA 77:18, IV to read as follows: IV. Notwithstanding the provisions of paragraphs I-III, the following individuals shall not be required to file a return and shall not be considered to have gross or net taxable income for the purposes of this chapter: (a) Every individual whose total interest and dividend income is less than [\$2,400] \$5,000 for a taxable period. (b) For joint filers whose total interest and dividend income is less than [\$4,800] \$10,000 for a taxable period.</p>	<p>DELETED BY THE SENATE</p>
<p>191 New Section; Interest and Dividends Tax; Exclusion Added; Business Profits Tax Liability. Amend RSA 77 by inserting after section 4-f the following new section: 77:4-g Exclusion of Gain; Business Profits Tax. Any gain of a taxpayer for which the taxpayer is liable under RSA 77-A shall be excluded from liability for taxation under this chapter.</p>	<p>DELETED BY THE SENATE</p>
<p>192 Repeal. The following are repealed: I. RSA 77:4, IV, relative to the exemption of dividends declared by corporations to be a return of capital. II. RSA 77:4-c, relative to sale or exchange of transferable shares not taxable. III. RSA 77:7, relative to capital distribution.</p>	<p>DELETED BY THE SENATE</p>
<p>193 Estimated Tax Payments. Any taxpayer under RSA 77 who has reported capital gain in 2009 and who makes estimated tax payments under RSA 77:18 shall make estimated payments</p>	<p>DELETED BY THE SENATE</p>

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<p>for 2010 based upon the taxpayer’s tax liability incurred under RSA 77 immediately prior to the effective date of this section.</p>	
<p>194 Application. The provisions of sections 186-193 of this act shall apply to and be in effect on account of taxable periods ending on or after January 1, 2010.</p>	<p>DELETED BY THE SENATE</p>
<p>195 Transfers Authorized to Fund Information Technology Related Projects. Notwithstanding any provision of law to the contrary, departments, agencies, and branches may transfer moneys from any class line, except from personnel and benefit class lines, within their approved budgets to class line 027 to fund information technology related projects which would not otherwise be funded.</p>	<p>156 Transfers Authorized to Fund Information Technology Related Projects. Notwithstanding any provision of law to the contrary, departments, agencies, and branches may transfer moneys from any class line, except from personnel and benefit class lines, within their approved budgets to class line 027 to fund information technology related projects which would not otherwise be funded.</p>
<p>196 Department of Corrections; Management Positions. For the biennium ending June 30, 2011, no new positions shall be created and no existing positions shall be reclassified in order to establish new management positions specifically to replace abolished management positions at the Lakes Region facility.</p>	<p>DELETED BY THE SENATE</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>157 Department of Information Technology; Transfers Among Accounts. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary, the department of information technology may, subject to the approval of the fiscal committee of the general court, transfer funds within and among all accounting units within said department as necessary for the efficient management of the department.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>158 Representation of Defendants. Amend RSA 604-A:1 to read as follows: 604-A:1 Representation of Defendants. The purpose of this chapter is to provide adequate representation for indigent defendants in criminal cases, as a precondition of imprisonment, and indigent juveniles charged with being delinquent in any court of this state. <i>Representation of juveniles shall include all court ordered representation and shall be paid from funds appropriated for indigent defense pursuant to this chapter.</i> Representation shall include counsel and investigative, expert and other services and expenses, including process to compel the attendance of witnesses, as may be necessary for an adequate defense before the courts of this</p>

	state.
NO COMPARABLE HOUSE SECTION	<p>159 Neglected or Abused Children. Amend RSA 604-A:1-a to read as follows:</p> <p>604-A:1-a Neglected or Abused Children. In cases involving a neglected or abused child, when a guardian ad litem is appointed for the child as provided in RSA 169-C:10, the cost of such appointment shall be paid from funds appropriated for indigent defense pursuant to this chapter. <i>In cases involving a neglected or abused child, when an attorney is appointed to represent a parent determined to be indigent pursuant to RSA 169-C:10, II, the cost of such appointment shall be paid from funds appropriated for indigent defense pursuant to this chapter.</i></p>
NO COMPARABLE HOUSE SECTION	<p>160 New Paragraph; Department of Corrections; Internal Organizational Units. Amend RSA 21-H:4 by inserting after paragraph VI the following new paragraph:</p> <p>VII. The division of community corrections, under the supervision of a director of community corrections, who shall:</p> <ul style="list-style-type: none"> (a) Direct and oversee departmental services for inmates preparing for release from institutional settings into the community. (b) Direct and oversee departmental services for individuals under probation or parole supervision in order to achieve stability within the community and reduce recidivism. (c) Operate and administer all transitional work and housing units where inmates are assigned for minimum security and work release. (d) Serve as the primary liaison between the department and community-based service providers, state courts, and municipal, county, and state entities with common issues and responsibilities, including substance abuse and mental health issues. (e) Work with the department of justice and other state and federal agencies to identify, secure, and manage grant funds to supplement services available to offenders under departmental supervision, including but not limited to housing and employment assistance, substance abuse treatment, mental health treatment, and medical and prescription services.

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<p>NO COMPARABLE HOUSE SECTION</p>	<p>161 New Paragraph; Commissioner and Other Department Officials; Appointment. Amend RSA 21-H:6 by inserting after paragraph IV the following new paragraph:</p> <p>IV-a. The commissioner shall nominate for appointment by the governor, with the consent of the council, a director of community corrections who shall serve at the pleasure of the commissioner.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>162 Department of Corrections; Qualifications and Compensation of Certain Officials. Amend RSA 21-H:7, I to read as follows:</p> <p>I. The commissioner, assistant commissioner, professional standards director, director of security and training, director of community corrections, and the division directors of the department shall be qualified to hold such positions by reason of education and experience.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>163 Department of Corrections; Qualifications and Compensation of Certain Officials. Amend RSA 21-H:7, III to read as follows:</p> <p>III. The salaries of the commissioner, assistant commissioner, professional standards director, director of security and training, director of community corrections, and the division directors of the department shall be as specified in RSA 94:1-a.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>164 Department of Corrections; Status in Retirement System. Amend RSA 21-H:8-a to read as follows:</p> <p>21-H:8-a [Assistant Commissioner;] Status in Retirement System. For purposes of classification under RSA 100-A, the assistant commissioner, professional standards director, director of community corrections, and director of security and training of the department of corrections shall be considered permanent policemen if such individuals were permanent police members of group II for at least 10 years prior to appointment in their respective positions, and continue to be certified as police officers under RSA 188-F:26 and 188-F:27.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>165 Compensation of Certain State Officers; Salaries Established. Amend RSA 94:1-a, I(b) as follows:</p> <p>Delete:</p>

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	<p>HH Department of corrections warden, Lakes Region facility</p> <p>Insert:</p> <p>GG Department of corrections director of community corrections</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>166 Department of Corrections; Director of Community Corrections. The commissioner of the department of corrections shall make a report detailing statistical information related to the implementation of the division of community corrections to the president of the senate, the speaker of the house of representatives, and the chairpersons of the house and senate finance committees on or before November 1, 2010. The report shall include, but not be limited to statistical information detailing the impact on inmate population, recidivism, and savings attributable to the implementation of the division of community corrections.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>167 New Paragraph; Court Fees. Amend RSA 490:26-a by inserting after paragraph II the following new paragraph:</p> <p>II-a. The supreme court may establish by rule an equitable fee of not less than \$25 to be added to a fine whenever a court extends the time for the payment of the fine. An equitable fee assessed by a court under this paragraph shall be paid prior to or simultaneously with the payment of the fine.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>168 Judicial Branch Family Division; Sullivan County. Amend RSA 490-D:4, IX and X to read as follows:</p> <p>IX. The [courthouses] courthouse in Sullivan county which will house the judicial branch family division shall be [the Newport District Court and the Claremont District Court] a court facility in Newport.</p> <p>X.(a) Matters arising in municipalities located within the Claremont-Newport district [and the New London district in Merrimack county] shall be heard in [the Newport District Court] a court facility in Newport.</p> <p>[(b) Matters arising in municipalities located within the Claremont district shall be heard in the Claremont District Court.]</p>

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<p>NO COMPARABLE HOUSE SECTION</p>	<p>169 Department of Safety and Department of Health and Human Services; Transfer of Federally Funded Employees. Upon the request of the commissioner of the department of health and human services, the commissioner of the department of safety is authorized, with approval of the fiscal committee of the general court and governor and council, to transfer to the department of health and human services any or all employees currently employed at the department of safety, division of homeland security and emergency management, funded by federal funds and engaged in duties related to bioterrorism and public health emergency planning along with their associated appropriations, supplies, and equipment as the commissioners mutually agree would enhance the efficiency and effectiveness of the program.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>170 Pistols and Revolvers; License to Carry. Amend RSA 159:6, I to read as follows: I. The selectmen of a town or the mayor or chief of police of a city or some full-time police officer designated by them respectively, upon application of any resident of such town or city, or the director of state police, or some person designated by such director, upon application of a nonresident, shall issue a license to such applicant authorizing the applicant to carry a loaded pistol or revolver in this state for not less than 4 years from the date of issue, if it appears that the applicant has good reason to fear injury to the applicant's person or property or has any proper purpose, and that the applicant is a suitable person to be licensed. Hunting, target shooting, or self-defense shall be considered a proper purpose. The license shall be valid for all allowable purposes regardless of the purpose for which it was originally issued. The license shall be in duplicate and shall bear the name, address, description, and signature of the licensee. The original shall be delivered to the licensee and the duplicate shall be preserved by the people issuing the same for 4 years. When required, license renewal shall take place within the month of the fourth anniversary of the license holder's date of birth following the date of issuance. The license shall be issued within 14 days after application, and, if such application is denied, the reason for such denial shall be stated in writing, the original of which such writing shall be delivered to the applicant, and a copy kept in the office of the person to whom the application was</p>

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	<p>made. The fee for licenses issued to residents of the state shall be \$10, which fee shall be for the use of the law enforcement department of the town <i>or city</i> granting said licenses; the fee for licenses granted to out-of-state residents shall be [\$20] \$100, which fee shall be for the use of the state. The director of state police is hereby authorized and directed to prepare forms for the licenses required under this chapter and forms for the application for such licenses and to supply the same to officials of the cities and towns authorized to issue the licenses. No other forms shall be used by officials of cities and towns. The cost of the forms shall be paid out of the fees received from nonresident licenses.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>171 Vanity Number Plates. Amend RSA 261:89 to read as follows: 261:89 Vanity Number Plates. The director is hereby authorized to design and to issue, under such rules as [he shall deem] the director deems appropriate, vanity number plates to be used on motor vehicles in lieu of other number plates. Such number plates shall be of such design and shall bear such letters or letters and numbers as the director shall prescribe, but there shall be no duplication of identification. Such number plates or a changeable designation of the effective period thereof, as the director shall determine, shall be issued only upon application therefor and upon payment of a special vanity plate service fee of [\$25] \$40, said special fee to be in addition to the regular motor vehicle registration fee and any other number plate manufacturing fee otherwise required by law for the particular vehicle. Plates shall be renewed on an annual basis for \$40 per set. All special fees collected under this section shall be paid to the state treasurer and distributed as provided by RSA 263:52.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>172 New Subparagraph; Registration Fees; Vanity Number Plates. Amend RSA 261:141, III by inserting after subparagraph (bb) the following new subparagraph: (cc) For each vanity number plate set—\$40.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>173 Fees to be Collected. Amend RSA 261:141, VII(d) to read as follows: (d) For vanity plate service fee—[\$25] \$40.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>174 Driver Training Fund. Amend RSA 263:52, I-II to read as follows:</p>

	<p>I. The proceeds from original license fees as provided in RSA 263:42 and [\$5 from every special] <i>the vanity plate service</i> fee [for vanity number plates] collected in accordance with RSA 261:89, plus [such additional portion of] the [\$25 special] fee for [vanity number plates or] the renewal of the use of such plates [as is needed to fully fund the driver training program for each fiscal year as determined by the general court pursuant to paragraph II], after costs of such plates or designation of effective periods thereof and issuance of same have been appropriated and deducted, shall be expended solely for courses of instruction and training in safe motor vehicle driving conducted in or under the supervision of secondary schools. After all costs of administration of the program each year of the biennium have been reserved, the balance which is appropriated to the driver training program shall be paid to the state treasurer by June 30 of each year. Such balance shall be kept in a separate fund which shall be paid out on or before September 15 of each year to participating schools prorated on a per-pupil basis for those who have completed the driver education program. Subject to final approval by the governor and council, the commissioner of safety jointly with the commissioner of education shall adopt pursuant to RSA 541-A and publish rules governing the courses of instruction and training and determining eligibility of secondary schools to receive moneys from the fund established by this section.</p> <p>II. [Of] The [\$25 special] <i>\$40 vanity plate service</i> fee [for] <i>and the fee for renewal of</i> vanity number plates[-\$5] shall automatically be credited to the driver training fund[-The remaining part of the fee shall be deposited and accumulate in the vanity plate fund] until all fees in such fund equal the amount of money estimated by the general court as available for expenditure for the driver training program from that fund for that fiscal year, which shall include \$150 for each pupil who has completed the driver education program. Once the legislative estimates have been matched for the current fiscal year, the balance of all such fees shall be transferred to the general fund and shall be available as unrestricted revenue.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>175 Repeal. RSA 263:52, III, relative to transfers from the vanity plate fund, is repealed.</p>

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<p>NO COMPARABLE HOUSE SECTION</p>	<p>176 School Building Authority; State Guarantee. Amend RSA 195-C:2 to read as follows: 195-C:2 State Guarantee. Upon the receipt of a report from the authority containing a recommendation that bonds or notes of a school district should be guaranteed by the state, the governor with the advice and consent of the council may award an unconditional state guarantee with respect to such bonds or notes in accordance with the authority's recommendation or in some lesser amount or percentage, or on the alternative basis of guarantee, as the best interests of the state may require. The full faith and credit of the state are and shall be pledged for any such guarantees, and the total outstanding amount of the principal of and interest on such bonds and notes which has been guaranteed by the state under this section shall at no time exceed [\$30,000,000] \$95,000,000. The governor, with the advice and consent of the council, is authorized to draw a warrant for such a sum out of any money in the treasury not otherwise appropriated, for the purpose of honoring any guarantee awarded under this section. In the event that any state funds shall be so used, the state may recover the amount thereof as provided in RSA 530.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>177 New Section; State Bonds; Build America Bonds; Refundable Credit Payments. Amend RSA 6-A by inserting after section 13 the following new section: 6-A:14 Build America Bonds; Refundable Credit Payments. If the state treasurer issues any bonds of the state under this chapter or under RSA 237-A as “Build America Bonds,” as defined in section 54AA of the Internal Revenue Code of 1986, and elects to receive on behalf of the state the credit provided in section 6431 of the Internal Revenue Code of 1986, the state treasurer shall allocate such credit, when received, to the appropriate accounts pertaining to said bonds of the state, as determined by the state treasurer.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>178 Duties of Clerks; Disposition of Fines. RSA 502-A:8 is repealed and reenacted to read as follows: 502-A:8 Duties of Clerks; Disposition of Fines. The clerk shall receive all fines and forfeitures paid into the district court from any source. The clerk of any district court may accept payment of the fine by credit card in lieu of cash payment. Any transaction costs assessed by the issuer of the</p>

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	<p>credit card shall be paid out of the portion of the fine amount which is deposited with the treasurer and not out of the penalty assessment charged by a district court. The clerk shall forward fines collected for violations of title XXI to the treasurer for deposit in the highway fund and fines collected for violations of title LXII and all other statutes to the treasurer for deposit in the general fund within 14 days. The clerk shall separately indicate which fines were for violations of title XXI. Fines and forfeitures collected by the clerk for violations of municipal ordinances, codes, or regulations, except those adopted pursuant to RSA 31:39, I(g); RSA 41:11; RSA 47:17, IV, VI, VII, or VIII; and RSA 105:6 through RSA 105:7, shall be remitted monthly to the treasurer of the municipality prosecuting said violations, for the use of the municipality. All expenses related to the processing of parking violations and the administrative collection of parking fines shall be the responsibility of the local unit of government, and all fines collected shall be retained in their entirety by the local unit of government.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>179 Department of Health and Human Services; Manufacture and Sale of Beverages; Rulemaking. Amend 143:6, II(a) to read as follows: (a) Licenses, license classes, and fees under RSA 143:11 and RSA 143:12.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>180 Manufacture and Sale of Beverages. Amend RSA 143:12 to read as follows: 143:12 Registration by Nonresident Vendors. No beverage or beverage concentrate, for retail sale, manufactured out of the state, shall be sold or offered for sale within the state unless the same has first been registered by its manufacturer or by the manufacturer's agent with the department of health and human services. Such registration shall be in form similar to that provided in RSA 143:11 and shall be issued subject to suspension, revocation, and cancellation as elsewhere specified in this subdivision for licenses. An annual registration fee [of \$140] established by rule under RSA 143:6, II(a), to defray the cost of inspection and analysis of all the products of the same manufacturing plant, shall be paid to the department of health and human services by the manufacturer, importer, agent, or vendor.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>181 Department of Health and Human Services; Homestead Food License. Amend RSA 143-</p>

	<p>A:12, II to read as follows:</p> <p>II. There is hereby established a 2-level homestead license. [For a level one license, a one-time fee of \$25 shall be paid to the department of health and human services. The level 2 homestead license shall be based on gross sales.] Fees for each level shall be established by rule under RSA 143-A:13, V. It shall be unlawful for a processor or a manufacturer to operate a homestead without a homestead license as required under this subdivision. The commissioner and the commissioner of the department of agriculture, markets, and food shall administer the homestead licensure required under this subdivision.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>182 Department of Health and Human Services. Homestead Food License; Rulemaking. Amend RSA 143-A:13, V to read as follows:</p> <p>V. Fees for [a] level 1 and 2 [license] licenses, including application fees and fees for renewal.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>183 Heath Facilities; Licensure; Fees. RSA 151:5 is repealed and reenacted to read as follows:</p> <p>151:5 Licenses.</p> <p>I. Licenses issued hereunder shall expire one year after the date of issuance. Licenses shall be issued only for the premises and persons named in the application, and shall not be transferable or assignable. Licenses shall be posted in a conspicuous place on the licensed premises. Fees for an annual license shall be as follows:</p> <ul style="list-style-type: none"> (a) Hospitals; \$31 per licensed bed. (b) Specialty hospital-psychiatric; \$31 per licensed bed. (c) Specialty hospital-rehabilitation; \$31 per licensed bed. (d) Nursing homes; \$31 per licensed bed. (e) Acute psychiatric residential treatment programs; \$31 per licensed bed. (f) Residential treatment and rehabilitation facilities; \$31 per licensed bed. (g) Hospice houses; \$31 per licensed bed. (h) Licensed community residences; \$31 per licensed bed.

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	<ul style="list-style-type: none"> (i) Adult family care homes; \$31 per licensed bed. (j) Residential and supported residential care; \$18 per licensed bed. (k) Home health hospice providers; \$305. (l) Home health care providers; \$305. (m) Personal care providers: <ul style="list-style-type: none"> (1) Less than 10 clients; \$122. (2) Ten (10) or more clients; \$305. (n) Outpatient clinics; \$611. (o) End stage renal dialysis centers; \$611. (p) Ambulatory surgical centers; \$611. (q) Educational health centers; \$611. (r) Freestanding emergency rooms; \$611. (s) Health promotion clinics; \$611. (t) Collecting stations; \$305. (u) Adult day care centers; \$244. (v) Birthing centers; \$183. (w) Case management agencies; \$183. (x) Laboratories; \$183 per year for each category of testing licensed. <p>II. When an applicant first applies for an initial license the department of health and human services shall conduct one in-office consultation meeting, one initial on-site licensing visit and, if applicable, one initial on-site life safety code visit at no cost over and above the licensing fee set forth in paragraph I. If at the time of the initial licensing visit the applicant is not in compliance with licensing rules or, if applicable, life safety code provisions, such that an additional licensing visit or life safety code visit must take place, the applicant shall be charged an additional amount equal to 50 percent of the licensing fee set forth in paragraph I per additional visit.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>184 Department of Health and Human Services; Prior Authorization of Wheelchair Van, Non-</p>

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	<p>Emergency Ambulance, Occupational Therapy Services, and Methadone Clinic Services. The commissioner of health and human services shall submit Title XIX Medicaid state plan amendments to the federal Centers for Medicare and Medicaid Services to implement prior authorization of wheelchair van services, non-emergency ambulance services, occupational therapy services, and methadone clinic services effective July 1, 2009. Upon approval of said state plan amendments, and as of the effective date of the state plan amendments, all claims for wheelchair van services, non-emergency ambulance services, occupational therapy services, and methadone clinic service shall have an approved prior authorization prior to being paid with Medicaid funds. The commissioner shall adopt rules pursuant to RSA 541-A consistent with this section.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>185 Department of Health and Human Services; Contract for Medical Supplies and Equipment. The department of health and human services shall explore and implement opportunities to procure medical equipment and/or medical supplies in a manner that is cost efficient and maintains adequate access under the Medicaid state plan. This may include competitive procurement of certain items, redesigning the reimbursement structure to reflect commonly accepted methodologies, and other opportunities as identified.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>186 Community Mental Health Centers; Administrative Requirements Suspended. The commissioner of the department of health and human services shall submit a report to the oversight committee on health and human services established in RSA 126-A:13 by September 30, 2009, detailing administrative and reporting requirements for community mental health centers which may be suspended for the biennium ending June 30, 2011, without jeopardizing the public's health and safety. The oversight committee on health and human services shall review and approve the report prior to the implementation of any of the report's recommendations. The oversight committee may require revisions to the report as deemed necessary. The commissioner shall provide copies of the approved report to the chairpersons of the house and senate finance committees. Said report shall include, but not be limited to, the statutory or regulatory basis for</p>

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	<p>each requirement, an assessment of the continued need, if any, for the requirement, an assessment of any potential impact on the clients served, and proposals for alternative ways to accomplish the original intent without further burdening the community mental health centers.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>187 Uncompensated Care Fund; Analysis and Report Required.</p> <p>I. The commissioner of the department of health and human services is hereby directed to perform an analysis of options for altering the operation of the uncompensated care fund to more fully and effectively support providers of uncompensated care in New Hampshire on the basis of their uncompensated care costs. For purposes of this section, uncompensated care costs may include: charity care costs, any portion of Medicaid patient care costs that are unreimbursed by Medicaid payments, and any portion of bad debt costs that the commissioner determines would meet the criteria under 42 U.S.C. section 1396r-4(g) governing hospital-specific limits on disproportionate share hospital payments under Title XIX of the federal Social Security Act. The commissioner shall develop recommendations regarding reimbursement of the uncompensated care costs of those hospitals that are subject to the tax liability imposed under RSA 84-A and that participate in the New Hampshire Medicaid program. The commissioner’s analysis shall be structured in such a manner as to:</p> <ul style="list-style-type: none"> (a) Reduce, to the greatest extent practicable, the disproportionate impact among hospitals of uncompensated care costs; (b) Permit maximum available federal financial participation for these payments in accordance with Title XIX of the federal Social Security Act; and (c) Be consistent with all federal laws and regulations governing Title XIX disproportionate share hospital payment adjustments and permissible sources of state financial participation as provided for under 42 C.F.R. part 433. <p>II. In developing the recommendations required by this section, the commissioner shall seek input from the chair of the senate health and human services committee, the chair of the house health, human services and elderly affairs committee, the insurance department, and</p>

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	<p>representatives of hospitals currently participating in the uncompensated care program. The commissioner shall present a report detailing all the options and making recommendations to the oversight committee on health and human services, established under RSA 126-A:13, not later than November 30, 2009.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>188 Highway and Bridge Betterment Program; Funding. Amend RSA 235:23-a, II to read as follows:</p> <p>II. The program shall be funded from \$.03 per gallon of the road toll imposed under RSA 260:32; of these revenues, in each fiscal year 88 percent shall be deposited into a separate account established in the highway fund called the highway and bridge betterment account, to be allocated as provided in paragraph III. The amount deposited into the highway and bridge betterment account is hereby continually appropriated and shall be nonlapsing. The remaining 12 percent shall be distributed in accordance with the formula in RSA 235:23, I, and shall be in addition to any amounts to be allocated under that paragraph. <i>The program shall be additionally funded by \$10 of each original driver's license or driver's license renewal deposited in the highway and bridge betterment account pursuant to RSA 263:42, I.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>189 Driver's License Fees. Amend RSA 263:42, I to read as follows:</p> <p>I. For each original driver's license and examination or driver's license renewal, other than for a commercial vehicle or motorcycle- [\$50] \$60; for each youth operator's license and examination- [\$10] \$12 per year, not to exceed [\$50] \$60; for each license issued to a nonresident alien for less than 5 years- [\$10] \$12 per year or portion thereof; for each original commercial driver license and examination or commercial driver license renewal- [\$60] \$70; for each commercial driver license reexamination in a one-year period- \$20; for each commercial vehicle endorsement, renewal of an endorsement, or removal of a restriction- \$10; for each special motorcycle original license and examination or special motorcycle license renewal- [\$50] \$60; for each original motorcycle endorsement- \$25; for each motorcycle endorsement renewal- no charge. For each original driver's license issued, \$5 shall be credited to the driver training fund</p>

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	<p>established by RSA 263:52. <i>For each original driver's license or driver's license renewal, \$10 shall be credited to the highway and bridge betterment account established in RSA 235:23-a.</i> Except as provided in RSA 263:14 and RSA 263:39-a, III, every license shall expire on the licensee's birth date in the fifth year following the issuance of such license. No fee collected under this paragraph shall be refunded once an examination has been taken or a license issued, except as provided in RSA 263:43.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>190 Motor Fuel and Petroleum Products Transporter. Amend RSA 260:42, I to read as follows:</p> <p>I. Every person not registered as a distributor who transports motor fuel or products subject to the fees stipulated in RSA 146-A, <i>to a point or points outside the state from a point or points within the state</i>, to a point or points within the state from a point or points outside the state, <i>or to a point or points within the state from a point or points within the state</i>, every common carrier or contract carrier who transports motor fuel or petroleum products, and every licensed distributor who transports motor fuel or petroleum products exclusive of the carrier's own product shall be licensed with the commissioner as a motor fuel and petroleum products transporter.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>191 Motor Fuel and Petroleum Products Transporter. Amend RSA 260:42, V to read as follows:</p> <p>V. The transporter shall report to the commissioner on forms prescribed by the commissioner, not later than the twentieth of the succeeding calendar month, subject to prosecution for unsworn falsification, all deliveries of motor fuel and petroleum products made to <i>or from</i> points within the state during the previous calendar month. Such reports shall contain sufficient information to identify the quantities delivered, the consignor, the consignee and such additional information as the commissioner may require. A report shall be filed for any month in which no activity occurs. Information required pursuant to this paragraph which has been deemed confidential or as to which a request for confidential treatment is pending shall not be</p>

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	<p>shown to or reviewed by any person other than the employees of the department who have a legitimate need to know the information for the purposes of enforcement of this subdivision, or fuel tax officials of another state as required by RSA 260:56, I, in which case the officials shall be required by the commissioner to agree to a similar limitation on disclosure before such information is furnished.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>192 Continuation of Executive Orders. Executive Order 2008-1, directing a freeze of executive branch hiring, equipment purchases, and out-of-state travel and Executive Order 2008-8, directing a freeze of executive branch purchases, shall remain in effect until June 30, 2011, unless earlier terminated by order of the governor.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>193 Department of Transportation; Agreements to Lease-Purchase Vehicles and Equipment Authorized. For the biennium ending June 30, 2011, the commissioner of the department of transportation is authorized to enter into agreements to lease-purchase vehicles and equipment.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>194 Department of Transportation; Federal Assistance Grant; Appropriation. Any sum received in the fiscal years ending June 30, 2010 or June 30, 2011 from the Federal Emergency Management Agency or Federal Highway Administration's Emergency Relief Program or any other federal program providing emergency assistance to the department of transportation to reimburse costs incurred for emergency response, including, but not limited to, equipment rental, snow plowing, sanding, salting, flood damage response, and personnel overtime during any emergency declared shall be collected by the appropriate agency and appropriated to the department of transportation.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>195 Election Fund. Amend RSA 5:6-d, II and III to read as follows: II. The treasurer shall deposit in the election fund all monies received by the state pursuant to the Help America Vote Act of 2002, Public Law 107-252 [and all civil or administrative fines or penalties or filing fees collected by the secretary of state pursuant RSA 655; RSA 659; and RSA 664]. The treasurer shall also deposit in the election fund such other funds received under state or federal law, or donated to the state by private parties, for the</p>

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	<p>purposes of conducting elections, voter and election official education, election law enforcement, and related information technology projects and improvements, and shall credit any interest or income earned on monies on deposit to the fund.</p> <p>III. The secretary of state is authorized to accept, budget, and, subject to the limitations of this paragraph, expend monies in the election fund received from any party for the purposes of conducting elections, voter and election official education, the purchase or lease of voting equipment which complies with Help America Vote Act of 2002, Public Law 107-252, election law enforcement, and improvements to related information technology. [The secretary of state shall not expend any monies in the election fund unless the balance in the fund following such expenditures shall be at least 20 times the estimated annual cost of maintaining the programs established to comply with the Help America Vote Act of 2002, Public Law 107-252.]</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>196 Availability of Checklist and Voter Information. Amend RSA 654:31, V to read as follows:</p> <p>V. Except for fees collected on behalf of a city or town, fees collected by the secretary of state under this section shall be deposited in the [election fund established pursuant to RSA 5:6 d] general fund. Fees collected by a town or city or by the secretary of state on behalf of a city or town under this section shall be for the use of the town or city.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>197 Filing Fees. Amend RSA 655:19, II to read as follows:</p> <p>II. The fees paid to a town or city clerk by candidates for state representative shall be forwarded to the treasurer of the town or city and shall be for the use of the town or city. The fees paid to the secretary of state shall be deposited by the secretary of state in the [election fund established pursuant to RSA 5:6 d] general fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>198 Administrative Assessment; Primary Petitions; Nomination Papers. Amend RSA 655:19-c, II to read as follows:</p> <p>II. The administrative assessment paid to a town or city clerk by candidates for state representative shall be forwarded to the treasurer of the town or city and shall be for the use of the town or city. The administrative assessment paid to the secretary of state shall be deposited</p>

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	<p>by the secretary of state into the [election fund established pursuant to RSA 5:6 d] general fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>199 Wrongful Voting; Penalties for Voter Fraud. Amend RSA 659:34, III(b) to read as follows: (b) The written notice shall be served in hand or sent by registered or certified mail to the last known address of such person. The person shall have 30 days to pay any civil penalty assessed under this section to the secretary of state for deposit into the [election fund established pursuant to RSA 5:6 d] general fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>200 Distributing Campaign Materials at Polling Place. Amend RSA 659:43, IV to read as follows: IV.(a) Whoever violates any of the provisions of this section shall be subject to a civil penalty not to exceed \$1,000. (b) The court, upon petition of the attorney general, may levy upon any person who violates the provisions of RSA 659:43 a civil penalty in an amount not to exceed \$1,000 per violation. All penalties assessed under this paragraph shall be paid to the secretary of state for deposit into the [election fund established pursuant to RSA 5:6 d] general fund. (c) The attorney general shall have authority to notify suspected violators of this section of the state's intention to seek a civil penalty, to negotiate, and to settle with such suspected violators without court action, provided any civil penalty paid as settlement shall be paid to the secretary of state for deposit into the [election fund established pursuant to RSA 5:6 d] general fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>201 Election Procedures; Prohibited Acts; General Provisions. Amend RSA 659:45 to read as follows: 659:45 General Provisions. It shall be the responsibility of the moderator to report any violation occurring under RSA 659:34 through RSA 659:44 to the attorney general. All fines imposed under RSA 659:35 through RSA 659:44 shall be paid to the county in which the offense was committed. All penalties assessed under RSA 659:34 shall be paid to the secretary of state for deposit into the [election fund established pursuant to RSA 5:6 d] general fund.</p>

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<p>NO COMPARABLE HOUSE SECTION</p>	<p>202 Registration of Political Committees. Amend RSA 664:3, I to read as follows:</p> <p>I. Any political committee, except the political committee of a political party, shall register with the secretary of state as provided in this section. The committee shall register with the secretary of state not later than 24 hours after receiving any contribution in excess of \$500 or before making any expenditure in excess of \$500, but in no event later than 14 days after the formation of the committee. The registration shall be accompanied by a fee of \$50, which shall be deposited by the secretary of state into the [election fund established pursuant to RSA 5:6 d] general fund; provided, however, that the political committee of a candidate which registers under this section shall not be required to pay the \$50 fee. Each political committee shall designate a treasurer or agent who is a citizen of this state and who is authorized to receive all process and other legal documents on behalf of the political committee, and through whom may be obtained access to all books and records of the political committee. The political committee shall file with the secretary of state a statement of the purpose of the committee and shall indicate whether the committee will be making independent expenditures in support of or in opposition to any candidate including a statement of the name, address, occupation, and principal place of business of its chairperson and treasurer or agent, and the names and addresses of other officers. The committee shall file an amendment to its registration within 14 days of any change in the officers or purpose of the committee.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>203 Political Expenditures and Contributions; Enforcement; Penalty. Amend RSA 664:21, II to read as follows:</p> <p>II. Any fine assessed under the provision of this section shall be paid to the secretary of state for deposit into the [election fund established pursuant to RSA 5:6 d] general fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>204 Political Expenditures and Contributions; Enforcement; Penalty. Amend RSA 664:21, VI(b)-(c) to read as follows:</p> <p>(b) The court, upon petition of the attorney general, may levy upon any person who violates the provisions of RSA 664:16-a or the provisions of RSA 664:17 relative to removing,</p>

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	<p>defacing, or destroying political advertising on private property a civil penalty in an amount not to exceed \$1,000 per violation. All penalties assessed under this paragraph shall be paid to the secretary of state for deposit into the [election fund established pursuant to RSA 5:6 d] general fund.</p> <p>(c) The attorney general shall have authority to notify suspected violators of RSA 664:16-a or the provisions of RSA 664:17 relative to removing, defacing, or destroying political advertising on private property of the state's intention to seek a civil penalty, to negotiate, and to settle with such suspected violators without court action, provided any civil penalty paid as settlement shall be paid to the secretary of state for deposit into the [election fund established pursuant to RSA 5:6 d] general fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>205 Impersonation of Candidates. Amend RSA 666:7-a, II(b)-(c) to read as follows:</p> <p>(b) The court, upon petition of the attorney general, may levy upon any person who violates the provisions of RSA 666:7-a a civil penalty in an amount not to exceed \$1,000 per violation. All penalties assessed under this paragraph shall be paid to the secretary of state for deposit into the [election fund established pursuant to RSA 5:6 d] general fund.</p> <p>(c) The attorney general shall have authority to notify suspected violators of this section of the state's intention to seek a civil penalty, to negotiate, and to settle with such suspected violators without court action, provided any civil penalty paid as settlement shall be paid to the secretary of state for deposit into the [election fund established pursuant to RSA 5:6 d] general fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>206 Board of Tax and Land Appeals; Requirements for Caseload and Efficiencies Analysis Report. The board of tax and land appeals shall prepare a report analyzing the mission of the board, matters handled by the board, staffing of the board, changing caseloads, and proposals to achieve efficiencies in board operations and costs. The board of tax and land appeals shall submit its report on caseloads and efficiencies to the speaker of the house of representatives and the president of the senate by December 15, 2009.</p>

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<p>NO COMPARABLE HOUSE SECTION</p>	<p>207 Business Profits Tax; Credit Suspended. For fiscal year 2011, the credits accrued for business enterprise taxes paid pursuant to RSA 77-E against the business profits tax under RSA 77-A:5, X shall not be utilized. However, beginning July 1, 2012, the credits accrued in fiscal year 2011 may, notwithstanding the provisions of RSA 77-A:5, X, be carried forward for a 10-year period.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>208 Operating Budget; Transfer of Dedicated Funds. Notwithstanding RSA 6:12 and any other law to the contrary, the department of administrative services shall transfer from the workers' compensation fraud fund and workers' compensation safety inspection fund a total of \$500,000 to the general fund on July 1, 2009.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>209 New Chapter; Video Lottery Machines. Amend RSA by inserting after chapter 284 the following new chapter:</p> <p style="text-align: center;">CHAPTER 284-A VIDEO LOTTERY MACHINES</p> <p>284-A:1 Definitions. In this chapter:</p> <p style="padding-left: 40px;">I. "Applicant" means any person, officer, director, or key employee, who on his or her own behalf or on behalf of another, is applying for permission to engage in any act or activity which is regulated under the provisions of this chapter. In cases in which the applicant is a corporation, foundation, organization, business trust, estate, limited liability company, trust, partnership, limited partnership, association, or any other form of legal business entity, the lottery commission shall determine the associated persons whose qualifications must be provided and reviewed as a precondition to the licensing of the applicant.</p> <p style="padding-left: 40px;">II. "Central computer system" means a central monitor and control system provided and monitored by the lottery commission to which video lottery terminals communicate for purposes of information retrieval, retrieval of the win and loss determination from video lottery machines, and programs to activate and disable video lottery machines.</p> <p style="padding-left: 40px;">III. "Facility location" means any north country facility location or any pari-mutuel</p>

	<p>licensee location and the portion of such facility approved for video lottery machine operations.</p> <p>IV. “Key employee” means any individual who is employed in a director or department head capacity and who is authorized to make discretionary decisions that regulate video lottery machine operations, including the general manager and assistant manager of the operator licensee or technology provider, director of operations, director of cage and/or credit operations, director of surveillance, director of marketing, director of management information systems, director of security, comptroller, and any employee who supervises the operations of these departments or to whom these department directors or department heads report and such other positions which the lottery commission shall determine based on detailed analyses of job descriptions as provided in the internal controls of the licensee. All other gaming employees shall be considered as non-key employees.</p> <p>V. “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.</p> <p>VI. “North country facility location” means one of no more than 2 facilities selected and approved by the lottery commission pursuant to this chapter, one of which shall be located in Grafton county and one of which shall be located in Coos county.</p> <p>VII. “Operator applicant” means the applicant applying for an operator’s license to operate video lottery machines at a facility location.</p> <p>VIII. “Operator’s license” means the license issued by the lottery commission to an operator licensee which allows the operator licensee to possess, conduct, and operate video lottery machines in accordance with this chapter.</p> <p>IX. “Operator licensee” means an operator applicant who is issued a license by the lottery commission to procure and operate video lottery machines pursuant to this chapter.</p> <p>X. “Pari-mutuel licensee” means an entity licensed and authorized to conduct live horse</p>
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	<p>racing as provided in RSA 284:16 or live dog racing as provided in RSA 284:16-a for at least the number of days as required in RSA 284:22-a, II(a)(3) at a pari-mutuel licensee location.</p> <p>XI. “Pari-mutuel licensee location” means the facility at which a pari-mutuel licensee is located and where a pari-mutuel licensee was authorized to conduct live horse racing or live dog racing as of January 1, 2009 for at least the number of days as required in RSA 284:22-a, II(a)(3), and any real estate in which a pari-mutuel licensee had an interest as of January 1, 2009 which is adjacent to the real estate on which a pari-mutuel licensee is authorized to conduct live horse racing or live dog racing as of January 1, 2009.</p> <p>XII. “Progressive jackpot” means a prize that increases over time or as video lottery machines that are linked to a progressive system are played. Upon conditions established by the lottery commission, a progressive jackpot may be paid by annuity.</p> <p>XIII. “Progressive system” means one or more video lottery machines linked to one or more common progressive jackpots.</p> <p>XIV. “Technology provider” means any person or entity which designs, manufactures, installs, distributes, or supplies video lottery machines for sale or lease to the operator licensees, and which are for use by an operator licensee for conducting video lottery games in accordance with this chapter.</p> <p>XV. “Technology provider license” means the license issued by the lottery commission to a technology provider licensee which allows the technology provider licensee to design, manufacture, install, distribute, or supply video lottery machines for sale or lease to the operator licensees.</p> <p>XVI. “Technology provider licensee” means a technology provider that is licensed by the lottery commission.</p> <p>XVII. “Token” means the coin or coupon, which is not legal tender, sold by a cashier in a face amount equal to the cash paid by a player for the sole purpose of playing a video lottery machine at a facility location or paid to a player of a video lottery machine, which can be exchanged for cash at a facility location.</p>
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	<p>XVIII. "Video lottery" means any lottery conducted with a video lottery machine or linked video lottery machines with an aggregate progression prize or prizes. Video lottery conducted pursuant to this chapter shall not be considered a state-run lottery.</p> <p>XIX. "Video lottery machine" means an electronic, mechanical, or computerized machine 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 or redemption poker machines as defined in RSA 647:2 or video poker machines or other similar machines used for amusement purposes only.</p> <p>284-A:2 Video Lottery Oversight.</p> <p>I. No license shall be issued to any person under this chapter without prior approval of the lottery commission pursuant to this chapter and RSA 284:21-w. The lottery commission shall only issue licenses to persons who operate video lottery machines at a facility location after meeting the requirements of RSA 284-A:6.</p> <p>II. The lottery commission shall have general responsibility for the implementation of this chapter and shall adopt rules under RSA 541-A relative to:</p> <ul style="list-style-type: none"> (a) Hearing and deciding all license applications or recommendations for the suspension or revocation of any license issued under this chapter. (b) Conducting all investigations required under this chapter with regard to the application of any applicant for any license. (c) Conducting hearings pertaining to civil violations, rules, and penalties required under this chapter. (d) Establishing standards and a reasonable fee structure for the licensing and
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	<p>renewal of licenses for employees and operators, technology providers, and operator licensees consistent with RSA 284-A:5, I(e) and II(e).</p> <p>(e) Establishing technical standards for approval of video lottery machines, including mechanical and electrical reliability and security against tampering, as deemed necessary to protect the public from fraud or deception and to insure the integrity of the operation.</p> <p>(f) Establishing standards for licensing under RSA 284-A:6.</p> <p>(g) Establishing standards for reviewing any structure at a facility location.</p> <p>(h) Ensuring that all licensees update the lottery commission with regard to any change in ownership or material change in information or data regarding the licensee that the commission determines is necessary and appropriate.</p> <p>III. Pending the adoption of rules under RSA 541-A, the lottery commission shall adopt interim rules pursuant to RSA 541-A:19 after public hearing and within 90 days after enactment of RSA 284-A. Such interim rules shall implement the provisions of RSA 284-A including an approval process for selecting the provider of the central computer system.</p> <p>IV. The lottery commission shall provide and operate a single central monitor and control system into which all licensed video lottery machines shall be connected.</p> <p>(a) The central monitor and control system shall be capable of:</p> <p>(1) Continuously monitoring, retrieving, and auditing the operations, financial data, and program information of all video lottery machines;</p> <p>(2) Allowing the lottery commission to account for all money inserted in and payouts made from any video lottery terminal;</p> <p>(3) Disabling from operation or play any video lottery machine as the lottery commission deems necessary to carry out the provisions of this chapter;</p> <p>(4) Supporting and monitoring a progressive jackpot system capable of operating one or more progressive jackpots; and</p> <p>(5) Providing any other function that the lottery commission considers necessary.</p>
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	<p>(b) The central monitor and control system shall employ a widely accepted gaming industry communications protocol, as approved by the Gaming Standards Association, to facilitate the ability of video lottery machine manufacturers to communicate with the statewide system.</p> <p>(1) Except as provided in subparagraph (2), the lottery commission shall not allow an operator licensee to have access to, or obtain information from, the central monitor and control system.</p> <p>(2) If the access does not in any way affect the integrity or security of the central monitor and control system, lottery commission may allow an operator licensee to have access to the central monitor and control system that allows the licensee to obtain information pertinent to the legitimate operation of its video lottery.</p> <p>V. The lottery commission may issue subpoenas and compel the attendance of witnesses, and may administer oaths and require testimony of witnesses under oath.</p> <p>VI. No later than November 1 in each calendar year, the lottery commission shall submit a report to the fiscal committee of the general court, regarding the operation of video lottery machines. Such report may include recommendations for future legislation.</p> <p>VII.(a) The lottery commission shall keep a written record of all proceedings of public meetings of the commission.</p> <p>(b) The lottery commission shall keep and maintain a list of all applicants for licenses it receives under this chapter together with a record of all actions taken with respect to such applicants. A file and record of the actions by the lottery commission shall be open to public inspection provided, however, that the information regarding any applicant whose license or registration has been denied, revoked, or not renewed shall be removed from such list after 5 years from the date of such action.</p> <p>(c) The lottery commission shall maintain such other files and records as the commission determines is necessary. All records maintained by the lottery commission may be maintained in digital or other format provided that such information can be produced in written</p>
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form upon the request of the commission.

(d) All information and data required by the lottery commission to be furnished to it, or which may otherwise be obtained, shall be considered to be confidential and shall not be revealed in whole or in part except in the course of the necessary administration of this chapter, or upon the lawful order of a court of competent jurisdiction, or, with the approval of the attorney general, to a duly authorized law enforcement agency.

(e) All information and data pertaining to an applicant's or key employee's criminal record, finances, family, and background furnished to or obtained by the lottery commission from any source shall be considered confidential and shall be withheld in whole or in part. Such information shall be released upon the lawful order of a court of competent jurisdiction or to a duly authorized law enforcement agency.

(f) Notice of the contents of any information or data to be released, except to a duly authorized law enforcement agency pursuant to subparagraphs (d) or (e), shall be given to any applicant, registrant, or licensee in a manner prescribed by the rules adopted by the lottery commission so that the applicant, registrant, or licensee has the opportunity to object to such release.

VIII. The lottery commission, the attorney general, and the state police gaming enforcement unit may from time to time contract for such financial, economic, or security consultants, and any other technical and professional services as the lottery commission deems necessary for the discharge of its duties.

IX. The lottery commission shall establish standards for reviewing, selecting, and granting approval for no more than 2 north country facility locations. Selection standards shall specify the process and fees for seeking approval and the criteria which shall be met by applicants. Applications requesting review and approval of any north country facility location must be received by the lottery commission by July 1, 2010 or no approval shall be granted for any north country facility location under this chapter. Criteria shall include:

	<p>(a) The availability of local resources to support services and amenities necessary to accommodate projected guest volume in the form of transportation, rooms and meals, utilities, law enforcement, and mental health services.</p> <p>(b) The immediate and long range financial feasibility of the applicant's proposed project.</p> <p>(c) The character and fitness of the owners of the facility.</p> <p>(d) Whether the applicant has obtained the approval of the municipality in which the project is proposed by local referendum.</p> <p>(e) A minimum capital investment of \$10,000,000 in the construction or renovation of the facility location.</p> <p>(f) An agreement with an operator to operate video gaming at the proposed north country facility location consistent with this chapter.</p> <p>(g) The availability of space in the facility for charitable gaming to take place under RSA 287-D.</p> <p>X. A north country facility location shall commence construction of the gaming facility within 12 months of receiving approval of the facility location pursuant to paragraph IX, and a pari-mutuel licensee location shall commence any necessary construction or renovation of the area intended for operation of video lottery machines within 12 months of the pari-mutuel licensee or its operator applicant filing an application for an operator's license pursuant to RSA 284-A:5.</p> <p>284-A:3 Authorization for Video Lottery Machines.</p> <p>I. An operator licensee may install, operate, and conduct video lottery machines at a facility location in accordance with the provisions of this chapter.</p> <p>II. A facility location may enter into one or more agreements with an operator licensee to manage or participate in the operation of video lottery machines at its approved or in the case of a pari-mutuel licensee its licensed facility location in accordance with the provisions of this chapter.</p> <p>284-A:4 Licenses; Number of Video Lottery Machines.</p>
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	<p>I. No person shall engage in the ownership, possession, or operation of a video lottery machine unless:</p> <ul style="list-style-type: none">(a) Such person is licensed in accordance with the provisions of this chapter;(b) Local approval as provided in RSA 284-A:9 has been obtained; and(c) Such person provides adequate space to accommodate charitable gaming as permitted under RSA 287-D. <p>II. Any operator or technology provider shall be licensed by the lottery commission prior to engaging in any operation of video lottery machines.</p> <p>III. Each operator licensee operating video lottery machines at a pari-mutuel licensee location at which live dog racing is conducted shall be limited to a maximum of 2,000 video lottery machines in operation at each such pari-mutuel licensee location.</p> <p>IV. Each operator licensee operating video lottery machines at a pari-mutuel licensee location at which live horse racing is conducted shall be limited to a maximum of 5,000 video lottery machines in operation at each such pari-mutuel licensee location.</p> <p>V. Each operator licensee operating video lottery machines at a north country facility location shall be limited to a maximum of 2,000 video lottery machines in operation at each such approved location.</p> <p>284-A:5 License Requirements for Operators and Technology Vendors.</p> <p>I.(a) A pari-mutuel licensee or other operator applicant shall obtain an operator’s license from the lottery commission to possess, conduct and operate video lottery machines at a facility location. In the event that a pari-mutuel licensee enters into an agreement with another person or entity to manage and operate video lottery machines at its pari-mutuel licensee location, that person or entity shall apply as the operator licensee applicant. An applicant must complete and sign an application on forms prescribed by the lottery commission, and include information regarding the applicant’s criminal history background, civil judgments, and financial affairs. The application shall include the full name, address, date of birth, and other personal identifying</p>
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	<p>information of the applicant and all key employees, 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 10 percent of the legal or beneficial interests of such entity. The lottery commission shall not accept applications from an operator applicant after December 31, 2010, unless the operator applicant has an agreement with a facility location that has previously maintained video lottery machine operations consistent with this chapter.</p> <p>(b) If the applicant or any owner has held or holds a gaming or video lottery machine license in a jurisdiction where video lottery machine activities are permitted, the applicant shall so state and may produce either a letter of reference from the gaming or lottery enforcement or control agency which sets forth the experience of that agency with the applicant, the applicant's associates and gaming operations, or a statement under oath that the applicant is or was during the period the activities were conducted in good standing with the agency.</p> <p>(c) The attorney general shall conduct a background review of each operator applicant and any of its owners and key employees consistent with RSA 284:A-6. The background review may be conducted through any appropriate state or federal law enforcement system and the authorized reviewers may seek information as to the subject's financial, criminal, or business background, or any other information which the attorney general, in his or her sole discretion, may find relevant to the subject's fitness to be associated with the ownership or management of the operation of video lottery machines 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. If the applicant is a pari-mutuel licensee and the attorney general has conducted a background investigation pursuant to RSA 284:15-b, within the 12 months prior to the application filing, the attorney general may rely on the results of the previous investigation to the extent the applicant's circumstances have not materially changed. The attorney general shall also take into consideration as evidence of fitness a letter of</p>
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	<p>reference or sworn statement of good standing produced pursuant to RSA 284-A:5, I(b). The attorney general shall report the results of the background review to the lottery commission within 60 days. Notwithstanding any other law to the contrary, the information provided to the attorney general and the results of any such review shall be confidential and shall not be subject to disclosure or to public inspection, except that the attorney general, in the attorney general's sole discretion, shall determine the extent to which and the manner in which said results may be reported to the lottery commission or other state agency or official and, if reported, whether such results are to retain their confidential character; provided, however, that whenever the attorney general conducts such a review, the attorney general shall notify the lottery commission whether or not in his or her opinion such person is fit to be associated with participation in the ownership or management of the operation of video lottery machines in this state. The attorney general may conduct such review on the attorney general's motion into the background of the license applicant or holder, or any person or entity upon whom the license applicant or holder relies for financial support.</p> <p>(d) In any review conducted pursuant to subparagraph (c), the attorney general or any duly authorized member of the attorney general's staff may require by subpoena or otherwise the attendance of witnesses and the production of such correspondence, documents, books, and papers as he or she deems advisable, and for purposes of this section, may administer oaths and take the testimony of witnesses.</p> <p>(e)(1) The lottery commission shall impose an application fee of \$100,000 which shall be used to defray the cost of processing the application. If the cost of processing the application exceeds \$100,000, the applicant shall pay the difference. In the event that a pari-mutuel licensee makes an agreement pursuant to RSA 284-A:3, II and the operator applicant applies for the operator's license, then the amount of the fee shall be the greater of \$100,000 or the actual costs incurred by the lottery commission.</p> <p>(2) The attorney general shall impose an investigation fee of \$50,000 which shall</p>
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	<p>be used to defray the cost of the background investigation. If the cost of the background investigation exceeds \$50,000, the applicant shall pay the difference. In the event that a pari-mutuel licensee makes an agreement pursuant to RSA 284-A:3, II and that the operator applicant applies for the operator’s license, then the amount of the fee shall be the greater of \$50,000 or the actual costs incurred by the attorney general.</p> <p>(3) Upon approval of a pari-mutuel licensee or operator licensee, the lottery commission shall charge an initial license fee of \$50,000,000 for a pari-mutuel licensee or operator licensee where live horse racing takes place, \$20,000,000 for a pari-mutuel licensee or operator licensee where live dog racing takes place, and \$10,000,000 for an operator licensee at a north country facility location. The lottery commission shall charge a license fee of \$1,000,000 to renew a license to a pari-mutuel licensee or an operator’s licensee where live horse racing takes place, \$500,000 where live dog racing takes place, and \$500,000 for an operator licensee at a north country facility location, however, such person seeking renewal of his or her license shall pay all costs incurred by the attorney general to conduct an investigation with regard to such application to renew the operator’s license.</p> <p>II.(a) A technology provider licensee applicant shall secure a technology provider license from the lottery commission. An applicant shall complete and sign an application on forms prescribed by the lottery commission, and include information regarding the applicant’s criminal history background, civil judgments, and financial affairs. The application shall include the full name, address, date of birth, and other personal identifying information of the applicant and all key employees, 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 10 percent of the legal or beneficial interests of such entity.</p> <p>(b) If the applicant or any owner has held or holds a gaming or video lottery machine license in a jurisdiction where video lottery machine activities are permitted, the applicant shall so state and may produce either a letter of reference from the gaming or lottery enforcement or</p>
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	<p>control agency which sets forth the experience of that agency with the applicant, the applicant's associates and gaming operation, or a statement under oath that the applicant is or was during the period the activities were conducted in good standing with the agency.</p> <p>(c) The attorney general shall conduct a background review of each technology provider applicant and any of its owners and key employees. The review may be conducted through any appropriate state or federal law enforcement system and may seek information as to the subject's financial, criminal, or business background, or any other information which the attorney general, in his or her sole discretion, may find relevant to the subject's fitness to be associated with the distribution of video lottery machines 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 take into consideration as evidence of fitness a letter of reference or sworn statement of good standing produced pursuant to subparagraph (b). The attorney general shall report the results of the review to the lottery commission within 60 days. Notwithstanding any other law to the contrary, the information provided to the attorney general and the results of any such review shall be confidential and shall not be subject to disclosure or to public inspection, except that the attorney general, in the attorney general's sole discretion, shall determine the extent to which and the manner in which said results may be reported to the lottery commission or other state agency or official and, if reported, whether such results are to retain their confidential character; provided, however, that whenever the attorney general conducts such a review, the attorney general shall notify the lottery commission whether or not in his or her opinion such person is fit to be associated with the distribution of video lottery machines in this state. The attorney general may conduct a background review on the attorney general's motion into the background of the license applicant or holder, or any person or entity upon whom the license applicant or holder relies for financial support.</p> <p>(d) In any review conducted pursuant to subparagraph (b), the attorney general or any</p>
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duly authorized member of the attorney general’s staff may require by subpoena or otherwise the attendance of witnesses and the production of such correspondence, documents, books, and papers as he or she deems advisable, and for purposes of this section, may administer oaths and take the testimony of witnesses.

(e)(1) The lottery commission shall charge the technology provider applicant an application fee of \$100,000 which shall be used to defray the cost of processing the application. If the cost of processing the application exceeds \$100,000, the applicant shall pay the difference.

(2) The attorney general shall charge the technology provider applicant an investigation fee of \$25,000 which shall be used to defray the cost of the background investigation. If the cost of the background investigation exceeds \$25,000, the applicant shall pay the difference.

(3) Upon approval of a technology provider licensee, the lottery commission shall charge an initial license fee of \$50,000. The lottery commission shall charge a fee of \$50,000 to renew a license to a technology provider licensee provided, however, such person seeking renewal of its license shall pay all costs incurred by the attorney general to conduct an investigation with regard to such application to renew the operator’s license.

284-A:6 Licensure Requirements.

I. No license shall be issued by the lottery commission unless the applicant demonstrates it complies with the provisions of this section. The lottery commission shall consider as evidence any letter of reference or sworn statement of good standing submitted pursuant to RSA 284-A:5, I(b) or RSA 284-A:5, II(b):

(a) The applicant’s financial stability, integrity, and responsibility, considering, without limitation, bank references, business and personal income and disbursement schedules, tax returns, and other reports filed with governmental agencies, business and personal accounting records, check records, and ledgers.

(b) The trustworthiness of all financial backers, investors, mortgagees, bondholders, and holders of indentures, notes, and other evidences of indebtedness of the applicant.

	<p>(c) The applicant's good character, honesty, and integrity, considering, without limitation, information pertaining to family, habits, character, reputation, criminal and arrest record, business activities, financial affairs, and business, professional, and personal associates, covering at least the 10-year period immediately preceding the filing of the application.</p> <p>(d) The applicant's business ability and experience in the operation of video lottery machines, as appropriate, so as to establish the likelihood of a successful and efficient operation.</p> <p>II. No license shall be issued by the lottery commission to any applicant unless the applicant proves that each director, officer, or key employee and each direct or indirect owner complies with the criteria for licensure contained in this section.</p> <p>III. No license shall be issued by the lottery commission to any operator or technology provider applicant if the applicant, any key employee, or any individual who has an ownership or financial interest in or with the applicant or its facility location is an elected official of the general court or executive branch of the state of New Hampshire or the attorney general's office or lottery commission on a full or part-time or contractual basis at any time during the previous 2 years. If any such applicant, key employee, or any individual who has an ownership or financial interest in the applicant becomes such an elected official, the applicant shall be subject to sanctions pursuant to RSA 284-A:14.</p> <p>IV.(a) No license shall be issued by the lottery commission to an operator applicant at a pari-mutuel license location unless the operator applicant is a pari-mutuel licensee seeking to operate video lottery machines at a pari-mutuel licensee location, or, if not a pari-mutuel licensee, the operator applicant submits proof of an agreement to manage and operate video lottery machines at a pari-mutuel licensee location.</p> <p>(b) No license shall be issued by the lottery commission to an operator applicant at a north country facility location unless the operator applicant is the owner of the north country facility location seeking to operate video lottery machines at the north country facility location, or, if not the owner of the north country facility location, the operator applicant submits proof of an</p>
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	<p>agreement to manage and operate video lottery machines at the north country facility location.</p> <p>V. No licensee or any individual or entity that is an owner of, or has a financial interest in or with the licensee or facility location shall be permitted to make a political contribution as defined by RSA 664:2, VIII.</p> <p>VI. The lottery commission shall grant or deny a license under this chapter within 180 days of receiving a completed application, notwithstanding the adoption of interim or final rules.</p> <p>VII. The lottery commission may determine whether the licensing standards of another jurisdiction within the United States or Canada in which an applicant, its affiliate, intermediary subsidiary, or holding company for an operator or technology vendor license is similarly licensed are comprehensive and thorough and provide similar adequate safeguards as those required by this chapter. If the lottery commission makes that determination, it may issue an operator or technology vendor license to an applicant who holds a similar license in such other jurisdiction after conducting an evaluation of the information relating to the applicant from such other jurisdictions, as updated by the lottery commission, and evaluating other information related to the applicant received from that jurisdiction and other jurisdictions where the applicant may be licensed, the lottery commission may incorporate such information, in whole or in part, into its or the attorney general's evaluation of the applicant.</p> <p>284-A:7 Exclusion of Minors.</p> <p>I. No person under 21 years of age shall play a video lottery machine authorized by this chapter. Each violation of this section shall be punishable by a fine of no more than \$20,000 and shall be payable by such person who violates this section.</p> <p>II. No operator licensee shall knowingly permit any person under 21 years of age to play or participate in any aspect of the play of a video lottery machine. Each violation of this section shall be punishable by a fine of no more than \$20,000 and shall be payable by the operator licensee.</p> <p>284-A:8 Distribution of Net Machine Income.</p> <p>I. Forty-nine percent of the net machine income generated by video lottery machines shall</p>
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	<p>be paid as follows:</p> <p>(a) Forty percent of the net machine income generated by video lottery machines shall be paid to the state from which the state shall pay for the costs of regulation, administration, and enforcement of this chapter under RSA 21-P:11-b, the operation of the central computer system, and the balance shall be deposited in the general fund of the state.</p> <p>(b) Three percent of the net machine income generated by video lottery machines operated by an operator licensee in any specific municipality shall be paid to the municipality in which the operator licensee operates video lottery machines.</p> <p>(c) One percent of the net machine income generated by video lottery machines operated by an operator licensee in any specific county shall be paid to the county in which the operator licensee operates video lottery machines.</p> <p>(d) Two percent of the net machine income generated by all video lottery machines shall be paid to the state treasurer and credited to the commissioner of the department of health and human services to support programs established by RSA 172 to treat problem gambling.</p> <p>(e) One percent of the net machine income generated by video lottery machines shall be paid to the state treasurer and credited to the division of travel and tourism development, department of resources and economic development for the purpose of promoting tourism in the state.</p> <p>(f) One percent of the net income generated by all video lottery machines shall be paid equally to the police standards and training council training fund established in RSA 188-F:30 and the fire standards and training and emergency medical services fund established RSA 21-P:12-d to be used for reimbursement of expenses incurred for certification training and salaries.</p> <p>(g) One percent of the net machine income generated by all video lottery machines shall be paid to the state treasurer and credited to the racing and charitable gaming commission for the purpose of enhancing live racing purses at pari-mutuel licensees. The racing and charitable gaming commission shall adopt rules under RSA 541-A to implement this</p>
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	<p>subparagraph.</p> <p>II. The balance of the funds from the net machine income from video lottery machines shall be retained by the operator licensee that operates such video lottery machines.</p> <p>III. The operator licensee shall deliver the amounts payable to the state or municipality as provided in paragraph I in immediately available funds of the United States on a weekly basis on the first business day of each week. At the time payment is delivered, the operator licensee shall provide a written accounting of net machine income generated from the video lottery machines by the operator licensee on an aggregate basis and the calculation of amounts due to the state separately for distribution pursuant to subparagraphs I(a), (d), (e), (f) and (g), the amount due the municipality pursuant to subparagraph I(b), the amount due to the county pursuant to subparagraph I(c), and the balance of net machine income retained by the operator licensee. The operator licensee shall pay a penalty of \$1,000 for each day that payment or the accounting is not delivered on time to the state, a penalty of \$1,000 for each day that payment or the accounting is not delivered to the municipality on time, and a penalty of \$1,000 for each day that payment or the accounting is not delivered to the county on time.</p> <p>284-A:9 Procedures for Adoption by Local Community.</p> <p>I. Any municipality in which a facility location is situated may adopt the provisions of RSA 284-A, to allow the operation of video lottery machines, in the following manner:</p> <p>(a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the questions shall be placed on the warrant of an annual or special town meeting, by the governing body or by petition pursuant to RSA 39:3.</p> <p>(b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, upon request of a facility location to authorize the operation of video lottery machines within the municipality in accordance with the provisions of RSA 284-A, the governing body shall place the question on the ballot to be voted upon at the next regularly scheduled municipal or biennial election unless such election is more than 90 days from the request. In such circumstance, the</p>
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	<p>governing body shall place the question on the ballot for a special election called for the purpose of voting on said question and which special election shall occur within 75 days after the request is made. Such special election shall be held at the usual ward polling places by the regular election officials.</p> <p>(c) If a majority of those voting on the question vote “Yes”, RSA 284-A shall apply in such town or city and the operation of video lottery machines shall be permitted within such town or city in accordance with RSA 284-A. If a majority of those voting on the question vote “No” the question may be voted on at a subsequent time in accordance with RSA 284-A:9, I and II provided, however, the town may consider the question at no more than one special meeting and the annual town meeting in the same calendar year after a “No” vote. A city or town subject to RSA 284-A:9, II may consider the question at no more than one special election and a regular municipal or biennial election in the same calendar year after a “No” vote.</p> <p>(d) The wording of the question shall be substantially as follows: “Shall we adopt the provisions of RSA 284-A allowing the operation of video lottery machines at [insert the name of the facility location] located within the town?”</p> <p>II. When a facility location requests a town or city to act under RSA 284-A:9, I, the facility location shall pay all costs associated with carrying out the actions under this section.</p> <p>284-A:10 Inspection of Video Lottery Machines; Penalty for Tampering or Manipulating.</p> <p>I. The lottery commission shall, periodically test video lottery machines installed at a facility location. In conducting such tests, the lottery commission shall use the services of an independent laboratory, and the cost of such independent laboratory shall be paid by the technology provider.</p> <p>II. Any person who purposely manipulates the outcome, payoff, or operation of any video lottery machine by physical, electronic, or mechanical means, shall be guilty of a felony.</p> <p>284-A:11 Video Lottery Machines.</p> <p>I. An operator licensee shall provide to the lottery commission and the racing and</p>
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	<p>governing body shall place the question on the ballot for a special election called for the purpose of voting on said question and which special election shall occur within 75 days after the request is made. Such special election shall be held at the usual ward polling places by the regular election officials.</p> <p>(c) If a majority of those voting on the question vote “Yes”, RSA 284-A shall apply in such town or city and the operation of video lottery machines shall be permitted within such town or city in accordance with RSA 284-A. If a majority of those voting on the question vote “No” the question may be voted on at a subsequent time in accordance with RSA 284-A:9, I and II provided, however, the town may consider the question at no more than one special meeting and the annual town meeting in the same calendar year after a “No” vote. A city or town subject to RSA 284-A:9, II may consider the question at no more than one special election and a regular municipal or biennial election in the same calendar year after a “No” vote.</p> <p>(d) The wording of the question shall be substantially as follows: “Shall we adopt the provisions of RSA 284-A allowing the operation of video lottery machines at [insert the name of the facility location] located within the town?”</p> <p>II. When a facility location requests a town or city to act under RSA 284-A:9, I, the facility location shall pay all costs associated with carrying out the actions under this section.</p> <p>284-A:10 Inspection of Video Lottery Machines; Penalty for Tampering or Manipulating.</p> <p>I. The lottery commission shall, periodically test video lottery machines installed at a facility location. In conducting such tests, the lottery commission shall use the services of an independent laboratory, and the cost of such independent laboratory shall be paid by the technology provider.</p> <p>II. Any person who purposely manipulates the outcome, payoff, or operation of any video lottery machine by physical, electronic, or mechanical means, shall be guilty of a felony.</p> <p>284-A:11 Video Lottery Machines.</p> <p>I. An operator licensee shall provide to the lottery commission and the racing and</p>
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	<p>charitable gaming commission, by diagram or narrative, a description of:</p> <ul style="list-style-type: none">(a) The location of each video lottery machine available for play by the public.(b) The location of all areas for the storage, maintenance, or repair of video lottery machines.(c) A description of all security measures to be taken for the safeguarding of video lottery machines.(d) The location and security measures taken for the safeguarding of all moneys, tokens, or other items of value utilized in the use of video lottery machines.(e) All procedures for the operation, maintenance, repair, and inserting or removing of moneys, tokens, or other items of value from video lottery machines.(f) All internal control systems as required by RSA 284:21-w.(g) All of the above shall be approved by the lottery commission prior to commencing the operation of any video lottery machines. <p>II. No video lottery machine shall be possessed, maintained, exhibited, brought into, or removed from a facility location by any person unless such machine has permanently affixed to it an identification number or symbol authorized by the lottery commission and prior notice of any such movement has been given to the lottery commission.</p> <p>III. Each operator licensee shall maintain secure facilities for the counting and storage of all moneys, tokens, or other items of value utilized in the conduct of video lottery machines.</p> <p>IV. The drop boxes and other devices shall not be brought into a facility location or removed from an video lottery machine, locked or unlocked, except at such specific times and such places and according to such procedures as the lottery commission may require to safeguard such boxes and devices and their contents.</p> <p>V. 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 by the lottery commission and licensed for use by the lottery commission.</p>
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	<p>VI. All video lottery machines in operation at a facility location shall provide a pay off of an average of at least 87 percent.</p> <p>VII. All tickets given as prizes or winnings from video lottery machines shall be redeemed for cash within one year after the date of winning. Upon the expiration of such one-year period, the value of such unredeemed tickets shall be considered net machine income of the issuing operator licensee.</p> <p>VIII.(a) An operator licensee who operates video lottery machines at a pari-mutuel licensee location shall not be restricted in the days of operation of such machines, provided the pari-mutuel licensee has scheduled at least the number of days of racing as required by RSA 284:22-a, II(a)(3).</p> <p>(b) An operator licensee who operates video lottery machines at a north country facility location shall not be restricted in the days of operation of such machines.</p> <p>IX. Video lottery machines shall be operated only at times when the public is allowed access to the locations. No automatic teller machines shall be located within 50 feet of video lottery machines.</p> <p>284-A:12 Term of License. Any operator’s 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 lottery commission. The lottery commission shall adopt procedures for license renewal that take into consideration whether the applicant has been previously licensed in good standing under this chapter.</p> <p>284-A:13 Presence of the Lottery Commission. The lottery commission and the division of state police gaming enforcement unit may be present at any facility location at which video lottery machines are operated at all times when the facility is open to the public. The operator licensee may be required by the lottery commission or gaming enforcement division of the department of safety to provide such office space and equipment which the commission shall determine is reasonably necessary or proper.</p>
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	<p>284-A:14 Sanction Powers of the Lottery Commission.</p> <p>I. The lottery commission shall have the sole and exclusive authority following appropriate hearings and factual determinations, to impose sanctions against any person for any violation of this chapter or any rule of the lottery commission adopted under the provisions of this chapter as follows:</p> <ul style="list-style-type: none">(a) Revocation or suspension of a license.(b) Civil penalties as may be necessary to punish misconduct and to deter future violations, which penalties may not exceed \$50,000 for each violation.(c) Order restitution of any moneys or property unlawfully obtained or retained by a person.(d) Issue a cease and desist order which specifies the conduct which is to be discontinued, altered, or implemented by the person.(e) Issue letters of reprimand or censure, which shall be made a permanent part of the file of each person so sanctioned.(f) Impose any or all of the foregoing sanctions in combination with each other. <p>II. In determining appropriate sanctions in a particular case, the lottery commission shall consider:</p> <ul style="list-style-type: none">(a) The risk to the public and to the integrity of video lottery machine operations created by the conduct of the person.(b) The seriousness of the conduct of the person and whether the conduct was purposeful or with knowledge that it was in contravention of the provisions of this chapter or the rules of the racing and charitable gaming commission or the lottery commission.(c) Any justification or excuse for such conduct.(d) The prior history of the person involved.(e) The corrective action taken by the person to prevent future misconduct of a like nature from occurring.
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	<p>(f) In the case of a monetary penalty, the amount of the penalty in relation to the misconduct and the financial means of the person.</p> <p>(g) In the event that a person receives 3 civil penalties during the term of such person’s license, the lottery commission may subject such person to enhanced fines or other disciplinary action.</p> <p>284-A:15 Declaration of Limited Exemption from Operation of Provisions of 15 U.S.C. section 1171-1172. 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 it is in the state’s best interest to benefit from limiting gambling device revenues but prevent the proliferation of gambling devices by limiting approved facility locations and therefore 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.</p> <p>284-A:16 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.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>210 New Section; Lottery Commission; Administration of Video Lottery. Amend RSA 284 by inserting after section 21-v the following new section:</p>

	<p>284:21-w Video Lottery; Duties of the Lottery Commission; Administration of Video Lottery.</p> <p>I. The lottery commission shall:</p> <p>(a) Collect all license fees imposed upon any applicant and all taxes imposed by RSA 284-A.</p> <p>(b) Certify net machine income by inspecting records, conducting audits, having its agents on site, or by any other reasonable means.</p> <p>(c) Establish a central computer system located at the office of the lottery commission linking all video lottery machines to insure control over video lottery machines. The lottery commission shall establish a selection procedure for such contracts and ensure that the central computer system uses a widely adopted communications protocol approved by the Gaming Standards Association.</p> <p>(d) Require all holders of an operator’s license issued by the lottery commission pursuant to RSA 284-A to maintain a system of internal control. At a minimum, the operator licensee’s proposed system of internal controls shall:</p> <p>(1) Safeguard its assets and revenues, including, but not limited to the recording of cash and evidences of indebtedness related to the video lottery machines.</p> <p>(2) Provide for reliable records, accounts, and reports of any financial event that occurs in the operation of a video lottery machine.</p> <p>(3) Ensure that each video lottery machine directly provides or communicates all required activities and financial details to the central computer system.</p> <p>(4) Provide for accurate and reliable financial records.</p> <p>(5) Ensure any financial event that occurs in the operation of a video lottery machine is performed only in accordance with the management’s general or specific authorization.</p> <p>(6) Ensure that any financial event that occurs in the operation of a video lottery machine is recorded adequately to permit proper and timely reporting of net machine income and the calculation thereof and the related fees and taxes.</p>
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	<p>(7) Ensure that access to assets is permitted only in accordance with management’s specific authorization.</p> <p>(8) Ensure that recorded accountability for assets is compared with actual assets at reasonable intervals and appropriate action is taken with respect to any discrepancies.</p> <p>(9) Ensure that all functions, duties, and responsibilities are appropriately segregated and performed in accordance with sound financial practices by qualified personnel.</p> <p>(e) 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 their operation.</p> <p>II. The lottery commission may employ certain assistants to carry out the provisions of this section and RSA 284-A, and may employ such additional assistants and employees as the governor and council shall authorize. Such assistants and employees shall receive compensation at rates to be established by the department of administrative services, division of personnel, however, such compensation shall be funded by proceeds paid to or received by the lottery commission pursuant to RSA 284-A. No employee of the lottery commission shall have any pecuniary or other interest in any supplier or agent to the commission or in any facility location or licensee licensed under RSA 284-A.</p> <p>III. The lottery commission shall have the authority to issue subpoenas and compel the attendance of witnesses, to administer oaths, and to require testimony under oath.</p> <p>IV. No later than March 31 in each calendar year, the lottery commission shall provide a report to the fiscal committee of the general court regarding the generation of revenues of video lottery machines by pari-mutuel licensees or operator licensees.</p> <p>V. With regard to meetings, minutes, and records of the lottery commission:</p> <p>(a) The lottery commission shall notice all proceedings and shall make and keep a record of all proceedings held at public meetings of the lottery commission. A verbatim transcript of those proceedings shall be prepared by the lottery commission upon the request of any</p>
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	<p>commissioner or upon the request of any other person and the payment by that person of the costs of preparation. A copy of the transcript shall be made available to any person upon request and payment of the costs of preparing the copy.</p> <p>(b) The lottery commission shall maintain such other files and records as the lottery commission determines is necessary.</p> <p>(c) All information and data required by the commission, to be furnished to the commission, or which may otherwise be obtained, shall be confidential and shall not be revealed in whole or in part except in the course of the necessary administration of this chapter, or upon the lawful order of a court of competent jurisdiction, or with the approval of the attorney general, to a duly authorized law enforcement agency.</p> <p>(d) All information and data pertaining to an applicant’s criminal record, family, and background furnished to or obtained by the lottery commission from any source shall be confidential and shall be withheld in whole or in part. Such information shall be released only upon the lawful order of a court of competent jurisdiction, or with the approval of the attorney general, to a duly authorized law enforcement agency.</p> <p>(e) Notice of the contents of any information or data released, except to a duly authorized law enforcement agency pursuant to subparagraphs (c) or (d), shall be given to any applicant, registrant, or licensee in a manner prescribed by the rules adopted by the lottery commission.</p> <p>(f) All records, information, or data maintained or kept by the lottery commission shall be maintained or kept at the office of the gaming enforcement unit.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>211 New Sections; Department of Safety; Gaming Enforcement Unit Established. Amend RSA 21-P by inserting after section 11-a the following new sections:</p> <p>21-P:11-b Division of State Police; Gaming Enforcement Unit.</p> <p>I. There is established within the department of safety, division of state police, a gaming enforcement unit under the supervision of the commissioner of the department of safety.</p>

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	<p>Notwithstanding RSA 106-B:15, the unit shall:</p> <ul style="list-style-type: none"> (a) Investigate violations of RSA 284-A and the rules adopted under the provisions of RSA 284-A and initiate proceedings before the lottery commission for such violations. (b) Report the results of any investigation conducted to the lottery commission. (c) Participate in any hearing conducted by the lottery commission. (d) Investigate crimes that occur on the premises of a facility location. <p>II. The commissioner of the department of safety shall organize the unit as the commissioner deems necessary. The commissioner of safety may employ such state police personnel as the commissioner deems necessary to fulfill the responsibilities of the gaming enforcement unit.</p> <p>21-P:11-c Enforcement Expenditures. The governor and council with the prior approval of the fiscal committee of the general court, upon request from the commissioner of the department of safety may authorize the transfer of general funds as authorized in RSA 284-A:8, I(a) to the department of safety to implement and enforce RSA 21-P:11-b and RSA 284-A.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>212 New Section; Racing and Charitable Gaming Commission; Duties. Amend RSA 284 by inserting after section 6-a the following new section:</p> <p>284:6-b Duties of the Racing and Charitable Gaming Commission.</p> <p>I. The racing and charitable gaming commission shall:</p> <ul style="list-style-type: none"> (a) Provide to the lottery commission all records pertaining to the licensing of a pari-mutuel licensee under RSA 284-A within 30 days after the racing and charitable gaming commission receives a request. All records provided to the lottery commission shall be confidential in accordance with RSA 284:21-w, V. (b) Hear and make recommendations to the lottery commission in reasonable order on all license applications for a license under RSA 284-A:6. <p>II. The racing and charitable gaming commission shall make its recommendations to the lottery commission in writing.</p>

	<p>III. With regard to minutes and records of the racing and charitable gaming commission:</p> <p>(a) The racing and charitable gaming commission shall keep a written record of all proceedings of public meetings of the commission pursuant to this chapter. A verbatim transcript of those proceedings shall be prepared by the racing and charitable gaming commission upon the request of any commissioner or upon the request of any other person and the payment by that person of the costs of preparation. A copy of a transcript shall be made available to any person upon request and payment of the costs of preparing the copy.</p> <p>(b) The racing and charitable gaming commission shall keep and maintain a list of all notices it receives under RSA 284-A, together with a record of all actions taken with respect to such notices. A file and record of the racing and charitable gaming commission's actions shall be open to public inspection provided, however, that the information regarding any applicant whose license or registration has been denied, revoked, or not renewed shall be removed from such list after 5 years from the date of such action.</p> <p>(c) The racing and charitable gaming commission shall maintain such other files and records as the commission determines is necessary.</p> <p>(d) All information and data required by the racing and charitable gaming commission to be furnished to it, or which may otherwise be obtained, shall be considered to be confidential and shall not be revealed in whole or in part except in the course of the necessary administration of this chapter, or upon the lawful order of a court of competent jurisdiction, or with the approval of the attorney general, to a duly authorized law enforcement agency.</p> <p>(e) All information and data pertaining to an applicant's criminal record, family, and background furnished to or obtained by the racing and charitable gaming commission from any source shall be considered confidential and shall be withheld in whole or in part. Such information shall be released upon the lawful order of a court of competent jurisdiction or to a duly authorized law enforcement agency.</p> <p>(f) Notice of the contents of any information or data released, except to a duly</p>
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	<p>authorized law enforcement agency pursuant to subparagraphs (d) or (e), shall be given to any applicant, registrant, or licensee in a manner prescribed by the rules and regulations adopted by the racing and charitable gaming commission.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>213 License Restricted. RSA 284:16-c is repealed and reenacted to read as follows: 284:16-c License Restricted.</p> <p>I. Notwithstanding any other provision of law, the racing and charitable gaming commission shall not issue a license to conduct live thoroughbred horse racing or live harness horse racing pursuant to RSA 284:16 to any applicant if the place where such races or race meets are to be held is within a radius of 40 miles of the place where live horse races or race meets for at least the number of days as required in RSA 284:22-a, II(a)(3) have already been licensed pursuant to RSA 284:16, provided however, that the racing and charitable gaming commission may issue a license to conduct live harness racing to the holder of a license to conduct live thoroughbred racing if the live harness racing is conducted at the same place where the live thoroughbred racing is being conducted.</p> <p>II. Notwithstanding any other provision of law, the racing and charitable gaming commission shall not issue a license to conduct live dog racing pursuant to RSA 284:16-a to any applicant if the place where the races or race meets are to be held is within a radius of 40 miles of the place where such races or race meets have already been licensed pursuant to RSA 284:16-a.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>214 Restriction on Gambling. RSA 284:17-c is repealed and reenacted to read as follows: 284:17-c Restriction on Gambling. Except as provided in the introductory paragraph of RSA 284:22, RSA 284:22-a, and RSA 284-A, no licensee who holds running horse races shall at the same facility hold any other kinds of races or permit any other type of gambling except harness horse races and activities licensed by the lottery commission or the racing and charitable gaming commission.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>215 New Paragraph; Pari-Mutuel Licensee; Cocktail Lounge License. Amend RSA 178:20, by inserting after paragraph V the following new paragraph:</p>

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	<p>VI. The commission may issue a special license to a person holding a pari-mutuel license or an operator's license at a pari-mutuel licensee location under the provisions of RSA 284-A provided the pari-mutuel licensee location has an existing liquor license. Such special license shall allow the sale of liquor, wine, and beverages within the pari-mutuel 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 284-A. A person licensed under this section shall comply with RSA 179:44, which prohibits providing free alcoholic beverages to members, patrons, or guests.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>216 New Subparagraph; Authorized Video Lottery Machines. Amend RSA 647:2, V by inserting after subparagraph (c) the following new subparagraph: (d) Video lottery machines authorized pursuant to RSA 284-A.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>217 Rehabilitation of Problem Gaming. Amend RSA 172:2-a to read as follows: 172:2-a Program Established. The commissioner shall provide for the scientific care, treatment, and rehabilitation of gambling, alcohol, and drug abusers, and work towards the prevention of, and assist in the control of, gambling, alcohol, and drug abuse within the state through education, treatment, community organization, and research.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>218 Rehabilitation of Problem Gaming. Amend RSA 172:8 to read as follows: 172:8 Duties of Commissioner. The commissioner shall: I. Study the problems presented by gambling, alcohol, and drug abuse, including methods and facilities available for the care, treatment, custody, employment, and rehabilitation of persons who are problem gamers, inebriates, alcohol abusers, drug dependent, or drug abusers. II. Promote meetings and programs for the discussion of gambling, alcohol, and drug dependency and abuse for the guidance and assistance of individuals, schools, courts, and other public and private agencies. III. Conduct, promote and finance, in full or in part, studies, and other appropriate</p>

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	<p>facilities dealing with the physical, psychological, and/or social aspects of <i>gambling</i>, alcohol, and drug abuse.</p> <p>IV. Have the authority to accept or reject for examination, diagnosis, guidance, and treatment, insofar as funds and facilities permit, any resident of the state who comes to the commissioner voluntarily for advice and treatment.</p> <p>V. [Repealed.]</p> <p>VI. Render biennially to the governor and council a report of his activities including recommendations for improvements therein by legislation or otherwise.</p> <p>VII. Coordinate community medical resources for the emergency medical care of persons suffering acute mental or physical reaction to <i>gambling</i>, alcohol, or drugs and of persons suffering from drug dependency.</p> <p>VIII. Employ such assistants as may be necessary to carry out the purposes of this chapter, in accordance with state personnel regulations, and within available appropriations and funds.</p> <p>IX. Disseminate information on the subjects of <i>gambling</i>, alcohol, and drug abuse for the guidance and assistance of individuals, schools, courts and other public and private agencies.</p> <p>X. [Repealed.]</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>219 Problem Gaming Added. Amend RSA 172:8-a to read as follows:</p> <p>172:8-a Confidentiality of Client Records. No reports or records or the information contained therein on any client of the program or a certified <i>gambling</i>, alcohol, or drug abuse treatment facility or any client referred by the commissioner shall be discoverable by the state in any criminal prosecution. No such reports or records shall be used for other than rehabilitation, research, statistical or medical purpose, except upon the written consent of the person examined or treated. Confidentiality shall not be construed in such manner as to prevent recommendation by the commissioner to a referring court, nor shall it deny release of information through court order pursuant to appropriate federal regulations.</p>

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<p>NO COMPARABLE HOUSE SECTION</p>	<p>220 Problem Gaming Added. Amend RSA 172:8-b to read as follows:</p> <p>172:8-b Rulemaking. The commissioner shall adopt rules under RSA 541-A relative to the following:</p> <ul style="list-style-type: none"> I. The acceptance, care and treatment of gambling, alcohol, or drug dependent persons and alcohol or drug abusers who are clients of the program established under this chapter or a certified substance abuse treatment facility. II. A fee schedule and collection of fees under RSA 172:14, IV. III. Certification of substance abuse treatment facilities including, but not limited to: <ul style="list-style-type: none"> (a) Program content; (b) Qualifications of program staff; and (c) Type of substance abuse treatment offered. IV. Certification and recertification of gambling, alcohol, and drug abuse counselors including, but not limited to: <ul style="list-style-type: none"> (a) Peer review of applicants. (b) Minimum qualifications and competency. (c) Education and continuing education. (d) Experience required. (e) Required knowledge of gambling, alcohol, and drug abuse counseling. (f) Such other matters as the commissioner may deem necessary to carry out the purposes of this chapter. V. Voluntary admissions under RSA 172:13.
<p>NO COMPARABLE HOUSE SECTION</p>	<p>221 Acceptance of Grants; Treatment of Problem Gamers. Amend RSA 172:9 to read as follows:</p> <p>172:9 Acceptance of [Grants] Funds. The commissioner is authorized to accept in the name of the state special grants or money or services from the federal or state governments or any of their agencies and may accept funds from the operation of video lottery pursuant to RSA 284-A:8,</p>

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	<i>I(d) and</i> gifts to carry on the functions provided for in this chapter.
NO COMPARABLE HOUSE SECTION	222 Department of Revenue Administration. Additional Revenues from Existing State Taxes. The commissioner of the department of revenue administration shall identify additional revenues that may be realized from the modification to the applicability of existing state taxes or the elimination of exemptions from existing state taxes, including, but not limited to, the interest and dividends tax, the real estate transfer tax, the meals and rooms tax, and the business profits tax, for implementation by the legislature.
NO COMPARABLE HOUSE SECTION	223 Recording Surcharge. Notwithstanding the provisions of RSA 478:17-g, II(c), for the biennium ending June 30, 2011, 50 percent of the funds received by the treasurer for the recording surcharge assessed by registers of deeds under RSA 478:17-g, II(a) shall be deposited in the trust fund for the land and community heritage investment program under RSA 227-M:7 and 50 percent of funds received for such surcharge shall be deposited in the general fund.
NO COMPARABLE HOUSE SECTION	224 New Section; Pease Development Authority; Payments for Centralized Business Services. Amend RSA 12-G by inserting after section 7 the following new section: 12-G:7-a Payments for Centralized Business Services. For the fiscal year ending June 30, 2010 and for each fiscal year thereafter, the authority shall pay the department of administrative services its portion of indirect costs for centralized business services, as determined by the statewide indirect cost allocation plan for the authority, including the division of ports and harbors.
NO COMPARABLE HOUSE SECTION	225 Committee Established. There is established a committee to study the use of Glencliff Home and county and private nursing facilities for medically paroled inmates.
NO COMPARABLE HOUSE SECTION	226 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.

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	<p>II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>227 Duties. The committee shall study the use of Glenclyff Home and county and private nursing facilities for medically paroled inmates.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>228 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. Three members of the committee shall constitute a quorum.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>229 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, 2009. The report shall include, but not be limited to a review of the medical parole process, bed availability at Glenclyff Home and county and private nursing facilities, and cost savings related to medical parole.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>230 Prohibition on Dispositions of Interests in Subdivisions. Amend RSA 356-A:4, I and II to read as follows:</p> <p>I. No subdivider may offer or dispose of any lot, parcel, unit or interest in subdivided lands located in this state, nor offer or dispose in this state of any lot, parcel, unit or interest in subdivided lands located without [this state prior to the time the subdivided lands are registered in accordance with] first being in compliance with all requirements of this chapter;</p> <p>II. No subdivider[-except as provided in RSA 356-A:6, IV,] may dispose of any lot, parcel, unit or interest in subdivided lands unless he or she delivers to the purchaser a current public offering statement by the time of such disposition and such disposition is expressly and without qualification or condition subject to cancellation by the purchaser within 5 days from the contract date of the disposition, or delivery of the current public offering statement, whichever is later. If the purchaser elects to cancel, he or she may do so by notice thereof hand-delivered or deposited</p>

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	<p>in the United States mail, return receipt requested, within the 5 day period, to the declarant or to any agent of the subdivider; provided, however, that if the purchaser elects to mail the notice of cancellation, he <i>or she</i> must also provide the subdivider with telephonic notice of cancellation within the 5 day period. Such cancellation shall be without penalty, and any deposit made by the purchaser shall be refunded in its entirety no later than 10 days from the receipt of such written notice of cancellation. “Contract date” shall not refer to the closing or settlement date, but shall refer to the creation of a binding obligation for consideration;</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>231 Public Offering Statement. Amend RSA 356-A:6 to read as follows: 356-A:6 Public Offering Statement. [F] A public offering statement [shall be in a form prescribed by the attorney general and] shall include the following: [(a)] <i>I.</i> The name and principal address of the subdivider; [(b)] <i>II.</i> A general description of the subdivided lands stating the total number of lots, parcels, units, or interests in the offering; [(c)] <i>III.</i> The significant terms of any encumbrances, easements, liens, and restrictions, including zoning, water pollution and other regulations affecting the subdivided lands and each unit or lot, and a statement indicating whether or not any such zoning, water pollution and other regulations have been complied with; [(d)] <i>IV.</i> A statement of the use for which the property is offered; [(e)] <i>V.</i> Information concerning improvements, including streets, water supply, levees, drainage control systems, irrigation systems, sewage disposal facilities and customary utilities, and the estimated cost, if any, to be borne by the purchaser, date of completion and responsibility for construction and maintenance of existing and proposed improvements which are referred to in connection with the offering or disposition of any interest in subdivided lands; [(f)] <i>VI.</i> Additional information reasonably required [by rules adopted by the attorney general, pursuant to RSA 541-A,] to assure full and fair disclosure to prospective purchasers, including a statement of the cancellation rights set forth in RSA 356-A:4, II.</p>

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	<p>II. The public offering statement shall not be used for any promotional purposes until it is approved by the attorney general. The attorney general may, in his discretion, authorize the use of such statement prior to his approval of the registration of the subdivided lands under such conditions as he deems appropriate. No person may advertise or represent that the attorney general approves or recommends the subdivided lands or disposition thereof. No portion of the public offering statement may be underscored, italicized, or printed in larger or heavier or different color type than the remainder of the statement unless the attorney general requires it, and no statement may be used unless in its entirety.</p> <p>III. The attorney general may require the subdivider at any time to alter or amend the proposed public offering statement in order to assure full and fair disclosure to prospective purchasers. A public offering statement is not current unless all amendments are incorporated.</p> <p>IV. Any subdivider which has been permitted to submit an abbreviated registration pursuant to RSA 356-A:5, II, and any subdivider or subdivided lands which has been registered under the federal Interstate Land Sales Full Disclosure Act is not required to prepare a public offering statement to be used in connection with the offer or disposition of any interest in the subdivided lands.]</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>232 Penalties. Amend RSA 356-A:15 to read as follows:</p> <p>356-A:15 Penalties. <i>Notwithstanding the provisions of RSA 358-A:6</i>, any person who [wilfully] knowingly violates any provision of RSA 356-A [or of a rule adopted under it or any person who wilfully, in an application for registration, makes any untrue statement of a material fact or omits to state a material fact] shall be guilty of a class B felony if a natural person, or guilty of a felony if any other person.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>233 Land Sales Full Disclosure Act; Enforcement. RSA 356-A:16 is repealed and reenacted to read as follows:</p> <p>356-A:16 Enforcement. A violation of this chapter shall be an unfair method of competition or an unfair or deceptive act or practice in the conduct of any trade or commerce as defined by RSA</p>

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	<p>358-A:2. All remedies available under RSA 358-A shall be available under this section. For purposes of bringing a class action complaint under RSA 358-A, the unit owners association shall constitute a class.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>234 Repeals. The following are repealed:</p> <ul style="list-style-type: none"> I. RSA 356-A:2, relative to administration. II. RSA 356-A:3, II, relative to exemptions. III. RSA 356-A:5, relative to application for registration. IV. RSA 356-A:7, relative to inquiry and examination. V. RSA 356-A:8, relative to notice of filing and registration. VI. RSA 356-A:9, relative to annual report. VII. RSA 356-A:10, relative to general powers and duties. VIII. RSA 356-A:11, relative to investigations and proceedings. IX. RSA 356-A:12, relative to cease and desist orders. X. RSA 356-A:13, relative to revocation. XI. RSA 356-A:14, relative to judicial review. XII. RSA 356-A:19, relative to service of process. XIII. RSA 356-A:20, relative to conflict of interest.
<p>NO COMPARABLE HOUSE SECTION</p>	<p>235 Condominium Act; Application; Reference Deleted. Amend RSA 356-B:2, III to read as follows:</p> <p>III. Notwithstanding the provisions of paragraph I, if any condominium instrument recorded under RSA 479-A prior to September 10, 1977, shall be amended after September 10, 1977, for the purpose of creating 10 or more additional units in any such condominium project, this subdivision, General Principles, and subdivision IV, Administration and Enforcement, shall apply to said additional units. If said amendment creates 10 or more, but less than 26, additional units, the applicant shall [be permitted to make an abbreviated registration pursuant to RSA 356-B:51, II, and shall] not be required to prepare a public offering statement pursuant to RSA 356-B:52;</p>

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	<p>provided, however, this sentence shall not apply if time sharing interests are offered with respect to such additional units.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>236 Condominium Act; Administration; Enforcement. RSA 356-B:48 is repealed and reenacted to read as follows:</p> <p>356-B:48 Administration; Enforcement. A violation of this chapter, or failure to comply with all lawful provisions of the condominium instruments, shall be an unfair method of competition or an unfair or deceptive act or practice in the conduct of any trade or commerce as defined by RSA 358-A:2. All remedies available under RSA 358-A shall be available under this chapter. For purposes of bringing a class action complaint under RSA 358-A, the unit owners association shall constitute a class.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>237 Limitations on Dispositions of Units. Amend RSA 356-B:50, I and II to read as follows:</p> <p>I. No declarant may offer or dispose of any interest in a condominium unit located in this state, nor offer or dispose in this state of any interest in a condominium unit located without this state prior to the time the [condominium including such unit is registered in accordance with] declarant is in compliance with the requirements of this chapter;</p> <p>II. No declarant[, except as provided in RSA 356-B:52, IV,] may dispose of any interest in a condominium unit unless [he] the declarant delivers to the purchaser a current public offering statement by the time of such disposition and such disposition is expressly and without qualification or condition subject to cancellation by the purchaser within 5 days after the contract date of the disposition, or delivery of the current public offering statement, whichever is later. If the purchaser elects to cancel, he or she may do so by notice thereof hand-delivered or deposited in the United States mail, return receipt requested, within the 5 day period, to the declarant or to any agent of the declarant; provided, however, that if the purchaser elects to mail the notice of cancellation, he or she must also provide the declarant with telephonic notice of cancellation within the 5 day period. Such cancellation shall be without penalty, and any deposit made by the purchaser shall be refunded in its entirety no later than 10 days after the receipt of such written</p>

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	<p>notice of cancellation. "Contract date" shall not refer to the closing or settlement date, but shall refer to the creation of a binding obligation for consideration.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>238 Public Offering Statement. RSA 356-B:52 is repealed and reenacted to read as follows: 356-B:52 Public Offering Statement. A public offering statement shall be in a form prescribed by the attorney general and shall include the following:</p> <ul style="list-style-type: none"> I. The name and principal address of the declarant and the condominium. II. A general description of the nature of the condominium and of the plan of its development, including the total number of units, and interests in such units, in the offering; the total number of units, and interests in such units, planned to be sold and rented by the declarant; the total number of units, and interests in such units, that may be included in the condominium by reason of future expansion or merger of the project by the declarant; and the maximum period of time the declarant will control the unit owners' association of the condominium. III. Copies of the declaration and bylaws. IV. Copies of any management contract or other contracts, including leases, affecting the use, maintenance, or administration of, or access to, all or any part of the condominium with a projected budget for at least the first year of the condominium's operation (including projected common expense assessments for each unit), a statement that provisions have been made in the budget for capital expenditures or major maintenance reserves, a detailed description of the provisions that have been made in the budget for capital expenditures or major maintenance reserves or, if no such provisions have been made, a detailed description of the reason no such provisions have been made, and the relationship, if any, between the declarant and the managing agent or firm. V. A general description of any improvements or amenities which may be constructed, including a statement whether or not assurances are given as to their construction or completion, the status of construction, zoning requirements, and an itemization of all governmental approvals obtained by the declarant affecting the condominium.

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	<p>VI. A list of any encumbrances, easements, liens, and matters of title affecting the condominium, and a statement that a copy of the legal documents pertaining to the same will be available on request.</p> <p>VII. A list of any express warranties provided by the declarant on the units and the common area, other than the warranty prescribed by RSA 356-B:41, II, and a statement that documents evidencing such warranties will be provided to the purchaser at the time of sale.</p> <p>VIII. A statement of the cancellation rights set forth in RSA 356-B:50, II.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>239 Conversion Condominium; Special Provisions. Amend RSA 356-B:56, I(d) to read as follows:</p> <p>(d) A statement of the declarant as to the present condition of all structural components and major utility installations in the condominium, which statement shall include the approximate dates of construction, installation, and major repairs, if known, and the expected useful life of each such item, together with the estimated cost (in current dollars) of replacing each of the same; <i>and</i></p> <p><i>(e) A copy of this section and of RSA 356-C in its entirety.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>240 Escrow of Deposits. Amend RSA 356-B:57 to read as follows:</p> <p>356-B:57 Escrow of Deposits. Any deposit made in regard to any disposition of any interest in a unit shall either be held in escrow until settlement or closing or shall be delivered to the person providing construction financing, who shall either hold said deposit in escrow or shall apply said deposit to the construction of the condominium[; provided, however, that any deposit made under a nonbinding reservation agreement shall be placed in escrow]. Subject to the foregoing, such escrow funds shall be deposited in a separate account designated for this purpose; provided, however, if such funds are being held by a real estate broker or attorney licensed under the laws of this state, they may be placed in that broker's or attorney's regular escrow account and need not be placed in a separate designated account. Such escrow funds shall not be subject to attachment by the creditors of either the purchaser or the declarant.</p>

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<p>NO COMPARABLE HOUSE SECTION</p>	<p>241 Penalties. RSA 356-B:64 is repealed and reenacted to read as follows: 356-B:64 Penalties. Notwithstanding RSA 358-A:6, any person who knowingly violates any provision of this chapter shall be guilty of a class B felony if a natural person, or guilty of a felony if any other person.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>242 Repeals. The following are repealed: I. RSA 356-B:3, XXI, relative to the definition of nonbinding reservation agreement. II. RSA 356-B:15, relative to compliance with condominium instruments. III. RSA 356-B:34-a, IV and V, relative the division of a condominium. IV. RSA 356-B:49, II and III, relative to limited exemptions from the condominium act. V. RSA 356-B:51, relative to the application and fee for registration. VI. RSA 356-B:53, relative to inquiry and investigation of the condominium application by the attorney general. VII. RSA 356-B:54, relative to notice of filing and registration. VIII. RSA 356-B:55, relative to the annual report by the declarant. IX. RSA 356-B:56, III, relative to notices filed with registration of condominium conversion. X. RSA 356-B:59, relative to general powers and duties of the attorney general. XI. RSA 356-B:60, relative to investigations and proceedings. XII. RSA 356-B:61, relative to cease and desist orders. XIII. RSA 356-B:62, relative to revocation of registration. XIV. RSA 356-B:63, relative to judicial review. XV. RSA 356-B:65, relative to civil remedy. XVI. RSA 356-B:68, relative to service of process. XVII. RSA 356-B:69, relative to conflict of interest.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>243 Supplemental Allowance; One-Year Extension. Amend the introductory paragraph of RSA 100-A:41-a to read as follows:</p>

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	<p>100-A:41-a Supplemental Allowances. The following supplemental allowances shall apply only to the state fiscal year beginning July 1, 2008 <i>and the state fiscal year beginning July 1, 2009</i>:</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>244 Additional Temporary Supplemental Allowances; One-Year Extension. Amend RSA 100-A:41-d, I and II to read as follows:</p> <p>I. The additional supplemental allowance in this paragraph shall apply only for the fiscal year beginning July 1, 2008 <i>and the state fiscal year beginning July 1, 2009</i>. Any retired member of the New Hampshire retirement system or any of its predecessor systems who has been retired for at least 12 months and whose annual retirement allowance is based on at least 15 years of service and is \$20,000 or less, or any beneficiary of such member who is receiving an allowance, shall be entitled to receive an additional supplemental allowance, in addition to the provisions of RSA 100-A:41-a, on the retired member's latest anniversary date. The amount of the additional temporary supplemental allowance under this paragraph shall be \$1,000, paid from the respective component of the special account.</p> <p>II. The supplemental allowance in this paragraph shall apply only for the fiscal year beginning July 1, 2008 <i>and the state fiscal year beginning July 1, 2009</i>. Any retired member of the New Hampshire retirement system or any of its predecessor systems who retired prior to January 1, 1993, or any beneficiary of such member who is receiving an allowance, shall be entitled to receive an additional supplemental allowance, in addition to the provisions of RSA 100-A:41-a and paragraph I, on the retired member's latest anniversary date. The amount of the additional temporary supplemental allowance under this paragraph shall be \$500, paid from the respective component of the special account.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>245 New Section; Department of Transportation; Division of Turnpikes and Interstates. Amend RSA 21-L by inserting after section 11 the following new section:</p> <p>21-L:11-a Division of Turnpikes and Interstates.</p> <p>I. The commissioner of the department of transportation shall aggregate the turnpike</p>

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	<p>system and interstate highway system to maximize the department’s assets while better serving the public.</p> <p>II. There is established within the department the division of turnpikes and interstates, under the supervision of an unclassified director of turnpikes and interstates, who shall, in accordance with applicable laws, be responsible for the following functions:</p> <ul style="list-style-type: none"> (a) Maintenance, renewal, replacement, and supervision of the interstate highway system and the turnpike system; (b) Management of the capital program for the interstate highway system and the turnpike system; (c) Toll collection operations; (d) E-Z Pass administration; (e) Bonding; and (f) Turnpikes financial funding, systems, and reporting. <p>III. The commissioner of transportation shall nominate a director of turnpikes and interstates for appointment by the governor, with consent of the council. The director shall serve a term of 4 years. The director shall be qualified to hold that position by reason of education and experience. The salary of the director shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>246 Department of Transportation; Transition Provisions; Report.</p> <p>I. Notwithstanding any provisions of law to the contrary, in order to effectuate necessary budgetary changes resulting from the formation of the turnpikes and interstates division, the commissioner of the department of transportation is authorized to:</p> <ul style="list-style-type: none"> (a) Transfer funds among accounts as is necessary based upon the formation of the division of turnpikes and interstates; (b) Transfer or reassign personnel and positions within and between any division,

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	<p>office, bureau, unit, or other component of the department;</p> <p>(c) Create or fill positions that may be reasonably required due to the formation of the division of turnpikes and interstate; and</p> <p>(d) Transfer funds from the salary and benefit adjustment account or other funding sources, necessary to fund unfunded or vacant positions.</p> <p>II. The commissioner shall report to the fiscal committee of the general court any changes to its budget as a result of aggregating the turnpike and interstate systems.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>247 New Section; Turnpike System; Aggregation and Funding. Amend RSA 237 by inserting after section 1 the following new section:</p> <p>237:1-a Aggregation and Funding.</p> <p>I. The following highway segments shall be aggregated with the turnpike system:</p> <p>(a) Interstate route 93 from the Massachusetts-New Hampshire border in Salem, New Hampshire to the Interstate route 293/Interstate route 93 interchange in the town of Hooksett, and then from Interstate route 93 exit 14 in the city of Concord to the New Hampshire-Vermont border in the town of Littleton;</p> <p>(b) Interstate route 89 from Interstate route 93 in the town of Bow to the New Hampshire-Vermont border in the city of Lebanon;</p> <p>(c) Interstate route 393 at Main Street in the city of Concord to the intersection of N.H. route 9 at the Concord border in the vicinity of Chichester;</p> <p>(d) Interstate route 293 from the F.E. Everett turnpike in the town of Bedford to Interstate route 93 in the city of Manchester; and</p> <p>(e) N.H. route 101 from Interstate route 93 in the city of Manchester to the intersection of Landing Road in the town of Hampton.</p> <p>II. The interstate highways and N.H. route 101 shall be funded by the state highway funds, federal highway funds, and any authorized or appropriated turnpike revenues.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>248 Department of Transportation; Division of Operations. Amend RSA 21-L:10, I to read as</p>

	<p>follows:</p> <p>I. Maintenance and supervision of the [state transportation network] primary and secondary highways, excluding N.H. route 101 from Manchester to Hampton.</p>								
<p>NO COMPARABLE HOUSE SECTION</p>	<p>249 Turnpike System; Electronic Toll Criteria. Amend RSA 237:11, V to read as follows:</p> <p>V. Notwithstanding any other provision of law to the contrary, the discount on the established tolls on any of the turnpikes in the system for vehicles using the regional electronic toll collection system shall be [30 percent for passenger vehicles, including motorcycles, and] 10 percent for commercial vehicles. Class 1 passenger vehicles and motorcycles shall be eligible for a frequent user discount pursuant to which each class 1 passenger vehicle or motorcycle shall be charged a maximum monthly fee of \$30 for an unlimited number of tolls in New Hampshire during the month.</p>								
<p>NO COMPARABLE HOUSE SECTION</p>	<p>250 Department of Safety; Motor Vehicle Registration Fees Increased. Amend RSA 261:141, III(g) and (h) to read as follows:</p> <p>(g)(1) For all motor vehicles other than those in RSA 261:141, I:</p> <table border="0" style="margin-left: 40px;"> <tr> <td style="padding-right: 20px;">0-3000 lbs.</td> <td style="text-align: right;">[\$31.20] \$46.20 ([\$2.60] \$3.85 per month)</td> </tr> <tr> <td>3001-5000 lbs.</td> <td style="text-align: right;">[\$43.20] \$58.20 ([\$3.60] \$4.85 per month)</td> </tr> <tr> <td>5001-8000 lbs.</td> <td style="text-align: right;">[\$55.20] \$70.20 ([\$4.60] \$5.85 per month)</td> </tr> <tr> <td>8001-73,280 lbs.</td> <td style="text-align: right;">\$.96 per hundred lbs. gross weight plus a \$15 surcharge</td> </tr> </table> <p>(2) Ten dollars from each registration fee under subparagraph (1) is hereby dedicated to the highway and bridge betterment account pursuant to RSA 235:23-a.</p> <p>(h)(1) Truck-tractors to be used in conjunction with a semi-trailer, gross weight shall include the weight of such tractors, the weight of the heaviest semi-trailer to be used therewith, and the weight of the maximum load to be carried thereby: up to 73,280 pounds \$.96 per 100 pounds gross weight plus a \$15 surcharge, over 73,280 pounds--\$1.44 shall be charged for each</p>	0-3000 lbs.	[\$31.20] \$46.20 ([\$2.60] \$3.85 per month)	3001-5000 lbs.	[\$43.20] \$58.20 ([\$3.60] \$4.85 per month)	5001-8000 lbs.	[\$55.20] \$70.20 ([\$4.60] \$5.85 per month)	8001-73,280 lbs.	\$.96 per hundred lbs. gross weight plus a \$15 surcharge
0-3000 lbs.	[\$31.20] \$46.20 ([\$2.60] \$3.85 per month)								
3001-5000 lbs.	[\$43.20] \$58.20 ([\$3.60] \$4.85 per month)								
5001-8000 lbs.	[\$55.20] \$70.20 ([\$4.60] \$5.85 per month)								
8001-73,280 lbs.	\$.96 per hundred lbs. gross weight plus a \$15 surcharge								

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	<p>100 pounds gross weight or portion thereof in excess of 73,280 pounds.</p> <p><i>(2) Ten dollars from each registration fee under subparagraph (1) is hereby dedicated to the highway and bridge betterment account pursuant to RSA 235:23-a.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>251 Department of Safety; Motor Vehicle Registration Fees Increased. Amend RSA 261:141, III(o) to read as follows:</p> <p>(o) For each motorcycle--[\$15] \$25. Ten dollars from each motorcycle registration is hereby dedicated to the highway and bridge betterment account pursuant to RSA 235:23-a.</p>
<p>197 Effective Date.</p> <p>I. Section 1, paragraph III of section 26, and sections 46-47, 116, and 157 of this act shall take effect June 30, 2009.</p> <p>II. Section 48 of this act shall take effect June 30, 2011.</p> <p>III. Section 51 of this act shall take effect June 1, 2009.</p> <p>IV. RSA 284:6-a, VI as inserted by section 90 of this act, section 175, and sections 181-185 of this act shall take effect January 1, 2010.</p> <p>V. Sections 120-131 of this act shall take effect January 1, 2011.</p> <p>VI. Sections 132-137 and 179-180 of this act shall take effect 60 days after its passage.</p> <p>VII. Section 138 of this act shall take effect July 1, 2015.</p> <p>VIII. Section 156 of this act shall take effect July 1, 2009 at 12:01 a.m.</p> <p>IX. The remainder of this act shall take effect July 1, 2009.</p>	<p>252 Effective Date.</p> <p>I. Sections 1, 44, and 150 of this act shall take effect June 30, 2009.</p> <p>II. Section 49 of this act shall take effect June 1, 2009.</p> <p>III. Sections 82-87 of this act shall take effect October 1, 2009.</p> <p>IV. Sections 152 and 230-242 of this act shall take effect January 1, 2010.</p> <p>V. Sections 126-137 of this act shall take effect January 1, 2011.</p> <p>VI. Sections 113, 138-143, and 167 of this act shall take effect 60 days after its passage.</p> <p>VII. The remainder of this act shall take effect July 1, 2009.</p>