

**COMMITTEE OF CONFERENCE
COMPARISON OF HB 1 SECTIONS
HOUSE PASSED VS SENATE PASSED**

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HB 1 SIDE BY SIDE COMPARISON BACK OF BUDGET SECTIONS
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1.08 Budget Footnotes; General. For any state department, as defined in RSA 9:1 the following general budget footnotes that contain class codes shall apply to all specified class codes in section 1.01 through 1.07 unless specifically exempted.

A. The appropriation budgeted in class 023-heat-electricity - water, class 027-transfers to oit, class 028-transfers to general services, class 035-shared services support, class 041-audit fund set aside, class 042-additional fringe benefits, class 049-transfer to other state agency, class 061-unemployment compensation, class 062-workers compensation, class 064-ret-pension bene-health ins, shall not be transferred or expended for any other purpose. For the biennium ending June 30, 2015, the following account numbers within the department of resources and economic development: 03-35-35-351510-3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 03-35-35-351510-3556, 03-35-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-35-351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-351510-3777, 03-35-35-351510-8146, 03-35-35-351510-6161, 03-35-35-351510-3717 and 03-35-35-351510-3703 shall be exempt from these provisions.

B. The appropriation budgeted in class 047-own forces maint.-build.-grnds, class 048-contractual maint.-build-grnds, shall not be transferred or expended for any other purpose and shall not lapse until June 30, 2015. For the biennium ending June 30, 2015, the following account numbers within the department of resources and economic development: 03-35-35-351510-3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 03-35-35-351510-3556, 03-35-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-35-351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-351510-3777, 03-35-35-351510-8146, 03-35-35-351510-6161, 03-35-35-351510-3717 and 03-35-35-351510-3703 shall be exempt from the shall not be transferred or expended for any other purpose portion of this provision.

C. Revenue in excess of the estimate may be expended with prior approval of the fiscal committee and the approval of the governor and council.

D. The funds in this appropriation shall not be transferred or expended for any other purpose.

E. The appropriation budgeted in class 040-indirect costs are for general overhead state charges and such sums shall be transferred by the agency to the general fund of the state consistent with federal requirements.

AMENDED BY THE SENATE

1.08 Budget Footnotes; General. For any state department, as defined in RSA 9:1 the following general budget footnotes that contain class codes shall apply to all specified class codes in section 1.01 through 1.07 unless specifically exempted.

A. The appropriation budgeted in class 023-heat-electricity - water, class 027-transfers to oit, class 028-transfers to general services, class 035-shared services support, class 041-audit fund set aside, class 042-additional fringe benefits, class 049-transfer to other state agency, class 061-unemployment compensation, class 062-workers compensation, class 064-ret-pension bene-health ins, shall not be transferred or expended for any other purpose. For the biennium ending June 30, 2015, the following account numbers within the department of resources and economic development: 03-35-35-351510-3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 03-35-35-351510-3556, 03-35-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-35-351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-351510-3777, 03-35-35-351510-8146, 03-35-35-351510-6161, 03-35-35-351510-3717 and 03-35-35-351510-3703 shall be exempt from these provisions.

B. The appropriation budgeted in class 047-own forces maint.-build.-grnds, class 048-contractual maint.-build-grnds, shall not be transferred or expended for any other purpose and shall not lapse until June 30, 2015. For the biennium ending June 30, 2015, the following account numbers within the department of resources and economic development: 03-35-35-351510-3701, 03-35-35-351510-3745, 03-35-35-351510-3720, 03-35-35-351510-7300, 03-35-35-351510-3414, 03-35-35-351510-3556, 03-35-35-351510-3558, 03-35-35-351510-3484, 03-35-35-351510-3486, 03-35-35-351510-3488, 03-35-35-351510-3562, 03-35-35-351510-3415, 03-35-35-351510-3746, 03-35-35-351510-3777, 03-35-35-351510-8146, 03-35-35-351510-6161, 03-35-35-351510-3717 and 03-35-35-351510-3703 shall be exempt from the shall not be transferred or expended for any other purpose portion of this provision.

C. Revenue in excess of the estimate may be expended with prior approval of the fiscal committee and the approval of the governor and council.

D. The funds in this appropriation shall not be transferred or expended for any other purpose.

E. The appropriation budgeted in class 040-indirect costs are for general overhead state charges and such sums shall be transferred by the agency to the general fund of the state

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F. This appropriation shall not lapse until June 30, 2015.

G. The funds in this appropriation shall not be transferred or expended for any other purpose and shall not lapse until June 30, 2015.

H. The appropriations budgeted in class 025-state owned equipment usage, are for the lease of equipment from the department of transportation operations division, mechanical services bureau, and shall not be transferred or expended for any other purpose. Transfers may be made between funds appropriated in class 25 in other accounting units with prior approval of the capital budget overview committee and thereafter the fiscal committee and governor and council.

I. In the event that estimated revenue in revenue class 001-transfers from other agencies, 002-transfers from department of transportation, 003-revolving funds, 004-agency income, 005-private local funds, 006-agency income, 007-agency income, 008-agency income, 009-agency income is less than budgeted, the total appropriation shall be reduced by the amount of the shortfall in either actual or projected budgeted revenue. The agency head shall notify the bureau of accounting services forthwith, in writing, as to precisely which line item appropriation and in what specific amounts reductions are to be made in order to fully compensate for the total revenue deficits. For the biennium ending June 30, 2015, account number 02-46-46-4620-5731 within the department of corrections shall be exempt from these provisions. The department of corrections shall provide a draft business plan for correctional industries to the chairpersons of the house finance committee and the house executive departments and administration committee by January 1, 2014 in order for accounting number 02-46-46-4620-5731 to be exempt from lapse provisions in the fiscal year ending June 30, 2015. The provisions of this footnote shall not apply to federal funds covered by RSA 124:14.

J. In the event that estimated revenue in revenue class 001-transfers from other agencies, 002-transfers from department of transportation, 003-revolving funds, 004-agency income, 005-private local funds, 006-agency income, 007-agency income, 008-agency income, 009-agency income is less than budgeted, the total appropriation shall be reduced by the amount of the shortfall in either actual or projected budgeted revenue. The agency head shall notify the bureau of accounting services forthwith, in writing, as to precisely which line item appropriation and in what specific amounts reductions are to be made in order to fully compensate for the total revenue deficits. For the biennium ending June 30, 2015, account

consistent with federal requirements.

F. This appropriation shall not lapse until June 30, 2015.

G. The funds in this appropriation shall not be transferred or expended for any other purpose and shall not lapse until June 30, 2015.

H. The appropriations budgeted in class 025-state owned equipment usage, are for the lease of equipment from the department of transportation operations division, mechanical services bureau, and shall not be transferred or expended for any other purpose. Transfers may be made between funds appropriated in class 25 in other accounting units with prior approval of the capital budget overview committee and thereafter the fiscal committee and governor and council.

I. In the event that estimated revenue in revenue class 001-transfers from other agencies, 002-transfers from department of transportation, 003-revolving funds, 004-agency income, 005-private local funds, 006-agency income, 007-agency income, 008-agency income, 009-agency income is less than budgeted, the total appropriation shall be reduced by the amount of the shortfall in either actual or projected budgeted revenue. The agency head shall notify the bureau of accounting services forthwith, in writing, as to precisely which line item appropriation and in what specific amounts reductions are to be made in order to fully compensate for the total revenue deficits. For the biennium ending June 30, 2015, account number 02-46-46-4620-5731 within the department of corrections shall be exempt from these provisions. The department of corrections shall provide a draft business plan for correctional industries to the chairpersons of the house finance committee and the house executive departments and administration committee by January 1, 2014 in order for accounting number 02-46-46-4620-5731 to be exempt from lapse provisions in the fiscal year ending June 30, 2015. The provisions of this footnote shall not apply to federal funds covered by RSA 124:14.

J. This appropriation, to be administered by the commissioner, is for the necessary equipment needs of the department and shall be expended at the commissioner's discretion.

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<p>number 02-46-46-4620-5731 within the department of corrections shall be exempt from these provisions. The department of corrections shall provide a draft business plan for correctional industries to the chairpersons of the house finance committee and the house executive departments and administration committee by January 1, 2014 to be exempt from lapse provisions in the fiscal year ending June 30, 2015. The provisions of this footnote shall not apply to federal funds covered by RSA 124:14.</p> <p>K. This appropriation, to be administered by the commissioner, is for the necessary equipment needs of the department and shall be expended at the commissioner's discretion.</p>	
<p>2 General Fund and Total Appropriation Limits. The amounts included in section 1 for all university system accounts and community college system accounts, under estimated source of funds from general funds shall be the total appropriation from general funds for such accounting units that may be expended for the purpose of section 1 of this act. Any funds received by said systems from other than general funds are hereby appropriated for the use of the systems and may be expended by said systems whether or not this will result in an appropriation and expenditure by the system in excess of the total appropriation therefore.</p>	<p>2 General Fund and Total Appropriation Limits. The amounts included in section 1 for all university system accounts and community college system accounts, under estimated source of funds from general funds shall be the total appropriation from general funds for such accounting units that may be expended for the purpose of section 1 of this act. Any funds received by said systems from other than general funds are hereby appropriated for the use of the systems and may be expended by said systems whether or not this will result in an appropriation and expenditure by the system in excess of the total appropriation therefore.</p>
<p>3 Assignment of Office Space. If, during the biennium ending June 30, 2015, because of program reductions, consolidations, or any other reason, office space becomes available in the health and human services complex, the Hayes building, or any other state building, except office space under the control of the legislature pursuant to RSA 14:14-b, the commissioner of administrative services shall, with the prior approval of the fiscal committee of the general court, and with the approval of the governor and council, require that any agency renting private space be required to occupy such available space in said building or buildings forthwith. Such funds as have been allocated or committed by any agency affected by this section for outside rental shall be transferred by the director of the division of accounting services to the bureau of general services, account 01-14-14-141510-2950 for maintenance of state buildings.</p>	<p>3 Assignment of Office Space. If, during the biennium ending June 30, 2015, because of program reductions, consolidations, or any other reason, office space becomes available in the health and human services complex, the Hayes building, or any other state building, except office space under the control of the legislature pursuant to RSA 14:14-b, the commissioner of administrative services shall, with the prior approval of the fiscal committee of the general court, and with the approval of the governor and council, require that any agency renting private space be required to occupy such available space in said building or buildings forthwith. Such funds as have been allocated or committed by any agency affected by this section for outside rental shall be transferred by the director of the division of accounting services to the bureau of general services, account 01-14-14-141510-2950 for maintenance of state buildings.</p>
<p>4 Lottery Commission; Authority Granted. For the biennium ending June 30, 2015, in order to provide sufficient funding to the lottery commission to carry out lottery programs that will provide funds for distribution in accordance with RSA 284:21-j, the commission shall apply to the fiscal committee of the general court for approval of any new lottery programs, the expansion of any existing lottery programs, or for the purchase of any tickets for new or continuing games. Additionally, no expenditures for consultants shall be made without prior</p>	<p>4 Lottery Commission; Authority Granted. For the biennium ending June 30, 2015, in order to provide sufficient funding to the lottery commission to carry out lottery programs that will provide funds for distribution in accordance with RSA 284:21-j, the commission shall apply to the fiscal committee of the general court for approval of any new lottery programs, the expansion of any existing lottery programs, or for the purchase of any tickets for new or continuing games. Additionally, no expenditures for consultants shall be made without prior</p>

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approval by the fiscal committee. If approved, the commission may then apply to the governor and council to transfer funds from the sweepstakes revenue special account. The total of such transfers shall not exceed \$6,000,000 for the biennium ending June 30, 2015.

approval by the fiscal committee. If approved, the commission may then apply to the governor and council to transfer funds from the sweepstakes revenue special account. The total of such transfers shall not exceed \$6,000,000 for the biennium ending June 30, 2015.

5 Positions Abolished. The following positions are hereby abolished effective at the close of business on June 30, 2013:

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Department of Administrative Services					
01-14-14-140510-2980	10371	12342	13058	13150	13295
	15768	16953	18366	19751	20023
	21286	21638	30304	41519	42586
	42720	43363			
01-14-14-141510-2045	41875				
01-14-14-141510-3403	10175	18026	19417	30017	
01-14-14-141510-8000	19699				
Real Estate Commission					
01-28-28-280010-2054	11342				
Department of Cultural Resources					
01-34-34-340010-6999	11426				
01-34-34-340510-7000	11410	11423	11436	30175	
Department of Revenue Administration					
01-84-84-840510-1301	43318	43564	9U154	9U328	9U564
01-84-84-840510-1501	41797				
Board of Tax & Land Appeals					
01-89-89-890010-1241	19846				
Department of Justice					
02-20-20-200510-2610	9U502				
02-20-20-200510-2611	9U534				
02-20-20-201010-2620	9U542				
NH Employment Security					
02-27-27-270010-8040	11067	11105	11120	11128	11132
	11181	11203	11277	11285	11292
	11305	11306	11328	11340	19118
	30099	30121	30131	30140	40992

Department of Administrative Services					
01-14-14-140510-2980	10371	12342	13058	13150	13295
	15768	16953	18366	19751	20023
	21286	21638	30304	41519	42586
	42720	43363			
01-14-14-141510-2045	41875				
01-14-14-141510-3403	10175	18026	19417	30017	
01-14-14-141510-8000	19699				
Real Estate Commission					
01-28-28-280010-2054	11342				
Department of Cultural Resources					
01-34-34-340010-6999	11426				
01-34-34-340510-7000	11410	11423	11436	30175	
Department of Revenue Administration					
01-84-84-840510-1301	43318	43564	9U154	9U328	9U564
01-84-84-840510-1501	41797				
Board of Tax & Land Appeals					
01-89-89-890010-1241	19846				
Department of Justice					
02-20-20-200510-2610	9U502				
02-20-20-200510-2611	9U534				
02-20-20-201010-2620	9U542				
NH Employment Security					
02-27-27-270010-8040	11067	11105	11120	11128	11132
	11181	11203	11277	11285	11292
	11305	11306	11328	11340	19118
	30099	30121	30131	30140	40992

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	41595	42026	43222	43224	43429		41595	42026	43222	43224	43429
	43435						43435				
Department of Corrections											
02-46-46-462010-5731	43502	43510					43502	43510			
NH Liquor Commission											
02-77-77-770012-1010	9U135						9U135				
02-77-77-770512-7878	14262						14262				
02-77-77-771012-1023	14285						14285				
02-77-77-771512-1024	14237						14237				
Department of Environment Services											
03-44-44-440010-3851	18334						18334				
Department of Transportation											
04-96-96-960315-5031	17183	17324	20746	21171			17183	17324	20746	21171	
04-96-96-960515-3007	17275	17302	17329	17334	17355		17275	17302	17329	17334	17355
	20303	20455	20461	20464	20469		20303	20455	20461	20464	20469
	20504	20506	20558	20559	20569		20504	20506	20558	20559	20569
	20621	20625	20660	20671	20702		20621	20625	20660	20671	20702
	20745	20540	20752	20794	20837		20745	20540	20752	20794	20837
	20858	20863	20896	20950	20986		20858	20863	20896	20950	20986
	20987	21332	21337	21364	21382		20987	21332	21337	21364	21382
	21389	21399	21411	21568	21577		21389	21399	21411	21568	21577
	21581	21688					21581	21688			
04-96-96-960515-3008	20375	20379	21426	21610	21613		20375	20379	21426	21610	21613
	21677	21873					21677	21873			
04-96-96-960515-3009	20329	20330	21255	21261	21268		20329	20330	21255	21261	21268
04-96-96-960515-3052	21470	21827					21470	21827			
04-96-96-960515-6034	17399						17399				
04-96-96-962015-3025	20177	20196	20588	20220			20177	20196	20588	20220	
04-96-96-962015-3033	21729						21729				
04-96-96-962015-3034	21455						21455				
04-96-96-964015-3030	18279						18279				

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<p>Police Standards and Training Council 06-87-87-870510-8980 14561 14552 06-87-87-871010-8999 18981</p>	<p>Police Standards and Training Council 06-87-87-870510-8980 14561 14552 06-87-87-871010-8999 18981</p>
<p>6 Department of Health and Human Services; Reduction in Appropriation. In the event that estimated restricted revenues collected by the department of health and human services in the aggregate are less than budgeted, during the biennium ending June 30, 2015, the total appropriations to the department of health and human services shall be reduced by the amount of the shortfall in either actual or projected revenue. The commissioner of the department of health and human services shall notify the bureau of accounting, in writing, no later than April 1st of each year as to precisely which line item appropriation and in what specific amount reductions are to be made in order to fully compensate for the total revenue deficits.</p>	<p>6 Department of Health and Human Services; Reduction in Appropriation. In the event that estimated restricted revenues collected by the department of health and human services in the aggregate are less than budgeted, during the biennium ending June 30, 2015, the total appropriations to the department of health and human services shall be reduced by the amount of the shortfall in either actual or projected revenue. The commissioner of the department of health and human services shall notify the bureau of accounting, in writing, no later than April 1st of each year as to precisely which line item appropriation and in what specific amount reductions are to be made in order to fully compensate for the total revenue deficits.</p>
<p>7 Department of Health and Human Services; Division of Child Support Services; Payments to the Administrative Office of the Courts. The appropriation in account 05-95-42-427010-7929, class 049- transfer to other state agency includes funds for payment to the administrative office of the courts in accordance with the cooperative agreement between the division of child support services and the administrative office of the courts. The division of child support services and the administrative office of the courts shall, prior to payment of such funds, enter into a cooperative agreement specifying in detail the services to be performed by the administrative office of the courts and the estimated costs of such services. Any change or modification in the services to be performed shall likewise be agreed to in writing and specify the change and the adjustment to the costs. Funds appropriated for these purposes shall be paid only after demonstration by the administrative office of the courts that it consistently transmits court orders to the division of child support services in accordance with the cooperative agreement.</p>	<p>7 Department of Health and Human Services; Division of Child Support Services; Payments to the Administrative Office of the Courts. The appropriation in account 05-95-42-427010-7929, class 049- transfer to other state agency includes funds for payment to the administrative office of the courts in accordance with the cooperative agreement between the division of child support services and the administrative office of the courts. The division of child support services and the administrative office of the courts shall, prior to payment of such funds, enter into a cooperative agreement specifying in detail the services to be performed by the administrative office of the courts and the estimated costs of such services. Any change or modification in the services to be performed shall likewise be agreed to in writing and specify the change and the adjustment to the costs. Funds appropriated for these purposes shall be paid only after demonstration by the administrative office of the courts that it consistently transmits court orders to the division of child support services in accordance with the cooperative agreement.</p>
<p>8 Department of Transportation; Highway Fund Reporting. For the biennium ending June 30, 2015, the commissioner of the department of transportation shall submit a report detailing the status of the highway fund balance to the house and senate ways and means committees, the fiscal committee of the general court, and the governor and council on a quarterly basis.</p>	<p>8 Department of Transportation; Highway Fund Reporting. For the biennium ending June 30, 2015, the commissioner of the department of transportation shall submit a report detailing the status of the highway fund balance to the house and senate ways and means committees, the fiscal committee of the general court, and the governor and council on a quarterly basis.</p>
<p>9 Judicial Branch; General Fund Appropriation Reductions. The judicial branch shall</p>	<p>AMENDED BY THE SENATE</p>

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<p>reduce state general fund appropriations by \$4,805,461 for the fiscal year ending June 30, 2014 and by \$4,767,039 for the fiscal year ending June 30, 2015. The branch shall not reduce the transfers to the department of administrative services for court facilities unless the reduction is agreed to by the commissioner of administrative services and the chief justice of the supreme court.</p>	<p>9 Judicial Branch; General Fund Appropriation Reductions. The judicial branch shall reduce state general fund appropriations by \$5,000,000 for the fiscal year ending June 30, 2014 and by \$5,000,000 for the fiscal year ending June 30, 2015. The branch shall not reduce the transfers to the department of administrative services for court facilities unless the reduction is agreed to by the commissioner of administrative services and the chief justice of the supreme court.</p>
<p>10 Department of Health and Human Services; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations from administrative salary and benefit class lines by \$4,500,000 for the biennium ending June 30, 2015. The department shall provide a quarterly report of reductions made under this section to the fiscal committee of the general court and the governor and council.</p>	<p>AMENDED BY THE SENATE 10 Department of Health and Human Services; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations by \$7,000,000 for the biennium ending June 30, 2015. The department shall provide a quarterly report of reductions made under this section to the fiscal committee of the general court and the governor and council.</p>
<p>11 Department of Information Technology; Appropriation Reductions. The department of administrative services, in consultation with the department of information technology and agencies which may be impacted by the deductions, shall reduce appropriations in class 27 for any agency where the appropriation exceeds the amount necessary for the provision of information technology services to that agency. Said reductions shall total \$51,631 for the fiscal year ending June 30, 2014 and shall total \$53,555 for the fiscal year ending June 30, 2015. By July 30 of each fiscal year, the department shall provide a report to the fiscal committee of the general court detailing the reductions required by this section.</p>	<p>11 Department of Information Technology; Appropriation Reductions. The department of administrative services, in consultation with the department of information technology and agencies which may be impacted by the deductions, shall reduce appropriations in class 27 for any agency where the appropriation exceeds the amount necessary for the provision of information technology services to that agency. Said reductions shall total \$51,631 for the fiscal year ending June 30, 2014 and shall total \$53,555 for the fiscal year ending June 30, 2015. By July 30 of each fiscal year, the department shall provide a report to the fiscal committee of the general court detailing the reductions required by this section.</p>
<p>12 Legislative Branch; General Fund Appropriation Reductions. The legislative branch shall reduce state general fund appropriations by \$1,000,000 for the fiscal year ending June 30, 2014 and by \$1,500,000 for the fiscal year ending June 30, 2015.</p>	<p>AMENDED BY THE SENATE 12 Legislative Branch; General Fund Appropriation Reductions. The legislative branch shall reduce state general fund appropriations by \$1,000,000 for the fiscal year ending June 30, 2014 and by \$1,000,000 for the fiscal year ending June 30, 2015.</p>
<p>13 New Hampshire Veterans Home; Reduction in Appropriation. The New Hampshire Veterans Home is hereby directed to reduce state general fund appropriations by \$750,000 for each year of the biennium ending June 30, 2015.</p>	<p>13 New Hampshire Veterans Home; Reduction in Appropriation. The New Hampshire Veterans Home is hereby directed to reduce state general fund appropriations by \$750,000 for each year of the biennium ending June 30, 2015.</p>
<p>14 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations to the Sununu Youth Services Center by \$500,000 for the fiscal year ending June 30, 2014 and by \$750,000 for the fiscal year ending June 30, 2015. The</p>	<p>14 Department of Health and Human Services, Sununu Youth Services Center; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations to the Sununu Youth Services Center by \$500,000 for the fiscal year ending June 30, 2014 and by \$750,000 for the fiscal year ending June 30, 2015. The</p>

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HOUSE PASSED**

SENATE PASSED

department shall develop a reduction plan for the reductions required under this section and present the plan to the fiscal committee of the general court no later than September 30, 2013.

department shall develop a reduction plan for the reductions required under this section and present the plan to the fiscal committee of the general court no later than September 30, 2013.

NO COMPARABLE HOUSE SECTION

15 Department of Revenue Administration; Reduction in Appropriation. The department of revenue administration shall reduce state general fund appropriations by \$1,000,000 for the fiscal year ending June 30, 2014 and by \$1,000,000 for the fiscal year ending June 30, 2015. The department shall provide a quarterly report of reductions made under this section to the fiscal committee of the general court

NO COMPARABLE HOUSE SECTION

16 Police Standards and Training Council; Police Standards and Training Council Training Fund; Appropriations Reduction. The police standards and training council shall reduce appropriations from the police standards and training council training fund by \$250,000 for the fiscal year ending June 30, 2014 and \$250,000 for the fiscal year ending June 30, 2015. The council shall provide a report of reductions made under this section to the fiscal committee of the general court.

15 Estimates of Unrestricted Revenue.		
GENERAL FUND	<u>FY 2014</u>	<u>FY 2015</u>
BUSINESS PROFITS TAX	\$252,900,000	\$259,100,000
BUSINESS ENTERPRISE TAX	<u>67,500,000</u>	<u>69,100,000</u>
SUBTOTAL BUSINESS TAXES	320,400,000	328,200,000
MEALS AND ROOMS TAX	250,200,000	261,800,000
TOBACCO TAX	125,500,000	120,500,000
TRANSFER FROM LIQUOR	132,400,000	135,800,000
INTEREST AND DIVIDENDS TAX	95,400,000	97,400,000
INSURANCE	86,900,000	109,500,000
COMMUNICATIONS TAX	66,500,000	63,300,000
REAL ESTATE TRANSFER TAX	68,900,000	72,300,000
COURT FINES & FEES	13,700,000	13,700,000
SECURITIES REVENUE	37,600,000	37,600,000
UTILITY CONSUMPTION TAX	5,900,000	5,900,000
BOARD AND CARE	27,500,000	28,200,000
BEER TAX	13,200,000	13,200,000
OTHER REVENUES	75,800,000	76,300,000

AMENDED BY THE SENATE		
17 Estimates of Unrestricted Revenue.		
GENERAL FUND	<u>FY 2014</u>	<u>FY 2015</u>
BUSINESS PROFITS TAX	\$276,010,000	\$281,700,000
BUSINESS ENTERPRISE TAX	<u>73,600,000</u>	<u>75,100,000</u>
SUBTOTAL BUSINESS TAXES	349,610,000	356,800,000
MEALS AND ROOMS TAX	242,400,000	247,360,000
TOBACCO TAX	127,000,000	121,900,000
TRANSFER FROM LIQUOR	133,400,000	136,800,000
INTEREST AND DIVIDENDS TAX	96,100,000	98,000,000
INSURANCE	86,900,000	109,500,000
COMMUNICATIONS TAX	62,500,000	62,500,000
REAL ESTATE TRANSFER TAX	61,900,000	63,160,000
COURT FINES & FEES	13,000,000	13,000,000
SECURITIES REVENUE	37,600,000	37,600,000
UTILITY CONSUMPTION TAX	6,000,000	6,000,000
BOARD AND CARE	27,322,000	27,965,000
BEER TAX	13,200,000	13,200,000

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HOUSE PASSED

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TOBACCO SETTLEMENT	<u>2,400,000</u>	<u>1,900,000</u>	OTHER REVENUES	77,200,000	77,500,000
SUBTOTAL	1,322,300,000	1,365,600,000	TOBACCO SETTLEMENT	<u>2,400,000</u>	<u>1,900,000</u>
MEDICAID ENHANCEMENT TAX	72,200,000	73,700,000	SUBTOTAL	1,336,532,000	1,373,185,000
MEDICAID RECOVERIES	<u>5,400,000</u>	<u>5,400,000</u>	MEDICAID ENHANCEMENT TAX	72,200,000	73,700,000
TOTAL GENERAL FUND	<u>1,399,900,000</u>	<u>1,444,700,000</u>	MEDICAID RECOVERIES	<u>5,400,000</u>	<u>5,400,000</u>
			TOTAL GENERAL FUND	<u>1,414,132,000</u>	<u>1,452,285,000</u>
EDUCATION FUND	<u>FY 2014</u>	<u>FY 2015</u>	EDUCATION FUND	<u>FY 2014</u>	<u>FY 2015</u>
BUSINESS PROFITS TAX	53,700,000	54,900,000	BUSINESS PROFITS TAX	58,550,000	59,800,000
BUSINESS ENTERPRISE TAX	<u>136,900,000</u>	<u>140,300,000</u>	BUSINESS ENTERPRISE TAX	<u>149,440,000</u>	<u>152,600,000</u>
SUBTOTAL BUSINESS TAXES	190,600,000	195,200,000	SUBTOTAL BUSINESS TAXES	207,990,000	212,400,000
MEALS AND ROOMS TAX	8,100,000	8,300,000	MEALS AND ROOMS TAX	7,800,000	7,840,000
TOBACCO TAX	73,700,000	70,800,000	TOBACCO TAX	74,600,000	71,600,000
REAL ESTATE TRANSFER TAX	33,900,000	35,600,000	REAL ESTATE TRANSFER TAX	30,500,000	31,100,000
TRANSFER FROM LOTTERY	72,700,000	74,200,000	TRANSFER FROM LOTTERY	73,100,000	75,000,000
TRANSFER FROM RACING & CHARITABLE GAMING	2,700,000	2,700,000	TRANSFER FROM RACING & CHARITABLE GAMING	3,400,000	3,400,000
TOBACCO SETTLEMENT	40,000,000	40,000,000	TOBACCO SETTLEMENT	40,000,000	40,000,000
UTILITY PROPERTY TAX	34,500,000	35,400,000	UTILITY PROPERTY TAX	34,500,000	35,400,000
STATEWIDE PROPERTY TAX	<u>363,100,000</u>	<u>363,100,000</u>	STATEWIDE PROPERTY TAX	<u>363,600,000</u>	<u>363,600,000</u>
TOTAL EDUCATION FUND	819,300,000	825,300,000	TOTAL EDUCATION FUND	835,490,000	840,340,000
HIGHWAY FUND	<u>FY 2014</u>	<u>FY2015</u>	HIGHWAY FUND	<u>FY 2014</u>	<u>FY 2015</u>
GASOLINE ROAD TOLL	122,800,000	122,100,000	GASOLINE ROAD TOLL	122,750,000	122,050,000
MOTOR VEHICLE FEES	112,900,000	113,300,000	MOTOR VEHICLE FEES	109,473,000	109,873,000
MISCELLANEOUS	<u>6,300,000</u>	<u>6,300,000</u>	MISCELLANEOUS	<u>21,281,000</u>	<u>20,451,000</u>
TOTAL HIGHWAY FUND	<u>242,000,000</u>	<u>241,700,000</u>	TOTAL HIGHWAY FUND	<u>253,504,000</u>	<u>252,374,000</u>
FISH AND GAME FUND	<u>FY 2014</u>	<u>FY2015</u>	FISH AND GAME FUND	<u>FY 2014</u>	<u>FY 2015</u>
FISH AND GAME LICENSES	8,100,000	8,100,000	FISH AND GAME LICENSES	8,500,000	8,500,000
FINES AND MISCELLANEOUS	<u>1,600,000</u>	<u>1,600,000</u>	FINES AND MISCELLANEOUS	<u>1,644,000</u>	<u>1,644,000</u>
TOTAL FISH AND GAME FUND	<u>9,700,000</u>	<u>9,700,000</u>	TOTAL FISH AND GAME FUND	<u>10,144,000</u>	<u>10,144,000</u>

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HOUSE PASSED

SENATE PASSED

16 Effective Date. This act shall take effect July 1, 2013.	18 Effective Date. This act shall take effect July 1, 2013.
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**COMMITTEE OF CONFERENCE
COMPARISON OF HB 2 SECTIONS
HOUSE PASSED VS SENATE PASSED**

House Passed Section	Senate Passed Section	Page #	Section Title	C of C Status	Comments
1	1	15	Meals and Rooms Tax; Distribution to Cities and Towns.		
2	2	15	Suspension; Revenue Sharing.		
3	3	15	School Building Aid; Alternative School Building Aid. (AMENDED BY THE SENATE)		
4	4	15	Department of Health and Human Services; Direct Graduate Medical Education; Suspension.		
5	5	16	Department of Health and Human Services; Indirect Graduate Medical Education; Suspension.		
6	6	16	Department of Health and Human Services; Authority to Fill Unfunded Positions.		
7	7	16	Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals.		
8	8	16	Department of Health and Human Services; Program Eligibility; Additional Revenues; Transfer Among Accounts. (AMENDED BY THE SENATE)		
9	9	17	Department of Health and Human Services; Bureau of Adult and Elderly Services; County Payment of Funds for Persons Eligible to Receive Nursing Home Services; Limitation on County Payments; Credits. (AMENDED BY THE SENATE)		
10	10	18	Health and Human Services; Social Services Block Grant Cost of Living Adjustment to Income Levels.		
11	11	18	Foster Grandparent Program.		
12	12	18	Department of Health and Human Services; Adoption Assistance Program.		
13	13	19	Agreements to Lease-Purchase Vehicles and Equipment Authorized.		
14	14	19	Department of Transportation; Federal Assistance Grant; Appropriation.		

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House Passed Section	Senate Passed Section	Page #	Section Title	C of C Status	Comments
15	15	19	Department of Administrative Services; Suspension of Bumping Rights.		
16	16	19	Lottery Commission; Incentive Program.		
17	17	19	Liquor Commission; Liquor Revenues to Alcohol Abuse Prevention and Treatment Fund Suspended.		
18	18	20	State Budget; Allocation of Gross Appropriations from Highway Fund; Suspended.		
19	19	20	Governor's Commission on Disability; Client Assistance Program; Contingent Transfer of Appropriation.		
20	20	20	Rehiring of Laid Off Classified State Employees.		
21	21	20	Judicial Appointments; Number Limited; Vacancies. (AMENDED BY THE SENATE)		
22	N/A	21	Saltwater Fishing License; Fees. (DELETED BY THE SENATE)		
23	22	21	Suspension. The following are suspended for each fiscal year of the biennium ending June 30, 2015: RSA 167:3-c, III, relative to rulemaking for funeral expenses; RSA 167:11, relative to funeral expenses to recipients of public assistance.		
24	23	21	Department of Resources and Economic Development; Transfer of Funds Authorized.		
25	N/A	21	Business Profits Tax; Net Operating Loss Carryovers. (DELETED BY THE SENATE)		
26	24	21	Medicaid Management Information System; Reports.		
27	N/A	22	Transfer from Revenue Stabilization Reserve Account. (DELETED BY THE SENATE)		
28	25	22	Department of Administrative Services; Manager of Risks and Benefits; Position Established.		

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House Passed Section	Senate Passed Section	Page #	Section Title	C of C Status	Comments
29	26	23	Department of Administrative Services; Risk Management.		
30	27	23	Department of Administrative Services; Manager of Risks and Benefits; Nomination by Commissioner.		
31	28	23	Applicability.		
32	29	23	Department of Administrative Services; Consolidation of Human Resources and Payroll Functions. (AMENDED BY THE SENATE)		
33	30	24	Department of Administrative Services; Consolidation of Business Processing Functions. (AMENDED BY THE SENATE)		
34	31	26	Continuation of Appropriation. Department of Administrative Services.		
35	32	26	Department of Administrative Services; Transfer Among Accounts and Classes.		
36	33	26	Cost Containment Plan for Retiree Health Care Program.		
37	34	27	New Section; State Employees Group Insurance; Commission Established; Cost Containment Options; Retiree Health Plan for New Employees.		
38	35	27	Repeal. RSA 21-I:36-b, relative to the commission on cost containment options, is repealed.		
39	N/A	27	Continuation of Appropriation Regarding Sale of Property. (DELETED BY THE SENATE)		
40	N/A	28	New Section; Office of Innovation and Efficiency Established Within the Department of Administrative Services. (DELETED BY THE SENATE)		
41	36	28	Impaired Driver Education Programs; Fees.		
42	37	29	Department of Health and Human Services; Bureau of Drug and Alcohol Services; Utilization of Funds.		

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House Passed Section	Senate Passed Section	Page #	Section Title	C of C Status	Comments
43	38	29	Repeal of RSA 6:12, I(b)(147), Relative to the Impaired Driver Education Program and Impaired Driver Care Management Program Account.		
44	39	29	Probate Courts and Descendants' Estates; Priority of Claims.		
45	40	30	Department of Health and Human Services; Office of Reimbursements; Duties.		
46	41	30	Department of Health and Human Services; Office of Reimbursements; Financial Statements. (AMENDED BY THE SENATE)		
47	42	32	Department of Health and Human Services; Office of Reimbursements; Recovery of Expenses. (AMENDED BY THE SENATE)		
48	43	32	New Subparagraph; Department of Health and Human Services; Office of Reimbursements; Recovery of Expenses.		
49	44	32	Department of Health and Human Services; Office of Reimbursements Regular Rate.		
50	45	32	Department of Health and Human Services; Office of Reimbursements; Administrators; Bond.		
51	46	33	Department of Health and Human Services, Division of Community-Based Care Services, Bureau of Behavioral Health; Mental Health Low Utilizers and Prior Authorization.		
52	47	33	Department of Health and Human Services; Division for Children, Youth, and Families.		
53	N/A	33	Repeal. RSA 126-A:18-b, relative to Medicaid reimbursement rates, is repealed. (DELETED BY THE SENATE)		
54	48	33	Uncompensated Care Fund. (AMENDED BY THE SENATE)		
N/A	49	36	Health and Human Services; Uncompensated Care Fund Payments; Fiscal Year 2015.		

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

House Passed Section	Senate Passed Section	Page #	Section Title	C of C Status	Comments
55	50	36	Repeal. RSA 167:65, II, relative to reporting methodology of payment to the oversight committee on health and human services, is repealed.		
56	N/A	36	Department of Health and Human Services; Bureau of Adult and Elderly Services; Nursing Facility Quality Assessment; Contingency. (DELETED BY THE SENATE)		
57	N/A	36	Department of Health and Human Services; Bureau of Adult and Elderly Services; Intermediate Care Facilities (ICF); Use of ICF Separate Account. (DELETED BY THE SENATE)		
58	N/A	36	Department of Health and Human Services; Bureau of Adult and Elderly Services; Quality Assessment Expenditures; State Expenditures for Long-Term Care Services. (DELETED BY THE SENATE)		
59	51	37	Department of Health and Human Services; Bureau of Adult and Elderly Services; Congregate Housing and Services.		
60	N/A	37	New Paragraph; Department of Health and Human Services; Assistance to Newly Eligible Population Consistent with Federal Law. (DELETED BY THE SENATE)		
61	N/A	37	Medicaid Expansion. The state of New Hampshire may opt out of the Medicaid expansion pursuant to section 60 of this act at any time. (DELETED BY THE SENATE)		
62	N/A	37	Department of Health and Human Services; Medicaid Breast and Cervical Cancer Program. (DELETED BY THE SENATE)		
63	52	38	Repeal. 1988, 192:12 as amended by 1990, 201:16, relative to certification of shelter care/detention beds, is repealed.		
64	53	38	Residential Care and Health Facility Licensing; Licenses.		
65	N/A	39	New Section; New Hampshire Medicaid Enhancement Tax Commission Established. (DELETED BY THE SENATE)		
N/A	54	40	New Chapter; Innovation in Medicaid Delivery Commission		

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COMPARISON OF HB 2 SECTIONS
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House Passed Section	Senate Passed Section	Page #	Section Title	C of C Status	Comments
66	55	42	Department of Corrections; Authority to Fill Unfunded Positions.		
67	56	42	Department of Corrections; Transfers.		
68	N/A	42	Department of Corrections; Overtime. (DELETED BY THE SENATE)		
69	57	43	Child Protection Act; Liability for Expenses.		
70	58	43	Adequate Representation Costs.		
71	59	43	Child Protection Act; Preliminary Hearing		
72	60	43	Child Protection Act; Appointment of Counsel.		
73	N/A	44	Liquor Commission. (DELETED BY THE SENATE)		
74	N/A	44	Chairman; Compensation. (DELETED BY THE SENATE)		
75	N/A	44	New Section; Deputy Commissioner. (DELETED BY THE SENATE)		
76	N/A	45	Requirements. (DELETED BY THE SENATE)		
77	N/A	45	Divisions and Directors. (DELETED BY THE SENATE)		
78	N/A	46	Investigations. (DELETED BY THE SENATE)		
79	N/A	46	Purchases by the Liquor Commission. (DELETED BY THE SENATE)		
80	N/A	46	Employment Prohibited. (DELETED BY THE SENATE)		
81	N/A	46	Employment Intervention. (DELETED BY THE SENATE)		
82	N/A	46	Hearings. (DELETED BY THE SENATE)		
83	N/A	47	Applicability. (DELETED BY THE SENATE)		
84	61	47	School Money; Distribution Schedule of Adequate Education Grants. (AMENDED BY THE SENATE)		
85	N/A	48	Committee Established. (DELETED BY THE SENATE)		
86	62	49	Chartered Public Schools; Approval by State Board of Education. (AMENDED BY THE SENATE)		
87	N/A	50	Chartered Public Schools; Reporting Requirements. (DELETED BY THE SENATE)		

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House Passed Section	Senate Passed Section	Page #	Section Title	C of C Status	Comments
88	N/A	50	Chartered Public Schools; Funding for Biennium. (DELETED BY THE SENATE)		
N/A	63	50	Chartered Public Schools; Funding.		
89	64	51	Community College System; Retiree Health Care Payments; Task Force. (AMENDED BY THE SENATE)		
90	N/A	51	New Chapter; New Hampshire Scholarship Program. (DELETED BY THE SENATE)		
91	N/A	52	Repeal. RSA 77-A:5, XV, relative to the education tax credit against the business profits tax; RSA 77-E:3-d, relative to the education tax credit against the business enterprise tax; and RSA 77-G, relative to the education tax credit. (DELETED BY THE SENATE)		
92	65	52	Repeal. 2011, 224:221, relative to fines paid by mail, is repealed.		
93	66	52	Police Standards and Training Council Training Fund. (AMENDED BY THE SENATE)		
N/A	67	53	Repeal. RSA 188-F:32-b relative to transfers of unappropriated funds.		
94	68	53	Fire Standards and Training and Emergency Medical Services Fund.		
95	N/A	53	Land and Community Heritage Investment Program Trust Fund; Deposit of Recording Surcharge. (DELETED BY THE SENATE)		
96	N/A	53	PUC Expenditure for Green Launching Pad. (DELETED BY THE SENATE)		
97	N/A	54	Business Enterprise Tax; Threshold Amounts for Taxation; Effective Date. (DELETED BY THE SENATE)		
98	N/A	54	Tobacco Tax Rate Increased. (DELETED BY THE SENATE)		
99	N/A	54	Tobacco Tax Rate. (DELETED BY THE SENATE)		
100	N/A	54	Applicability. (DELETED BY THE SENATE)		

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House Passed Section	Senate Passed Section	Page #	Section Title	C of C Status	Comments
101	N/A	55	Repeal. 2011, 224:379-381, relative to contingent tobacco tax rate increase. (DELETED BY THE SENATE)		
102	69	55	Tax on Meals and Rooms; Disposition of Revenue.		
103	70	55	Reference Change.		
104	N/A	56	Carry Forward Credit Period Changes; Effective Date. (DELETED BY THE SENATE)		
105	N/A	56	Director of Division of Forests and Lands; Retirement Classification. (DELETED BY THE SENATE)		
106	71	56	Fish and Game Department; Publications, Specialty Items and Fund Raising Revolving Fund.		
107	N/A	56	Fish and Game Department; Accounts Transferred; Prepaid Fish and Game License Fund. (DELETED BY THE SENATE)		
108	N/A	56	Repeal. RSA 214:9-c, IV and V, relative to moneys received for lifetime licenses for hunting, fishing, and trapping; RSA 214:9-cc, IV and V, relative to moneys received for lifetime licenses for bow and arrow, muzzleloader, and crossbow; and RSA 6:12, l(b)(163), relative to prepaid fish and game license fund. (DELETED BY THE SENATE)		
109	72	57	Fish and Game Department; Utilization of Funds to Support Staff Costs.		
110	73	57	Fish and Game Department; Utilization of Funds to Support Staff Costs.		
111	74	57	New Section; Fish and Game Department; Divisions Within the Department.		
112	75	57	Fish and Game Department; Fish Food Sales Revenue.		
113	76	58	Certificate of Need; Nursing Home Beds; Rehabilitation Beds; Moratorium Extended. (AMENDED BY THE SENATE)		
114	N/A	58	Health Services Planning and Review Board. (DELETED BY THE SENATE)		

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COMPARISON OF HB 2 SECTIONS
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House Passed Section	Senate Passed Section	Page #	Section Title	C of C Status	Comments
115	N/A	59	Certificate of Need; Standard Development. (DELETED BY THE SENATE)		
116	N/A	59	Certificate of Need; Standard Development. (DELETED BY THE SENATE)		
117	N/A	60	New Paragraph; Certificate of Need; Standard Development. (DELETED BY THE SENATE)		
118	N/A	61	New Section; Additional Reports Required. (DELETED BY THE SENATE)		
119	N/A	61	Certificate of Need; Definitions. (DELETED BY THE SENATE)		
120	N/A	61	Repeal. RSA 151-C, relative to the certificate of need law. (DELETED BY THE SENATE)		
121	N/A	61	Exemption Added. (DELETED BY THE SENATE)		
122	N/A	62	Repeal. 2012, 282:17, II, relative to a prospective repeal of RSA 151-C is repealed. (DELETED BY THE SENATE)		
123	N/A	62	Certificate of Need; Issuance. (DELETED BY THE SENATE)		
124	N/A	62	New Section; Certificate of Need; State Health Plan. (DELETED BY THE SENATE)		
125	N/A	63	Applicability. (DELETED BY THE SENATE)		
N/A	77	63	Cannon Mountain. Amend RSA 2011, 224:350.		
126	78	63	Department of Resources and Economic Development; Cannon Mountain. (AMENDED BY THE SENATE)		
127	79	64	Education; College Tuition Savings Plan; UNIQUE Endowment Allocation Program. (AMENDED BY THE SENATE)		
128	80	64	Department of Employment Security; Deputy Commissioner.		
129	81	64	Department of Employment Security Deputy Commissioner.		
130	N/A	65	Department of Administrative Services; Transfer of Dedicated Funds. (DELETED BY THE SENATE)		

**COMMITTEE OF CONFERENCE
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House Passed Section	Senate Passed Section	Page #	Section Title	C of C Status	Comments
131	N/A	65	Department of Transportation; Transfer of Funds. (DELETED BY THE SENATE)		
132	N/A	66	New Section; Commission to Study Opportunities and Options to Improve the Sustainability of the Fish and Game Department. (DELETED BY THE SENATE)		
133	N/A	66	Repeal. RSA 201:1-b, relative to the commission to study opportunities to improve sustainability of the fish and game department, is repealed. (DELETED BY THE SENATE)		
134	82	66	Banks and Banking; Bank Commissioner; Payment of Cost of Examination.		
135	N/A	68	Repeal. 2012, 286:1, relative to the repeal of RSA 122:4, II, relative to reimbursement to cities and towns, is repealed. (DELETED BY THE SENATE)		
136	N/A	69	Department of State; Position of State Records Manager Established. (DELETED BY THE SENATE)		
137	83	69	Judicial Branch; Transfers.		
138	84	69	New Paragraph; Department of Justice; Legal Settlement Awards; Reports. (AMENDED BY THE SENATE)		
139	N/A	70	Findings and Intent. (DELETED BY THE SENATE)		
140	N/A	70	New Subparagraph; Retirement System; Membership. (DELETED BY THE SENATE)		
141	85	70	Report; Mosaic Parcel GIS System.		
142	86	70	Liquor Commission; Reimbursement of Cost of Legal Services.		
143	87	70	State Aid Grants; Department of Environmental Services		
144	88	71	State Aid Grants; First in, First out Delayed and Deferred Project List		
145	N/A	75	Committee Established; State Aid Grants; Department of Environmental Services. (DELETED BY THE SENATE)		
146	N/A	76	Adjutant General; New Hampshire National Guard Recruitment and Retention Scholarship Fund. (DELETED BY THE SENATE)		

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COMPARISON OF HB 2 SECTIONS
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House Passed Section	Senate Passed Section	Page #	Section Title	C of C Status	Comments
147	89	76	Legislative Branch; Special Account; Transfer to General Fund.		
148	N/A	77	Department of State; Expenditure of Funds on Voter Identification Implements. (DELETED BY THE SENATE)		
149	N/A	77	Federal Disaster Assistance; Transfer of Funds. (DELETED BY THE SENATE)		
150	90	77	Repeal; RSA 12-L:14, II, Relative to the McAuliffe-Shepard Discovery Center Commission Business Plan.		
151	91	77	Appropriation; North Country Fire Training Facility.		
152	N/A	78	Chartered Public Schools; Moratorium. (DELETED BY THE SENATE)		
153	92	78	Waiver in Lieu of Court Appearance.		
154	N/A	78	University System of New Hampshire; Report on Scholarships. (DELETED BY THE SENATE)		
155	N/A	79	Documentation of Marriages; Marriage License Fee. (DELETED BY THE SENATE)		
156	93	79	Pharmacy Board; Inspectional Services.		
157	94	79	New Paragraph; Approved Alcohol Treatment Programs.		
158	95	79	New Section; Access to Budget and Expenditures for Persons Receiving State Services. (AMENDED BY THE SENATE)		
159	N/A	80	Department of Health and Human Services; Sununu Youth Services Center Report. (DELETED BY THE SENATE)		
160	N/A	80	Use of Surplus General Funds to Mitigate Certain Spending Reductions. (DELETED BY THE SENATE)		
161	N/A	81	New Subparagraph; Application of Receipts. (DELETED BY THE SENATE)		
162	N/A	81	Levy of Tolls and Exemption. (DELETED BY THE SENATE)		
163	N/A	82	New Section; Account Established. (DELETED BY THE SENATE)		
164	N/A	82	Block Grant Aid; Apportionment. (DELETED BY THE SENATE)		
165	N/A	82	New Section; State Bridge Aid; State Highway Aid. (DELETED BY THE SENATE)		

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House Passed Section	Senate Passed Section	Page #	Section Title	C of C Status	Comments
166	N/A	82	New Section; Federal and State Highway Aid; State Highway Aid. (DELETED BY THE SENATE)		
167	N/A	83	Road Toll; Exception. (DELETED BY THE SENATE)		
168	N/A	83	Road Tolls; Credit Provided; Liability Insurance. (DELETED BY THE SENATE)		
169	N/A	84	New Subdivision; Commission to Study Revenue Alternatives to the Road Toll for the Funding of the State's Highways and Bridges. (DELETED BY THE SENATE)		
N/A	96	85	Fees for Copies, Verifications, and Amendments to Vital Records.		
N/A	97	85	Certified Public Accountants; Board Fees; Receipts.		
N/A	98	86	Professional Engineers; Receipts and Disbursements.		
N/A	99	86	Professional Engineers; Reference Removed.		
N/A	100	86	Land Surveyors; Receipts and Disbursements.		
N/A	101	87	Professional Geologists; Receipts and Disbursements.		
N/A	102	87	Real Estate Appraisers; Receipts and Disbursements.		
N/A	103	87	Appropriation; Reimbursement for Payment of Erroneously Charged Medical Benefits.		
N/A	104	87	Department of Information Technology; Transfers Among Accounts.		
N/A	105	88	Continuation of Appropriation Regarding Emergency Management.		
N/A	106	88	General Fund; Transfer to Fish and Game Fund.		
N/A	107	88	School Money; Determination of Adequate Education Grants.		
N/A	108	88	Purpose.(Salt Applicators Certification)		
N/A	109	88	New Chapter; Salt Application Controls.		
N/A	110	90	New Section; Limited Liability for Winter Maintenance by Private Parking Lot Owners.		
N/A	111	90	Compensation; Definition.		
N/A	112	91	Legislative Budget Assistant; Charge for Cost of Financial Audits.		
N/A	113	91	Flood Control Payments.		
N/A	114	91	Compensation and Benefit Cost Reductions.		

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House Passed Section	Senate Passed Section	Page #	Section Title	C of C Status	Comments
N/A	115	92	New Section; Public Assistance to Blind, Aged, or Disabled Persons and to Dependent Children; Prohibited Use of Electronic Transfer Cards.		
N/A	116	93	Medicaid Enhancement Tax; Definitions.		
N/A	117	93	Uncompensated Care Fund.		
N/A	118	93	New Subdivision; Commission to Study Expansion of Medicaid Eligibility.		
N/A	119	94	Appropriation.		
N/A	120	94	Repeal of RSA 126-A:66 relative to the commission to study the potential costs and benefits of expanding Medicaid eligibility in NH.		
N/A	121	95	New Subdivision; Commission on Medicaid Long-Term Care Financing and Cost.		
N/A	122	96	Repeal of RSA 151-E:19 relative to a commission to review and analyze the costs and future funding of Medicaid long term care services for the elderly.		
N/A	123	96	Transfer of Dedicated Funds; Renewable Energy Fund.		
N/A	124	96	General Fund Balance.		
N/A	125	96	Transfer of Funds to the Tri-County Community Action Program.		
N/A	126	97	Trusts and Agency Funds; Other Post-Employment Benefits (OPEB) Trusts.		
N/A	127	98	Navigation Safety Fund.		
N/A	128	98	Department of Health and Human Services, Office of Medicaid Business and Policy; Hospital Reimbursement.		
170	129	99	Effective Date. (AMENDED BY THE SENATE)		

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<p>1 Meals and Rooms Tax; Distribution to Cities and Towns. Notwithstanding any other provision of law, for the fiscal year ending June 30, 2014, the state treasurer shall fund the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 78-A:26, I and II at no more than the fiscal year 2013 distribution.</p>	<p>1 Meals and Rooms Tax; Distribution to Cities and Towns. Notwithstanding any other provision of law, for the fiscal year ending June 30, 2014, the state treasurer shall fund the distribution of revenue to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities and towns under RSA 78-A:26, I and II at no more than the fiscal year 2013 distribution.</p>
<p>2 Suspension; Revenue Sharing. Notwithstanding any provision of law to the contrary, RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2015.</p>	<p>2 Suspension; Revenue Sharing. Notwithstanding any provision of law to the contrary, RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium ending June 30, 2015.</p>
<p>3 School Building Aid; Alternative School Building Aid. Except as provided in section 160 of this act:</p> <p>I. Notwithstanding RSA 198:15-a through RSA 198:15-hh and RSA 198:15-u through RSA 198:15-w, the commissioner of the department of education shall issue no school building aid or alternative school building aid for any project approved on or after June 30, 2013 through June 30, 2015.</p> <p>II.(a) The commissioner of the department of education, upon recommendation of the state fire marshal, may grant a waiver to the suspension of school building aid under paragraph I if the state fire marshal or designee determines, based on reasonable information and belief, that:</p> <p>(1) The condition of such school building or portion thereof constitutes a clear and imminent danger to the life or safety of occupants or other persons, and requires remediation prior to July 1, 2015; or</p> <p>(2) A structural deficiency in the function or operation of a school building or portion thereof presents a substantial risk to the life or safety of the occupants or other persons, and is more than a technical violation of the fire code, and requires remediation prior to July 1, 2015.</p> <p>(b) Any school building aid provided under a waiver granted pursuant to this paragraph shall be limited to the costs associated with the remediation of the conditions or structural deficiencies set forth in this paragraph.</p>	<p>AMENDED BY THE SENATE</p> <p>3 School Building Aid; Alternative School Building Aid.</p> <p>I. Notwithstanding RSA 198:15-a through RSA 198:15-hh and RSA 198:15-u through RSA 198:15-w, the commissioner of the department of education shall issue no school building aid or alternative school building aid for any project approved on or after June 30, 2013 through June 30, 2015.</p> <p>II.(a) The commissioner of the department of education, upon recommendation of the state fire marshal, may grant a waiver to the suspension of school building aid under paragraph I if the state fire marshal or designee determines, based on reasonable information and belief, that:</p> <p>(1) The condition of such school building or portion thereof constitutes a clear and imminent danger to the life or safety of occupants or other persons, and requires remediation prior to July 1, 2015; or</p> <p>(2) A structural deficiency in the function or operation of a school building or portion thereof presents a substantial risk to the life or safety of the occupants or other persons, and is more than a technical violation of the fire code, and requires remediation prior to July 1, 2015.</p> <p>(b) Any school building aid provided under a waiver granted pursuant to this paragraph shall be limited to the costs associated with the remediation of the conditions or structural deficiencies set forth in this paragraph.</p>
<p>4 Department of Health and Human Services; Suspension of Direct Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct graduate medical education payments to hospitals</p>	<p>4 Department of Health and Human Services; Suspension of Direct Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of direct graduate medical education payments to hospitals</p>

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<p>as provided in 42 U.S.C. section 1396a(a)(30)(A) effective July 1, 2013. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct graduate medical education shall be suspended for the biennium ending June 30, 2015.</p>	<p>as provided in 42 U.S.C. section 1396a(a)(30)(A) effective July 1, 2013. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of direct graduate medical education shall be suspended for the biennium ending June 30, 2015.</p>
<p>5 Department of Health and Human Services; Suspension of Indirect Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of indirect graduate medical education payments to hospitals effective July 1, 2013. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of indirect graduate medical education shall be suspended for the biennium ending June 30, 2015.</p>	<p>5 Department of Health and Human Services; Suspension of Indirect Graduate Medical Education. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the provision of indirect graduate medical education payments to hospitals effective July 1, 2013. Upon approval of the state plan amendment, and as of the effective date of the state plan amendment, any obligations for payment of indirect graduate medical education shall be suspended for the biennium ending June 30, 2015.</p>
<p>6 Department of Health and Human Services; Authority to Fill Unfunded Positions. Notwithstanding any provision of law, the commissioner of the department of health and human services may fill unfunded positions during the biennium ending June 30, 2015, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services, permanent, and personal services, unclassified.</p>	<p>6 Department of Health and Human Services; Authority to Fill Unfunded Positions. Notwithstanding any provision of law, the commissioner of the department of health and human services may fill unfunded positions during the biennium ending June 30, 2015, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services, permanent, and personal services, unclassified.</p>
<p>7 Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all catastrophic aid payments to hospitals effective for the biennium ending June 30, 2015.</p>	<p>7 Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals. The commissioner of the department of health and human services shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all catastrophic aid payments to hospitals effective for the biennium ending June 30, 2015.</p>
<p>8 Department of Health and Human Services; Program Eligibility; Additional Revenues; Transfer Among Accounts.</p> <p>I. For the biennium ending June 30, 2015, the department of health and human services shall not authorize, without prior consultation with the house health, human services and elderly affairs committee and the senate health, education and human services committee and the approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase or decrease enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is</p>	<p>AMENDED BY THE SENATE:</p> <p>8 Department of Health and Human Services; Program Eligibility; Additional Revenues; Transfer Among Accounts.</p> <p>I. For the biennium ending June 30, 2015, the department of health and human services shall not authorize, without prior consultation with the house health, human services and elderly affairs committee and the senate health, education and human services committee and the approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase or decrease enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a</p>

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required by federal law.

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

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

federal program in which the state is participating as of the effective date of this section is required by federal law.

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

III. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary except RSA 9:17-c, for the biennium ending June 30, 2015, the commissioner of the department of health and human services is hereby authorized to transfer funds within and among all accounting units within the department, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department, with the exception of class 60 transfers, provided that any transfer of \$75,000 or more shall require prior approval of the fiscal committee of the general court and the governor and council.

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

II.(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years 2014-2015:

- (1) State fiscal year 2014, \$109,900,000.
- (2) State fiscal year 2015, \$115,050,000.

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

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

- (1) For fiscal year 2009, \$4,000,000 shall be allocated among the counties based upon the proportion each paid for such expenditures in the prior fiscal year, and \$1,000,000 shall be allocated among the counties based upon their relative proportions of

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

II.(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years 2014-2015:

- (1) State fiscal year 2014, \$109,000,000.
- (2) State fiscal year 2015, \$112,500,000.

(b) Beginning July 1, 2015 and every biennium thereafter, in order to determine the caps on total billings to all counties, the department of health and human services shall adjust separately both the sum of the total billings obligated by the counties provided in RSA 167:18-a and the portion of the nonfederal share attributable to the state based on a rolling 3-year average change in the Consumer Price Index for All Urban Consumers, Northeast Region, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before

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<p>residents age 65 or older who are Medicaid recipients.</p> <p>(2) For fiscal year 2010, \$2,000,000 shall be allocated among the counties based upon the proportion each paid for such expenditures in the prior fiscal year, and \$3,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.</p> <p>(3) For fiscal year 2011 and for each fiscal year thereafter, \$5,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.</p> <p>(b) The credit shall be made available as soon as possible after the start of the fiscal year. The department shall adopt county credit criteria in consultation with the county-state finance commission and in accordance with the provisions of RSA 541-A. The total aggregate obligation of the counties shall be reduced by the amount of the credit in each fiscal year.</p> <p>(c) For the biennium ending June 30, 2015, the counties shall have an additional credit against the amounts due for long term care expenditures under RSA 167:18-a. The credit in the amount of \$2,500,000 for the fiscal year ending June 30, 2014 and \$2,500,000 for the fiscal year ending June 30, 2015 shall be in addition to the \$5,000,000 annual credit set forth in subparagraph (a). The percentage of the credit that each county receives shall be the same as its percentage of the total Medicaid bed days in county nursing homes in the preceding year, and shall be made available to the county as soon as possible after the start of the fiscal year. The total aggregate obligation of the counties shall be reduced by the amount of the credit in each fiscal year.</p>	<p>the beginning of the biennium for which the calculation is to be performed. For the fiscal year ending June 30, 2016, the determination shall utilize an initial base of \$109,000,000, and apply to such base the 3-year average change.</p> <p>III.(a) The counties shall have an aggregate credit of \$5,000,000 against amounts due under this section for each fiscal year beginning July 1, 2008. The credit shall be allocated as follows:</p> <p>(1) For fiscal year 2009, \$4,000,000 shall be allocated among the counties based upon the proportion each paid for such expenditures in the prior fiscal year, and \$1,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.</p> <p>(2) For fiscal year 2010, \$2,000,000 shall be allocated among the counties based upon the proportion each paid for such expenditures in the prior fiscal year, and \$3,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.</p> <p>(3) For fiscal year 2011 and for each fiscal year thereafter, \$5,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.</p> <p>(b) The credit shall be made available as soon as possible after the start of the fiscal year. The department shall adopt county credit criteria in consultation with the county-state finance commission and in accordance with the provisions of RSA 541-A. The total aggregate obligation of the counties shall be reduced by the amount of the credit in each fiscal year.</p>
<p>10 Health and Human Services; Social Services Block Grant Cost of Living Adjustment to Income Levels. Notwithstanding any other provision of law, for the biennium ending June 30, 2015 the department of health and human services shall raise the income eligibility for elderly and adult clients under the Social Services Block Grant program each January, by the percentage amount of the cost of living increase in social security benefits on a yearly basis.</p>	<p>10 Health and Human Services; Social Services Block Grant Cost of Living Adjustment to Income Levels. Notwithstanding any other provision of law, for the biennium ending June 30, 2015 the department of health and human services shall raise the income eligibility for elderly and adult clients under the Social Services Block Grant program each January, by the percentage amount of the cost of living increase in social security benefits on a yearly basis.</p>
<p>11 Foster Grandparent Program. The reimbursements to the foster grandparent program through the senior volunteer grant program established in RSA 161-F:40 are hereby suspended for the biennium ending June 30, 2015.</p>	<p>11 Foster Grandparent Program. The reimbursements to the foster grandparent program through the senior volunteer grant program established in RSA 161-F:40 are hereby suspended for the biennium ending June 30, 2015.</p>
<p>12 Department of Health and Human Services; Adoption Assistance Program. The</p>	<p>12 Department of Health and Human Services; Adoption Assistance Program. The</p>

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<p>department of health and human services shall administer its adoption assistance program consistent with federal law and regulations and the state's Title IV-E plan for foster care and adoption assistance.</p>	<p>department of health and human services shall administer its adoption assistance program consistent with federal law and regulations and the state's Title IV-E plan for foster care and adoption assistance.</p>
<p>13 Agreements to Lease-Purchase Vehicles and Equipment Authorized. For the biennium ending June 30, 2015, any state agency or department is authorized, with the prior approval of the department of administrative services, to enter into agreements to rent, lease, or lease-purchase vehicles and equipment from any outside vendor or to rent or lease vehicles and equipment from any other state agency or department.</p>	<p>13 Agreements to Lease-Purchase Vehicles and Equipment Authorized. For the biennium ending June 30, 2015, any state agency or department is authorized, with the prior approval of the department of administrative services, to enter into agreements to rent, lease, or lease-purchase vehicles and equipment from any outside vendor or to rent or lease vehicles and equipment from any other state agency or department.</p>
<p>14 Department of Transportation; Federal Assistance Grant; Appropriation. Any sum received in the fiscal years ending June 30, 2014 or June 30, 2015 from the Federal Emergency Management Agency or Federal Highway Administration's Emergency Relief Program or any other federal program providing emergency assistance to the department of transportation to reimburse costs incurred for emergency response, including but not limited to, equipment rental, snow plowing, sanding, salting, flood damage response, and personnel overtime during any emergency declared shall be collected by the appropriate agency and appropriated to the department of transportation.</p>	<p>14 Department of Transportation; Federal Assistance Grant; Appropriation. Any sum received in the fiscal years ending June 30, 2014 or June 30, 2015 from the Federal Emergency Management Agency or Federal Highway Administration's Emergency Relief Program or any other federal program providing emergency assistance to the department of transportation to reimburse costs incurred for emergency response, including but not limited to, equipment rental, snow plowing, sanding, salting, flood damage response, and personnel overtime during any emergency declared shall be collected by the appropriate agency and appropriated to the department of transportation.</p>
<p>15 Department of Administrative Services; Suspension of Bumping Rights. The displacement of classified state employees by more senior classified state employees, or so-called bumping, pursuant to administrative rule Per 1101.02(i) through (l) under the authority of RSA 21-I:43 by the director of the division of personnel is hereby suspended from the effective date of this section to June 30, 2015.</p>	<p>15 Department of Administrative Services; Suspension of Bumping Rights. The displacement of classified state employees by more senior classified state employees, or so-called bumping, pursuant to administrative rule Per 1101.02(i) through (l) under the authority of RSA 21-I:43 by the director of the division of personnel is hereby suspended from the effective date of this section to June 30, 2015.</p>
<p>16 Lottery Commission; Incentive Program. For the biennium ending June 30, 2015, the lottery commission may develop and implement an employee recognition program for monetary incentives to promote increased sales and compensate lottery sales representatives based upon performance and funded from an existing lottery budget line item. The incentive program shall be implemented through rules adopted by the lottery commission in accordance with RSA 541-A. The lottery commission shall report quarterly to the fiscal committee of the general court on the status of the incentive program.</p>	<p>16 Lottery Commission; Incentive Program. For the biennium ending June 30, 2015, the lottery commission may develop and implement an employee recognition program for monetary incentives to promote increased sales and compensate lottery sales representatives based upon performance and funded from an existing lottery budget line item. The incentive program shall be implemented through rules adopted by the lottery commission in accordance with RSA 541-A. The lottery commission shall report quarterly to the fiscal committee of the general court on the status of the incentive program.</p>
<p>17 Liquor Commission; Liquor Revenues to Alcohol Abuse Prevention and Treatment Fund Suspended. Notwithstanding RSA 176:16, III, for the biennium ending June 30, 2015, all gross revenue derived by the liquor commission from the sale of liquor and related products,</p>	<p>17 Liquor Commission; Liquor Revenues to Alcohol Abuse Prevention and Treatment Fund Suspended. Notwithstanding RSA 176:16, III, for the biennium ending June 30, 2015, all gross revenue derived by the liquor commission from the sale of liquor and related products,</p>

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or from license fees, shall be deposited into the liquor commission fund.	or from license fees, shall be deposited into the liquor commission fund.
18 State Budget; Allocation of Gross Appropriations from Highway Fund; Suspended. For the biennium ending June 30, 2015, RSA 9:9-b, relative to allocation of gross appropriations from the highway fund, shall be suspended.	18 State Budget; Allocation of Gross Appropriations from Highway Fund; Suspended. For the biennium ending June 30, 2015, RSA 9:9-b, relative to allocation of gross appropriations from the highway fund, shall be suspended.
19 Governor's Commission on Disability; Client Assistance Program; Contingent Transfer of Appropriation. The appropriation for the administration of the client assistance program that is received by the governor's commission on disability pursuant to 29 U.S.C. section 732 for fiscal years 2014 and 2015 may be transferred to another qualified agency (or agencies) upon certification by the governor to the commissioner of administrative services that the program has been redesignated. If the redesignation occurs and the governor's certification is made after July 1, 2013, the unexpended portion of the appropriation shall be transferred.	19 Governor's Commission on Disability; Client Assistance Program; Contingent Transfer of Appropriation. The appropriation for the administration of the client assistance program that is received by the governor's commission on disability pursuant to 29 U.S.C. section 732 for fiscal years 2014 and 2015 may be transferred to another qualified agency (or agencies) upon certification by the governor to the commissioner of administrative services that the program has been redesignated. If the redesignation occurs and the governor's certification is made after July 1, 2013, the unexpended portion of the appropriation shall be transferred.
20 Rehiring of Laid Off Classified State Employees. I. For purposes of this section, "laid off" means any person in a classified position as described in RSA 21-I:49 who receives written notice of the state's intent to lay him or her off or who is laid off between July 1, 2013 and June 30, 2015, as a result of reorganization or downsizing of state government. II. It is the intent of the general court that any classified position which becomes available in a department or establishment, as defined in RSA 9:1, shall be filled, if possible, by a state employee laid off, as defined in paragraph I, if such person is not currently employed by the state of New Hampshire, if he or she meets the minimum qualifications for the position, and if he or she does not receive a promotion as a result of the rehire. III. The head of each department or agency shall submit the name and classification of any individual laid off between July 1, 2013 and June 30, 2015, to the director of the division of personnel within 10 days of the layoff.	20 Rehiring of Laid Off Classified State Employees. I. For purposes of this section, "laid off" means any person in a classified position as described in RSA 21-I:49 who receives written notice of the state's intent to lay him or her off or who is laid off between July 1, 2013 and June 30, 2015, as a result of reorganization or downsizing of state government. II. It is the intent of the general court that any classified position which becomes available in a department or establishment, as defined in RSA 9:1, shall be filled, if possible, by a state employee laid off, as defined in paragraph I, if such person is not currently employed by the state of New Hampshire, if he or she meets the minimum qualifications for the position, and if he or she does not receive a promotion as a result of the rehire. III. The head of each department or agency shall submit the name and classification of any individual laid off between July 1, 2013 and June 30, 2015, to the director of the division of personnel within 10 days of the layoff.
21 Judicial Appointments; Number Limited; Vacancies. I. Except as provided in paragraph II, for the biennium ending June 30, 2015 the number of judges serving on the superior court shall not exceed 20 and the number of full-time judges serving on the circuit court shall not exceed 31. II. For the biennium ending June 30, 2015, an existing marital master position may be converted to a judge position if such conversion can be made within the limits of the judicial branch operating budget and is approved by the fiscal committee of the general court.	AMENDED BY THE SENATE 21 Judicial Appointments; Number Limited; Vacancies. I. Except as provided in paragraph II, for the biennium ending June 30, 2015 the number of judges serving on the superior court shall not exceed 20 and the number of full-time judges serving on the circuit court shall not exceed 31. II. For the biennium ending June 30, 2015, the filling of a marital master position by a judge shall increase the authorized number of circuit court judges allowed under paragraph I

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	for each position so filled.
22 Saltwater Fishing License; Fees. Amend RSA 214:9, XVI(e)(1) to read as follows: (1) [\$10] \$15 for resident and nonresident individuals.	DELETED BY THE SENATE
23 Suspension. The following are suspended for each fiscal year of the biennium ending June 30, 2015: I. RSA 167:3-c, III, relative to rulemaking for funeral expenses. II. RSA 167:11, relative to funeral expenses to recipients of public assistance.	22 Suspension. The following are suspended for each fiscal year of the biennium ending June 30, 2015: I. RSA 167:3-c, III, relative to rulemaking for funeral expenses. II. RSA 167:11, relative to funeral expenses to recipients of public assistance.
24 Department of Resources and Economic Development; Transfer of Funds Authorized. The commissioner of the department of resources and economic development may transfer funds between and among the class line appropriations in the highway welcome centers (accounting unit 03-35-35-3520-5919) and may transfer funds between and among the class line appropriations in the turnpike welcome centers (accounting unit 03-35-35-3520-1872) for the biennium ending June 30, 2015. The commissioner shall submit a report on a quarterly basis to the fiscal committee of the general court of all transfers made under this section. RSA 9:17-a and RSA 9:17-c shall not apply to transfers made under this section.	23 Department of Resources and Economic Development; Transfer of Funds Authorized. The commissioner of the department of resources and economic development may transfer funds between and among the class line appropriations in the highway welcome centers (accounting unit 03-35-35-3520-5919) and may transfer funds between and among the class line appropriations in the turnpike welcome centers (accounting unit 03-35-35-3520-1872) for the biennium ending June 30, 2015. The commissioner shall submit a report on a quarterly basis to the fiscal committee of the general court of all transfers made under this section. RSA 9:17-a and RSA 9:17-c shall not apply to transfers made under this section.
25 Business Profits Tax; Net Operating Loss Carryovers. Amend RSA 77-A:4, XIII(e) to read as follows: (e) On or after January 1, [2013] 2014 , the amount of net operating loss generated in a tax year that may be carried forward may not exceed \$10,000,000.	DELETED BY THE SENATE
26 Medicaid Management Information System; Reports. Amend 2011, 224:365 to read as follows: 224:365 Medicaid Management Information System; Reports. I. [The commissioner of the department of information technology shall, in consultation with the commissioner of the department of health and human services, engage the services of an information systems consultant experienced with implementation of large healthcare and/or governmental information systems. The consultant shall review and evaluate the state's Medicaid management information system (MMIS) implementation project and provide a report on the progress of the implementation and the projected go live date. The consultant shall report on the readiness of the MMIS upon start up to meet all current federal MMIS requirements and all New Hampshire specific contract requirements. The consultant shall provide a detailed list of any system features that will not be available	24 Medicaid Management Information System; Reports. Amend 2011, 224:365 to read as follows: 224:365 Medicaid Management Information System; Reports. I. [The commissioner of the department of information technology shall, in consultation with the commissioner of the department of health and human services, engage the services of an information systems consultant experienced with implementation of large healthcare and/or governmental information systems. The consultant shall review and evaluate the state's Medicaid management information system (MMIS) implementation project and provide a report on the progress of the implementation and the projected go live date. The consultant shall report on the readiness of the MMIS upon start up to meet all current federal MMIS requirements and all New Hampshire specific contract requirements. The consultant shall provide a detailed list of any system features that will not be available

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~~upon start up of operations and report specifically on the readiness of the system to meet New Hampshire's Medicaid managed care requirements. The consultant shall report on the MMIS readiness to comply with the current CMS certification Toolkit required to attain federal certification. The commissioner of the department of information technology shall present the consultant's report to the fiscal committee of the general court no later than October 1, 2011. The cost of the evaluation and report shall be borne by ACS State Healthcare, LLC.~~

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

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

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

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

II. The salary of the manager of risks and benefits shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the manager of risks and benefits, position

~~upon start up of operations and report specifically on the readiness of the system to meet New Hampshire's Medicaid managed care requirements. The consultant shall report on the MMIS readiness to comply with the current CMS certification Toolkit required to attain federal certification. The commissioner of the department of information technology shall present the consultant's report to the fiscal committee of the general court no later than October 1, 2011. The cost of the evaluation and report shall be borne by ACS State Healthcare, LLC.~~

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

DELETED BY THE SENATE

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

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

II. The salary of the manager of risks and benefits shall be determined after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the manager of risks and benefits, position

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<p>41835 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of manager of risks and benefits. Funding shall be transferred into a new expenditure class 011, within accounting unit 01-14-14-143510-2901. The incumbent in the abolished classified position shall be offered the opportunity to seek the commissioner's nomination for the unclassified position of manager of risks and benefits.</p>	<p>41835 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of manager of risks and benefits. Funding shall be transferred into a new expenditure class 011, within accounting unit 01-14-14-143510-2901. The incumbent in the abolished classified position shall be offered the opportunity to seek the commissioner's nomination for the unclassified position of manager of risks and benefits.</p>
<p>29 Department of Administrative Services; Risk Management. Amend the introductory paragraph of RSA 21-I:7-c to read as follows: 21-I:7-c Risk Management. There is established within the office of the commissioner of administrative services a risk management unit, [which shall be under the supervision of such staff as may be employed by the commissioner of administrative services] under the supervision of an unclassified manager of risks and benefits, who shall be qualified to hold that position by reason of education and experience and who shall perform such duties as the commissioner from time to time may authorize. The risk management unit shall be responsible for the following functions, in accordance with applicable laws:</p>	<p>26 Department of Administrative Services; Risk Management. Amend the introductory paragraph of RSA 21-I:7-c to read as follows: 21-I:7-c Risk Management. There is established within the office of the commissioner of administrative services a risk management unit, [which shall be under the supervision of such staff as may be employed by the commissioner of administrative services] under the supervision of an unclassified manager of risks and benefits, who shall be qualified to hold that position by reason of education and experience and who shall perform such duties as the commissioner from time to time may authorize. The risk management unit shall be responsible for the following functions, in accordance with applicable laws:</p>
<p>30 Department of Administrative Services; Manager of Risks and Benefits; Nomination by Commissioner. Amend RSA 21-I:2, II, to read as follows: II. The commissioner shall nominate for appointment by the governor, with the consent of the council, each division director, the assistant commissioner, the deputy commissioner, the internal auditor, the financial data manager, the manager of risks and benefits, and the senior operational analyst. The division directors, the assistant commissioner, the deputy commissioner, the internal auditor, the financial data manager, the manager of risks and benefits, and the senior operational analyst shall each serve for a term of 4 years.</p>	<p>27 Department of Administrative Services; Manager of Risks and Benefits; Nomination by Commissioner. Amend RSA 21-I:2, II, to read as follows: II. The commissioner shall nominate for appointment by the governor, with the consent of the council, each division director, the assistant commissioner, the deputy commissioner, the internal auditor, the financial data manager, the manager of risks and benefits, and the senior operational analyst. The division directors, the assistant commissioner, the deputy commissioner, the internal auditor, the financial data manager, the manager of risks and benefits, and the senior operational analyst shall each serve for a term of 4 years.</p>
<p>31 Applicability. RSA 21-I:7-c and RSA 21-I:2, II as amended by sections 29 and 30 of this act shall take effect upon the abolition of position 41835, the transfer of funding and appropriations to the unclassified position, and the initial appointment of the manager of risks and benefits, as certified by the commissioner of administrative services to the director of legislative services.</p>	<p>28 Applicability. RSA 21-I:7-c and RSA 21-I:2, II as amended by sections 26 and 27 of this act shall take effect upon the abolition of position 41835, the transfer of funding and appropriations to the unclassified position, and the initial appointment of the manager of risks and benefits, as certified by the commissioner of administrative services to the director of legislative services.</p>
<p>32 Department of Administrative Services; Consolidation of Human Resources and Payroll Functions.</p>	<p>AMENDED BY THE SENATE 29 Department of Administrative Services; Consolidation of Human Resources and Payroll</p>

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

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

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

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

Functions.

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

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

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

IV. The consolidation of human resources and payroll functions shall achieve a savings in the biennium ending June 30, 2015 of no less than \$1,428,000 in total funds and \$571,200 in general funds.

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

AMENDED BY THE SENATE

30 Department of Administrative Services; Consolidation of Business Processing

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

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

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

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

IV. The commissioner of administrative services may locate personnel whose positions have been transferred in such work spaces as the commissioner determines will

Functions.

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

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

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

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

IV. The commissioner of administrative services may locate personnel whose

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efficiently effectuate the consolidation of business functions. Such work spaces may include either space currently owned or rented by the state, or space which may be rented by the commissioner utilizing amounts which may be saved by the state as the result of the consolidation of human resources and payroll functions.

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

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

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

36 Cost Containment Plan for Retiree Health Care Program. The commissioner of the department of administrative services shall develop a comprehensive and cohesive plan outlining cost containment options and managed care techniques available through the underlying insurer and other managed care vendors to generate additional savings for the state of New Hampshire retiree health care program. The cost containment plan shall be

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

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

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

33 Cost Containment Plan for Retiree Health Care Program. The commissioner of the department of administrative services shall develop a comprehensive and cohesive plan outlining cost containment options and managed care techniques available through the underlying insurer and other managed care vendors to generate additional savings for the state of New Hampshire retiree health care program. The cost containment plan shall be

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<p>developed no later than September 15, 2013 and the commissioner of the department of administrative services shall make a report to the fiscal committee of the general court.</p>	<p>developed no later than September 15, 2013 and the commissioner of the department of administrative services shall make a report to the fiscal committee of the general court.</p>
<p>37 New Section; State Employees Group Insurance; Commission Established; Cost Containment Options; Retiree Health Plan for New Employees. Amend RSA 21-I by inserting after section 36-a the following new section: 21-I:36-b Commission Established; Cost Containment Options; Retiree Health Plan for New Employees. There is established a commission to review retiree health care benefits for employees hired after July 1, 2013 in light of the implementation of the Patient Protection and Affordable Care Act and recommend a cohesive plan outlining cost effective health plan models effective for such new employees. I. The members of the commission shall be: (a) The commissioner of administrative services, or designee. (b) The president of the State Employees' Association, or designee. (c) The president of the New Hampshire Troopers Association, or designee. (d) The president of the New England Police Benevolent Association, or designee. (e) The president of Teamsters Local 633, or designee. (f) Four members of the public, each of whom shall be a person who in the last 10 years was not a member of a labor union, appointed by the governor. II. The commissioner of the department of administrative services shall be the chairperson and shall call the first meeting as soon as practicable after the effective date of this section. Five members shall constitute a quorum. III. The commission shall report its findings and recommendations to the governor and the fiscal committee of the general court by November 15, 2013.</p>	<p>34 New Section; State Employees Group Insurance; Commission Established; Cost Containment Options; Retiree Health Plan for New Employees. Amend RSA 21-I by inserting after section 36-a the following new section: 21-I:36-b Commission Established; Cost Containment Options; Retiree Health Plan for New Employees. There is established a commission to review retiree health care benefits for employees hired after July 1, 2013 in light of the implementation of the Patient Protection and Affordable Care Act and recommend a cohesive plan outlining cost effective health plan models effective for such new employees. I. The members of the commission shall be: (a) The commissioner of administrative services, or designee. (b) The president of the State Employees' Association, or designee. (c) The president of the New Hampshire Troopers Association, or designee. (d) The president of the New England Police Benevolent Association, or designee. (e) The president of Teamsters Local 633, or designee. (f) Four members of the public, each of whom shall be a person who in the last 10 years was not a member of a labor union, appointed by the governor. II. The commissioner of the department of administrative services shall be the chairperson and shall call the first meeting as soon as practicable after the effective date of this section. Five members shall constitute a quorum. III. The commission shall report its findings and recommendations to the governor and the fiscal committee of the general court by November 15, 2013.</p>
<p>38 Repeal. RSA 21-I:36-b, relative to the commission on cost containment options, is repealed.</p>	<p>35 Repeal. RSA 21-I:36-b, relative to the commission on cost containment options, is repealed.</p>
<p>39 Continuation of Appropriation Regarding Sale of Property. Notwithstanding the June 30, 2013 lapse date in 2011, 224:82, any unspent balance of the \$250,000 appropriation made by 2010, 1:96 to the department of administrative services, shall not lapse until June 30, 2015. The department of administrative services may use this balance to undertake any required title, subdivision, and other land preparation needed for the sale of the former Laconia state school property and the former Laconia state school and training center property, and for the purpose of employing a consultant with real estate or financial</p>	<p>DELETED BY THE SENATE</p>

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expertise in preparation of the request for proposals for the sale of said property. In the event that 2011, 224:80 is repealed, or in the event that there is a remaining balance after use of the appropriation in the manner specified above, any remaining balance may be used by the commissioner of the department for the purpose of undertaking any required title, subdivision, and other preparation needed for the sale of other state properties or assets and/or for retaining independent real estate and financial expertise for the sale of other state properties and assets.

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

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

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

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

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

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

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

DELETED BY THE SENATE

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

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

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

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

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

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

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

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

43 Repeal. The following are repealed:

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

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

38 Repeal. The following are repealed:

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

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

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

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

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

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

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

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

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

126-A:38 Financial Statements.

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

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

(c) *The commissioner is hereby authorized to request and receive from any and all former or current employers, including, but not limited to, personal information with respect to dates of employment, number of hours worked, rate of pay, date of birth,*

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

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

AMENDED BY THE SENATE

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

126-A:38 Financial Statements.

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

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

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

available health insurance, current address, payroll deductions, and social security number of any person with respect to whom the department is investigating the ability to pay; provided, however, the commissioner shall limit the request to the minimum information necessary for the review of the individual's ability to pay. The employer shall furnish the information within 15 days of the department's request unless the time period is extended for good cause shown. If the request for the information is burdensome to the employer, it shall give written notice to the commissioner within the 15-day period, and the commissioner shall review the request of the employer and modify the request if reasonably possible to alleviate the burden on the employer.

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

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

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

III. Persons admitted to the multiple DWI offender intervention program (M.O.P.) **prior to January 1, 2013** shall notify the office of reimbursements of each change of mail address and actual street address until that person has made payment in full of fees due in

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

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

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

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<p>accordance with an M.O.P. payment contract. Whenever notice to a person subject to a payment contract is required, notice to the last mail address on file with the office of reimbursements shall be deemed notice to and binding on the payer.</p>	
<p>47 Department of Health and Human Services; Office of Reimbursements; Recovery of Expenses. Amend RSA 359-C:11, IV to read as follows: IV. Subject to the limitations of RSA 359-C:6, the examination by or disclosure to the commissioner of the department of health and human services of the financial records of a person upon a request by the commissioner <i>pursuant to RSA 126:38, I(b) and (c) for the purpose of reviewing a person's ability to pay for care, treatment, maintenance, and services provided by institutions;</i> pursuant to RSA 161-C:3-a, I for the purpose of establishing, modifying, or enforcing an obligation to pay child support against such person; or pursuant to RSA 167:4-a for purposes directly connected with the determination and verification of eligibility for medical assistance for applicants and recipients whose eligibility for medical assistance is based upon the applicant's or recipient's age, blindness, or disability.</p>	<p>AMENDED BY THE SENATE 42 Department of Health and Human Services; Office of Reimbursements; Recovery of Expenses. Amend RSA 359-C:11, IV to read as follows: IV. Subject to the limitations of RSA 359-C:6, the examination by or disclosure to the commissioner of the department of health and human services of the financial records of a person upon a request by the commissioner <i>pursuant to RSA 126-A:38, I(b) for the purpose of reviewing a person's ability to pay for care, treatment, maintenance, and services provided by institutions;</i> pursuant to RSA 161-C:3-a, I for the purpose of establishing, modifying, or enforcing an obligation to pay child support against such person; or pursuant to RSA 167:4-a for purposes directly connected with the determination and verification of eligibility for medical assistance for applicants and recipients whose eligibility for medical assistance is based upon the applicant's or recipient's age, blindness, or disability.</p>
<p>48 New Subparagraph; Department of Health and Human Services; Office of Reimbursements; Recovery of Expenses. Amend RSA 126-A:42, II by inserting after subparagraph (e) the following new subparagraph: (f) If an agreement was made under RSA 126-A:43, III, recovery shall be limited to any payment obligation resulting from such agreement.</p>	<p>43 New Subparagraph; Department of Health and Human Services; Office of Reimbursements; Recovery of Expenses. Amend RSA 126-A:42, II by inserting after subparagraph (e) the following new subparagraph: (f) If an agreement was made under RSA 126-A:43, III, recovery shall be limited to any payment obligation resulting from such agreement.</p>
<p>49 Department of Health and Human Services; Office of Reimbursements Regular Rate. Amend RSA 126-A:43, III to read as follows: III. <i>The commissioner may compromise or reduce any debt or obligation owed to the state pursuant to an agreement with a group health plan carrier, as defined in RSA 420-G:2, or any health insurer as defined in 607(1) of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. section 1167 (1), federal and or state funded assistance, or any other legally liable third party or persons chargeable for support.</i> IV. The office of reimbursements shall, upon request, furnish to each estate from which, or to each person chargeable from whom, a recovery of expenses is sought pursuant to RSA 126-A:42, a record of the accumulated charges against said estate or said person.</p>	<p>44 Department of Health and Human Services; Office of Reimbursements Regular Rate. Amend RSA 126-A:43, III to read as follows: III. <i>The commissioner may compromise or reduce any debt or obligation owed to the state pursuant to an agreement with a group health plan carrier, as defined in RSA 420-G:2, or any health insurer as defined in 607(1) of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. section 1167 (1), federal and or state funded assistance, or any other legally liable third party or persons chargeable for support.</i> IV. The office of reimbursements shall, upon request, furnish to each estate from which, or to each person chargeable from whom, a recovery of expenses is sought pursuant to RSA 126-A:42, a record of the accumulated charges against said estate or said person.</p>
<p>50 Department of Health and Human Services; Office of Reimbursements;</p>	<p>45 Department of Health and Human Services; Office of Reimbursements;</p>

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<p>Administrators; Bond. Amend RSA 553:13, II to read as follows: II. Notwithstanding the provisions of paragraph I, when the estate has a gross value of \$25,000 or less, only a personal bond without sureties will be required. <i>In addition, in cases in which the department of health and human services is administering an estate pursuant to RSA 126-A:34, I(e), no bond shall be required.</i></p>	<p>Administrators; Bond. Amend RSA 553:13, II to read as follows: II. Notwithstanding the provisions of paragraph I, when the estate has a gross value of \$25,000 or less, only a personal bond without sureties will be required. <i>In addition, in cases in which the department of health and human services is administering an estate pursuant to RSA 126-A:34, I(e), no bond shall be required.</i></p>
<p>51 Department of Health and Human Services, Division of Community-Based Care Services, Bureau of Behavioral Health; Mental Health Low Utilizers and Prior Authorization. For the biennium ending June 30, 2015, the department of health and human services shall maintain a limit on benefits of \$4,000 per person per year for adults with low service utilization of community mental health services, as identified in He-M 401.07; provided, that the department shall also establish, by rule under RSA 541-A, a procedure for such persons or community health providers to request a waiver of the \$4,000 limit based on legitimate treatment considerations. Upon request by the commissioner of the department of health and human services, the fiscal committee of the general court may authorize a higher per person per year limit.</p>	<p>46 Department of Health and Human Services, Division of Community-Based Care Services, Bureau of Behavioral Health; Mental Health Low Utilizers and Prior Authorization. For the biennium ending June 30, 2015, the department of health and human services shall maintain a limit on benefits of \$4,000 per person per year for adults with low service utilization of community mental health services, as identified in He-M 401.07; provided, that the department shall also establish, by rule under RSA 541-A, a procedure for such persons or community health providers to request a waiver of the \$4,000 limit based on legitimate treatment considerations. Upon request by the commissioner of the department of health and human services, the fiscal committee of the general court may authorize a higher per person per year limit.</p>
<p>52 Department of Health and Human Services; Division for Children, Youth, and Families. I. Notwithstanding any provision of law or administrative rule to the contrary, for the biennium ending June 30, 2015, the rates for all services, placements, and programs that are paid for by the department of health and human services pursuant to RSA 169-B:40, 169-C:27, 169-D:29, with the exception of rates for contracted services that are approved by the governor and council and rates for out-of-state placements, shall be no greater than the rates in effect for the particular service, placement, or program as of June 30, 2013. II. Notwithstanding paragraph I, upon the department's implementation of managed care, the rate of reimbursement for services and programs for a Medicaid eligible child shall be the rate agreed to by the provider and the managed care organization. The total rate of reimbursement for residential placement (board and care) for a Medicaid eligible child shall consist of the "room and board rate" and the "educational rate" as established by the department on July 1, 2013, and the treatment or the private non-medical institution rate as agreed to by the provider and the managed care organization.</p>	<p>47 Department of Health and Human Services; Division for Children, Youth, and Families. I. Notwithstanding any provision of law or administrative rule to the contrary, for the biennium ending June 30, 2015, the rates for all services, placements, and programs that are paid for by the department of health and human services pursuant to RSA 169-B:40, 169-C:27, 169-D:29, with the exception of rates for contracted services that are approved by the governor and council and rates for out-of-state placements, shall be no greater than the rates in effect for the particular service, placement, or program as of June 30, 2013. II. Notwithstanding paragraph I, upon the department's implementation of managed care, the rate of reimbursement for services and programs for a Medicaid eligible child shall be the rate agreed to by the provider and the managed care organization. The total rate of reimbursement for residential placement (board and care) for a Medicaid eligible child shall consist of the "room and board rate" and the "educational rate" as established by the department on July 1, 2013, and the treatment or the private non-medical institution rate as agreed to by the provider and the managed care organization.</p>
<p>53 Repeal. RSA 126-A:18-b, relative to Medicaid reimbursement rates, is repealed.</p>	<p>DELETED BY THE SENATE</p>
<p>54 Uncompensated Care Fund. Amend RSA 167:64, I(a) and (b) to read as follows:</p>	<p>AMENDED BY THE SENATE</p>

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

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

~~[(2)]~~ To ensure that critical access hospitals receive reimbursement for reported uncompensated care costs at the rate of 100 percent of the individual hospital limit or at the highest uniform percentage that available funding would permit should funds be inadequate to cover 100 percent of the hospital limit for disproportionate share payments as determined by the commissioner consistent with the provisions of 42 U.S.C. section 1396r-4(g) and any relevant federal regulations promulgated thereunder;

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

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

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

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

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

(E) Any remaining funds produced from the Medicaid Enhancement Tax

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

(a)(1) The commissioner may provide reimbursement for uncompensated care costs in accordance with the approved schedule of payments through either Medicaid rate adjustments or disproportionate share hospital payment adjustments, or a combination thereof, **provided however that no hospital shall receive any such reimbursement for uncompensated care costs unless it is a qualified hospital as defined in subparagraph (b)(1)**. Funds available under this section shall also be used to make medical provider payments and to support the state's Medicaid enhancement tax unrestricted revenue account, in amounts directed by the budget in each year of the biennium. Expenditure of revenues deposited to the uncompensated care fund shall be made **for the following purposes** in the following order of priority:

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

~~[(2)]~~ To ensure that critical access hospitals receive reimbursement for reported uncompensated care costs at the rate of 100 percent of the individual hospital limit or at the highest uniform percentage that available funding would permit should funds be inadequate to cover 100 percent of the hospital limit for disproportionate share payments as determined by the commissioner consistent with the provisions of 42 U.S.C. section 1396r-4(g) and any relevant federal regulations promulgated thereunder;

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

(C) To make disproportionate share hospital payments to support up to 75 percent of the uncompensated care costs of New Hampshire's hospitals with critical access designation as available funding allows, to be shared among such hospitals in proportion to the amount of uncompensated care provided;

(D) To make a disproportionate share hospital payment to each hospital that meets the criteria set forth for "deemed disproportionate share hospitals" as that term is defined under 42 U.S.C. section 1396r-4 in an amount as budgeted in each year of the biennium;

~~[(4)]~~ If authorized, to reimburse non critical access hospitals at the highest uniform percentage of each hospital's disproportionate share hospital payment limit as the funds made available under this section permit and are] (E) To support the uncompensated

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shall be used to reduce hospital losses associated with providing services to Medicaid recipients through an increase in provider reimbursement rates.

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

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

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

(b) The commissioner is hereby authorized and directed to develop and implement, in connection with the payment by the state to hospitals for reimbursement of uncompensated care costs, a schedule of payments for reimbursement of the uncompensated care costs of those hospitals that are subject to the tax liability imposed under RSA 84-A and that participate in the state Medicaid program. The reimbursement of uncompensated care costs paid in state fiscal year ~~[2012]~~ **2014** and state fiscal year ~~[2013]~~ **2015** shall be in accordance with the schedule of payments to hospitals that takes effect on or after July 1, ~~[2011]~~ **2013**, subject to the prior review and approval of the federal Centers for Medicare and Medicaid Services, and shall be structured in a manner that is consistent with all federal laws and regulations governing (i) Title XIX disproportionate share hospital payment adjustments and other rate payments, (ii) conditions for receiving federal financial participation, and (iii) permissible sources of state financial participation as provided for under 42 C.F.R. part 433 and all other applicable federal regulations.

care costs of New Hampshire's hospitals without critical access designation in proportion to the amount of uncompensated care provided by each hospital consistent with the requirements of 42 U.S.C. section 1396r-4(g) and any relevant federal regulations promulgated thereunder[-]; and

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

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

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

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

*(b)(1) The commissioner is hereby authorized and directed to develop and implement~~[-, in connection with the payment by the state to hospitals for reimbursement of uncompensated care costs,]~~ a schedule of payments for reimbursement of the uncompensated care costs ~~[of those hospitals that are subject to the tax liability imposed under RSA 84-A and that participate in]~~ **consistent with the level of funding made available for such payments in each year of the biennium, incurred by those hospitals that are qualified as follows:***

(A) The hospital is a "deemed disproportionate share hospital" as defined by criteria set forth under 42 U.S.C. section 1396r-4 and is not otherwise receiving a disproportionate share hospital payment, or

*(B) The hospital participates in the provider network of the state Medicaid **Care Management** program as of July 1, 2013.*

*(2) The reimbursement of uncompensated care costs paid in state fiscal year ~~[2012]~~ **2014** and state fiscal year ~~[2013]~~ **2015** shall be in accordance with the schedule of payments to hospitals that takes effect on or after July 1, ~~[2011]~~ **2013**, subject to the prior review and approval of the federal Centers for Medicare and Medicaid Services, and shall be*

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	structured in a manner that is consistent with all federal laws and regulations governing (i) Title XIX disproportionate share hospital payment adjustments and other rate payments, (ii) conditions for receiving federal financial participation, and (iii) permissible sources of state financial participation as provided for under 42 C.F.R. part 433 and all other applicable federal regulations.
NO COMPARABLE HOUSE SECTION	49 Health and Human Services; Uncompensated Care Fund Payments; Fiscal Year 2015. For the fiscal year ending June 30, 2015 only, after the disproportionate share payments are made pursuant to RSA 167:64, I(a)(1)(C) as amended by this act, any remaining uncompensated care funds shall be used to make payments for “deemed disproportionate share hospitals” under RSA 167:64, I(a)(1)(D).
55 Repeal. RSA 167:65, II, relative to reporting methodology of payment to the oversight committee on health and human services, is repealed.	50 Repeal. RSA 167:65, II, relative to reporting methodology of payment to the oversight committee on health and human services, is repealed.
56 Department of Health and Human Services; Bureau of Adult and Elderly Services; Nursing Facility Quality Assessment; Contingency. Notwithstanding RSA 84-C:11, I, for the biennium ending June 30, 2015, the nursing facility quality assessment imposed by RSA 84-C shall not be assessed, and no return shall be required to be made, upon the occurrence of any proceeds collected from nursing facilities as defined in RSA 84-C:1,V(a), from the nursing facility quality assessment being expended by the state or any state agency for any purpose other than funding nursing facility expenditures through the nursing facility trust fund under RSA 151-E:14 and long-term care services through the department of health and human services.	DELETED BY THE SENATE
57 Department of Health and Human Services; Bureau of Adult and Elderly Services; Intermediate Care Facilities (ICF); Use of ICF Separate Account. Notwithstanding the provisions of RSA 84-D:5, for the biennium ending June 30, 2015, funds from the intermediate care facilities separate account may be expended by the state for long-term care services through the department of health and human services.	DELETED BY THE SENATE
58 Department of Health and Human Services; Bureau of Adult and Elderly Services; Quality Assessment Expenditures; State Expenditures for Long-Term Care Services. Notwithstanding the provisions of RSA 151-E:14 and RSA 151-E:15-a, for the biennium ending June 30, 2015, 25 percent of the receipts from the nursing facility quality assessment under RSA 84-C:3 and the intermediate care facilities quality assessment under RSA 84-D:3 shall be	DELETED BY THE SENATE

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<p>deposited as restricted revenue in accounts of the department of health and human services and shall be used in support of long-term care services and not for any other purpose.</p>	
<p>59 Department of Health and Human Services; Bureau of Adult and Elderly Services; Congregate Housing and Services. Congregate housing provided for under the Medicaid waiver pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37 are suspended for the biennium ending June 30, 2015.</p>	<p>51 Department of Health and Human Services; Bureau of Adult and Elderly Services; Congregate Housing and Services. Congregate housing provided for under the Medicaid waiver pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37 are suspended for the biennium ending June 30, 2015.</p>
<p>60 New Paragraph; Department of Health and Human Services; Assistance to Newly Eligible Population Consistent with Federal Law. Amend RSA 126-A:5 by inserting after paragraph XXI the following new paragraph: XXII.(a) Notwithstanding any provision of law to the contrary, the commissioner shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services and take any other administrative and operational actions necessary to expand eligibility for Medicaid in the state authorized by section 1902(a)(10)(A)(i)(VIII) and section 1902(e)(14) of the Social Security Act as amended by the Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Public Law 111-152 (hereinafter the "Act"). The state shall seek federal approval to provide medical assistance to individuals who become eligible for Medicaid pursuant to this section and to other individuals eligible under 1902(a)(10)(A)(i) in the same amount, duration, and scope. The expansion provisions under this paragraph shall be implemented commencing January 1, 2014 or as soon thereafter as is practicable. (b) The commissioner may adopt rules, pursuant to RSA 541-A, as necessary to implement the Medicaid eligibility expansion under subparagraph (a). (c) The commissioner is authorized to accept and expend all federal funds authorized by the Act as necessary to implement the eligibility expansion under subparagraph (a).</p>	<p>DELETED BY THE SENATE</p>
<p>61 Medicaid Expansion. The state of New Hampshire may opt out of the Medicaid expansion established pursuant to section 60 of this act at any time.</p>	<p>DELETED BY THE SENATE</p>
<p>62 Department of Health and Human Services; Medicaid Breast and Cervical Cancer Program. Enrollment in the Medicaid breast and cervical cancer program, under 42 U.S.C. section 1396a(aa), shall be suspended effective December 31, 2013 conditioned upon implementation of the Medicaid expansion group pursuant to RSA 126-A:5, XXII. Any</p>	<p>DELETED BY THE SENATE</p>

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individual covered under the Medicaid breast and cervical cancer program prior to December 31, 2013 shall continue to be covered for the program unless his or her medical treatment has concluded, or until the next redetermination of his or her eligibility by the department, whichever event occurs later; whereas after, the individual's eligibility for the Medicaid expansion group shall be determined by the department pursuant to RSA 126-A:5, XXII. Commencing January 1, 2014, administrative rule He-W 641.09 shall be limited in its application to only those individuals enrolled in the Medicaid breast and cervical cancer program receiving treatment as of December 31, 2013 conditioned upon implementation of the Medicaid expansion group pursuant to RSA 126-A:5, XXII.

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

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

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

- I. Hospitals; \$25 per licensed bed.
- II. Specialty hospital-psychiatric; \$25 per licensed bed.
- III. Specialty hospital-rehabilitation; \$25 per licensed bed.
- IV. Nursing homes; \$25 per licensed bed.
- V. Acute psychiatric residential treatment programs; \$25 per licensed bed.
- VI. Residential treatment and rehabilitation facilities; \$25 per licensed bed.
- VII. Hospice houses; \$25 per licensed bed.
- VIII. Adult family care homes; \$25 per licensed bed.
- IX. Residential and supported residential care; \$15 per licensed bed.
- X. Home health hospice providers; \$250.
- XI. Home health care providers; \$250.

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

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

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

- I. Hospitals; \$25 per licensed bed.
- II. Specialty hospital-psychiatric; \$25 per licensed bed.
- III. Specialty hospital-rehabilitation; \$25 per licensed bed.
- IV. Nursing homes; \$25 per licensed bed.
- V. Acute psychiatric residential treatment programs; \$25 per licensed bed.
- VI. Residential treatment and rehabilitation facilities; \$25 per licensed bed.
- VII. Hospice houses; \$25 per licensed bed.
- VIII. Adult family care homes; \$25 per licensed bed.
- IX. Residential and supported residential care; \$15 per licensed bed.
- X. Home health hospice providers; \$250.
- XI. Home health care providers; \$250.

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<p>XII. Personal care providers: (a) [Less Fewer than 10 clients; [\$100 \$25. (b) Ten (10) or more clients; \$250. XIII. Outpatient clinics; \$500. XIV. End stage renal dialysis centers; \$500. XV. Ambulatory surgical centers; \$500. XVI. Educational health centers; \$500. XVII. Freestanding emergency rooms; \$500. XVIII. Health promotion clinics; \$500. XIX. Collecting stations; \$250. XX. Adult day care centers; \$200. XXI. Birthing centers; \$150. XXII. Case management agencies; \$150. XXIII. Laboratories; \$150 per year for each category of testing licensed.</p>	<p>XII. Personal care providers: (a) [Less Fewer than 10 clients; [\$100 \$25. (b) Ten (10) or more clients; \$250. XIII. Outpatient clinics; \$500. XIV. End stage renal dialysis centers; \$500. XV. Ambulatory surgical centers; \$500. XVI. Educational health centers; \$500. XVII. Freestanding emergency rooms; \$500. XVIII. Health promotion clinics; \$500. XIX. Collecting stations; \$250. XX. Adult day care centers; \$200. XXI. Birthing centers; \$150. XXII. Case management agencies; \$150. XXIII. Laboratories; \$150 per year for each category of testing licensed.</p>
<p>65 New Section; New Hampshire Medicaid Enhancement Tax Commission Established. Amend RSA 84-A by inserting after section 12 the following new section: 84-A:13 New Hampshire Medicaid Enhancement Tax Commission Established; Members; Duties. I.(a) There is hereby established a commission to be known as the New Hampshire Medicaid enhancement tax commission. The members of the commission shall be as follows: (1) Two members of the house of representatives, appointed by the speaker of the house of representatives. (2) Two members of the senate, appointed by the president of the senate. (3) The commissioner of the department of health and human services, or designee. (4) The commissioner of the department of revenue administration, or designee. (5) The commissioner of the department of insurance, or designee. (6) A representative of a licensed acute care hospital designated as a critical access hospital, appointed by the governor. (7) A representative of a licensed acute care hospital without critical access hospital designation, appointed by the governor.</p>	<p>DELETED BY THE SENATE</p>

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

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

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

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

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

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

(a) Support sustainability of uncompensated care payments.

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

(c) Simplify the MET liability calculation.

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

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

NO COMPARABLE HOUSE SECTION

54 New Chapter; Innovation in Medicaid Delivery Commission. Amend RSA by inserting after chapter 126-V the following new chapter:

CHAPTER 126-W
INNOVATION IN MEDICAID DELIVERY COMMISSION

126-W:1 Innovation in Medicaid Delivery (I-MD) Commission Established; Membership; Duties.

I. There is established an innovation in Medicaid delivery (I-MD) commission, the purpose of which shall be to prepare a Medicaid waiver application under section 1115 of the Social Security Act, 42 U.S.C. 1315, to be submitted by the department of health and human

	<p>services to obtain federal matching funds for so-called "costs not otherwise matchable" to improve access and quality of care for Medicaid-dependent patients.</p> <p>II. The members of the I-MD commission shall be as follows:</p> <ul style="list-style-type: none">(a) Two members appointed by the governor.(b) Two members appointed by the senate president.(c) Two members appointed by the speaker of the house of representatives.(d) The commissioner of the department of health and human services, or designee.(e) Two representatives of non-critical access hospitals, appointed by the New Hampshire Hospital Association.(f) A representative of critical access hospitals, appointed by the New Hampshire Hospital Association.(g) A representative of the New Hampshire Medical Society, appointed by the society. <p>III. Legislative members of the I-MD commission, if any, shall receive mileage at the legislative rate when attending to the duties of the commission.</p> <p>IV. The first meeting of the I-MD commission shall be called by the members appointed by the senate president and shall be held within 45 days of the effective date of this section. Members of the commission shall elect co-chairpersons of the commission. Four members of the commission shall constitute a quorum.</p> <p>V. The I-MD commission shall:</p> <ul style="list-style-type: none">(a) Prepare a Medicaid waiver application under section 1115 of the Social Security Act, 42 U.S.C. 1315, to be submitted by the department of health and human services to obtain federal matching funds for so-called "costs not otherwise matchable" to improve access and quality of care for Medicaid-dependent patients.(b) Create any subcommittees it deems necessary, which may include members of the public appointed by the chairpersons, to assist with research, analysis, or other work necessary to support the waiver application.(c) Review state-maintained data concerning the Medicaid program and interview state personnel with knowledge of the Medicaid program.(d) Respond to questions or inquiries from the Centers for Medicare and Medicaid Services concerning the section 1115 waiver application. Members of the commission
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	<p>selected by the co-chairpersons shall attend all meetings with the Centers for Medicare and Medicaid Services during which the 1115 waiver application is to be discussed.</p> <p>(e) Provide recommendations to the commissioner of the department of health and human services on the implementation of any section 1115 waiver approved.</p> <p>(f) Prepare for submission through the department of health and human services any applications necessary to extend or modify the section 1115 waiver granted.</p> <p>VI.(a) On or before October 31, 2013, the I-MD commission shall make an initial report on the status of its work to the fiscal committee of the general court. On or before December 31, 2013, the I-MD commission shall make a report of its findings and activities, including the form and status of the application for a section 1115 waiver and any recommendations for proposed legislation, to the senate president, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library. The I-MD commission shall determine the deadline for submitting the application for a section 1115 waiver to the Centers for Medicare and Medicaid Services.</p> <p>(b) Beginning November 1, 2014, the I-MD commission shall make an annual report of its findings and activities, including any recommendations for sustainable funding of the Medicaid program, to the governor, the senate president, the speaker of the house of representatives, and the state library.</p>
<p>66 Department of Corrections; Authority to Fill Unfunded Positions. Notwithstanding any provision of law to the contrary, the commissioner of corrections may fill unfunded positions during the biennium ending June 30, 2015, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services, permanent, and personal services, unclassified.</p>	<p>55 Department of Corrections; Authority to Fill Unfunded Positions. Notwithstanding any provision of law to the contrary, the commissioner of corrections may fill unfunded positions during the biennium ending June 30, 2015, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services, permanent, and personal services, unclassified.</p>
<p>67 Department of Corrections; Transfers. Notwithstanding any provision of law to the contrary, and subject to approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2015, the commissioner of the department of corrections is authorized to transfer funds within and among all accounting units within the department and to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department.</p>	<p>56 Department of Corrections; Transfers. Notwithstanding any provision of law to the contrary, and subject to approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2015, the commissioner of the department of corrections is authorized to transfer funds within and among all accounting units within the department and to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as necessary for the efficient management of the department.</p>
<p>68 Department of Corrections; Overtime. In the event that expenditures in class line 018</p>	<p>DELETED BY THE SENATE</p>

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<p>overtime within the department of corrections are greater than amounts appropriated, the commissioner may request, for the biennium ending June 30, 2015, with prior approval of the fiscal committee of the general court, that the governor and council authorize additional funding. Upon fiscal committee and governor and council approval, the governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p>	
<p>69 Child Protection Act; Liability of Expenses. Amend RSA 169-C:27, I(f) to read as follows: (f) Neither Notwithstanding any provision of law to the contrary, the department nor the judicial council shall have authority no responsibility for the payment of the cost of assigned counsel for any party under this chapter.</p>	<p>57 Child Protection Act; Liability of Expenses. Amend RSA 169-C:27, I(f) to read as follows: (f) Neither Notwithstanding any provision of law to the contrary, the department nor the judicial council shall have authority no responsibility for the payment of the cost of assigned counsel for any party under this chapter.</p>
<p>70 Adequate Representation Costs. Amend RSA 604-A:1-a to read as follows: 604-A:1-a Neglected or Abused Children. In cases involving a neglected or abused child, when a guardian ad litem is appointed for the child as provided in RSA 169-C:10, the cost of such appointment shall be paid from funds appropriated for indigent defense pursuant to this chapter. <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, at the preliminary hearing or a hearing pursuant to RSA 169-C:6-a, III, whichever occurs earlier, the cost of such appointment shall be paid from funds appropriated for indigent defense pursuant to this chapter.</i></p>	<p>58 Adequate Representation Costs. Amend RSA 604-A:1-a to read as follows: 604-A:1-a Neglected or Abused Children. In cases involving a neglected or abused child, when a guardian ad litem is appointed for the child as provided in RSA 169-C:10, the cost of such appointment shall be paid from funds appropriated for indigent defense pursuant to this chapter. <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, at the preliminary hearing or a hearing pursuant to RSA 169-C:6-a, III, whichever occurs earlier, the cost of such appointment shall be paid from funds appropriated for indigent defense pursuant to this chapter.</i></p>
<p>71 Child Protection Act; Preliminary Hearing. Amend RSA 169-C:15, III(a) to read as follows: (a) Appoint a CASA or other approved program guardian ad litem or an attorney or other qualified guardian ad litem to represent the child pursuant to RSA 169-C:10.</p>	<p>59 Child Protection Act; Preliminary Hearing. Amend RSA 169-C:15, III(a) to read as follows: (a) Appoint a CASA or other approved program guardian ad litem or an attorney or other qualified guardian ad litem to represent the child pursuant to RSA 169-C:10.</p>
<p>72 Child Protection Act; Appointment of Counsel. Amend RSA 169-C:10, II(a) to read as follows: (a) In cases involving a neglected or abused child under this chapter, where the child's expressed interests conflict with the recommendation for dispositional orders of the guardian ad litem, the court may appoint an attorney to represent the interests of the child. <i>In any case of neglect or abuse brought pursuant to this chapter, the court shall appoint an attorney to represent an indigent parent alleged to have neglected or abused his or her</i></p>	<p>60 Child Protection Act; Appointment of Counsel. Amend RSA 169-C:10, II(a) to read as follows: (a) In cases involving a neglected or abused child under this chapter, where the child's expressed interests conflict with the recommendation for dispositional orders of the guardian ad litem, the court may appoint an attorney to represent the interests of the child. <i>In any case of neglect or abuse brought pursuant to this chapter, the court shall appoint an attorney to represent an indigent parent alleged to have neglected or abused his or her</i></p>

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child. In addition, the court may appoint an attorney to represent an indigent parent not alleged to have neglected or abused his or her child if the parent is a household member and such independent legal representation is necessary to protect the parent's interest. The court shall not appoint an attorney to represent any other persons involved in a case brought under this chapter.

child. In addition, the court may appoint an attorney to represent an indigent parent not alleged to have neglected or abused his or her child if the parent is a household member and such independent legal representation is necessary to protect the parent's interest. The court shall not appoint an attorney to represent any other persons involved in a case brought under this chapter.

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

DELETED BY THE SENATE

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

DELETED BY THE SENATE

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

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<p>176:2-a Deputy Commissioner.</p> <p>I. The commissioner shall nominate a deputy commissioner for appointment by the governor with the consent of the council who shall be qualified to hold that position by reason of education and experience. The deputy commissioner shall hold office for a term of 4 years and may be reappointed. The deputy commissioner shall be subject to a background check by the state police prior to appointment.</p> <p>II. If a vacancy shall occur in said office, it shall be filled for the remainder of the term. The deputy commissioner may be removed by the governor and council for cause.</p> <p>III. The annual salary of the deputy commissioner shall be as specified in RSA 94:1-a.</p> <p>IV. The deputy commissioner shall perform such duties as are assigned by the commissioner. The deputy commissioner shall assume the duties of the commissioner in the event that the commissioner is unable for any reason to perform such duties.</p> <p>V. The deputy commissioner shall, subject to the supervision of the commissioner, exercise authority as required to ensure that the divisions and their directors are implementing the organizational goals and managing the work of the commission in an effective and efficient manner.</p>	
<p>76 Requirements. Amend RSA 176:4 to read as follows:</p> <p>176:4 Requirements. The [members of the commission] commissioner shall devote [their] his or her entire time to the service of the commission. [No member of the commission] The commissioner shall [be directly or indirectly interested] not have any financial interest, direct or indirect, in the liquor or beverage business. The compensation and expenses of the [commissioners] commissioner and the expenses of the administration of this chapter shall be paid by the state on the warrant of the governor with the approval of the council.</p>	<p>DELETED BY THE SENATE</p>
<p>77 Divisions and Directors. Amend RSA 176:8 to read as follows:</p> <p>176:8 Divisions and Directors. The commission shall have 3 divisions under the direction of unclassified division directors. The directors shall be [appointed by the commission and serve at the pleasure of the commission based on] nominated by the commissioner for appointment by the governor with the consent of the council and shall serve for terms of 4 years dependent upon maintaining good behavior and competence. There shall be a division of marketing, merchandising, and warehousing, a division of administration, and a division of enforcement and licensing. The director of the division of enforcement and licensing shall</p>	<p>DELETED BY THE SENATE</p>

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<i>be subject to a background check by the state police prior to appointment.</i>	
78 Investigations. Amend RSA 176:9, III to read as follows: III. [Any member of the commission] The commissioner , assistant, or liquor investigator may enter any place where liquor, beverages, or tobacco products are sold or manufactured, at any time, and may examine any license or permit issued or purported to have been issued under the terms of this title. They shall make complaints for violations of this title.	DELETED BY THE SENATE
79 Purchases by the Liquor Commission. Amend RSA 176:17 to read as follows: 176:17 Purchases by the Liquor Commission. The liquor commission shall purchase all liquor, wine, and beverages from primary sources. For the purposes of this title, primary source means the manufacturer or producer, whether or not it is within the state. If a primary source is not available, the [commission] commissioner may, if [#] he or she feels it is in the best interests of the state, [vote at its regular meeting to] allow an exemption and shall explain why such exemption has been allowed.	DELETED BY THE SENATE
80 Employment Prohibited. Amend RSA 179:21 to read as follows: 179:21 Employment Prohibited. No elected state official, [member of the] liquor [commission] commissioner , or employee of the liquor commission responsible for making recommendations to the commission relative to the purchase of liquor, wine, or beer shall hold a liquor or wine representative license for a period of [1] one year from the date that such person leaves office or terminates such employment.	DELETED BY THE SENATE
81 Employment Intervention. Amend RSA 179:22, II to read as follows: II. It shall be unlawful for the liquor commissioner or any [member or] employee of the commission knowingly to intervene in the selection, employment, or dismissal of any liquor or wine representative, or other agent or employee of any distiller, importer, rectifier, or other holder of a liquor or wine manufacturer license or liquor or wine vendor license.	DELETED BY THE SENATE
82 Hearings. Amend RSA 179:56, I to read as follows: I. The commission shall adopt and publish rules pursuant to RSA 541-A, to govern its proceedings and to regulate the mode and manner of all investigations and hearings before it. All hearings before the commission shall be in accordance with RSA 541-A:31-36. In any such investigation or hearing the commission shall not be bound by the technical rules of evidence. The commission [, or any member,] may subpoena witnesses and administer oaths	DELETED BY THE SENATE

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in any proceeding or examination instituted before or conducted by it, and may compel, by subpoena, the production of any accounts, books, contracts, records, documents, memoranda, and papers of any kind whatever. Witnesses summoned before the commission shall be paid the same fees as witnesses summoned to appear before the superior court, and such summons issued by any justice of the peace shall have the same effect as though issued for appearance before such court.

83 Applicability.
I. The chairman and next senior member of the liquor commission holding their offices on the effective date of sections 73-82 of this act shall remain in office until the expiration of their appointed terms. The chairman shall assume the title and duties of the commissioner and the next senior member shall assume the title and duties of the deputy commissioner for the remainder of their terms. The salaries of the chairman and next senior member shall not be reduced during their service as commissioner and deputy commissioner for the unexpired term.
II. The initial appointment of division directors under RSA 178:8, as amended by this act, shall be for abbreviated terms determined by the governor and council so that the expiration of appointed terms shall be one year apart.
III. Sections 73-82 of this act shall not affect the validity of any rule, order, or contract of the commission adopted, issued, or executed prior to the effective date of such sections.

DELETED BY THE SENATE

84 School Money; Distribution Schedule of Adequate Education Grants. Amend RSA 198:42, IV to read as follows:
IV. For the fiscal year beginning July 1, ~~[2011]~~ **2013**, and every fiscal year thereafter, the department of education may expend funds up to ~~[110]~~ **100** percent of budgeted amounts as necessary to fund chartered public school tuition payments under RSA 194-B:11, I. Said amounts are hereby appropriated to the department from the education trust fund established under RSA 198:39. The education trust fund shall be used to satisfy the state's obligation under this paragraph. The payment shall be issued regardless of the balance of funds available in the education trust fund. ~~[In the event that chartered public school tuition payments exceed budgeted amounts by over 10 percent, the department of education may expend funds in excess of said amounts, with the approval of the fiscal committee of the general court and governor and council. Said funds shall be paid from the education trust fund established under RSA 198:39 upon the warrant of the governor out of any money in~~

AMENDED BY THE SENATE
61 School Money; Distribution Schedule of Adequate Education Grants. RSA 198:42, IV is repealed and reenacted to read as follows:
IV. For chartered public schools approved by the state board of education, the department of education may expend budgeted amounts to fund chartered public school tuition payments under RSA 194-B:11, I. Said amounts are hereby appropriated to the department from the education trust fund established under RSA 198:39. The education trust fund shall be used to satisfy the state's obligation under this paragraph. The payment shall be issued regardless of the balance of funds available in the education trust fund. The department of education may request additional funds from the fiscal committee of the general court, with the approval of governor and council, for a new chartered public school approved for initial operation by the state board of education pursuant to RSA 194-B:3-a.

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~~the fund not otherwise appropriated.]~~

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

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

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

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

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

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

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

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

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

IV. The committee shall study the following issues:

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

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

(c) Costs of administration and facilities.

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

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

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

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

194-B:3-a Chartered Public School Approval by State Board of Education.

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

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

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

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

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

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

(1) RSA 194-B:3, II(cc).

AMENDED BY THE SENATE

62 Chartered Public School Approval by State Board of Education. Amend RSA 194-B:3-a, IV to read as follows:

IV. The state board of education shall either approve or deny an application using reasonable discretion in the assessment of the elements set forth in RSA 194-B:3, II, (a)-(bb) and (dd). **Lack of state funding alone shall not constitute grounds for the denial of an application.** Approval of an application constitutes the granting of charter status and the right to operate as a [public] chartered public school. The state board of education shall notify all applicants of its decision in writing, and shall include in any notice of denial a written statement specifying any areas deemed deficient, the reasons for the denial, and explaining that the applicant may reapply under RSA 194-B:3 or under this section in a subsequent year.

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<p>(2) RSA 194-B:3, III-IV. (3) RSA 194-B:3, XI. (4) RSA 194-B:15, II. (b) Except as provided in this paragraph, the provisions of RSA 194-B shall apply to chartered public schools approved for operation by the state board of education under this section. (c) Not more than 10 percent of the resident pupils in any grade shall be eligible to transfer to a chartered public school in any school year without the approval of the local school board.</p>	
<p>87 Chartered Public Schools; Reporting Requirements. Amend RSA 194-B:10, III to read as follows: III. To ensure compliance with its application and contract and applicable law, a chartered public school shall be subject to a first year [and periodic subsequent] program [audits] audit by the department of education or its agent, and shall be subject to a program audit by the department of education at least once every 3 years thereafter.</p>	<p>DELETED BY THE SENATE</p>
<p>88 Chartered Public Schools; Funding for Biennium. Notwithstanding RSA 198:42, IV, funding for chartered public schools for the fiscal year ending June 30, 2014 shall not exceed \$18,573,856 and for the fiscal year ending June 30, 2015 shall not exceed \$21,018,560. No additional expenditures for chartered public schools shall be made during the biennium ending June 30, 2015.</p>	<p>DELETED BY THE SENATE</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>63 Chartered Public School; Funding. Amend RSA 194-B:11, I(b) to read as follows: (b)(1) Except as provided in subparagraph (2), for any a chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a plus an additional grant of \$2,000 directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school. (2) For an online chartered public school which receives its initial authorization to operate from the state board of education pursuant to RSA 194-B:3-a on or after July 1, 2013, the state shall pay tuition pursuant to RSA 198:40-a directly to the online chartered public school for each pupil who is a resident of this state in attendance at such chartered public school. In this subparagraph, "online chartered public school" means a chartered public school which provides the majority of its classes and instruction on the</p>

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	<i>Internet.</i>
<p>89 New Paragraph; Community College System Retiree Health Benefit Fund. Amend RSA 188-F:7 by inserting after paragraph IV the following new paragraph:</p> <p>V. There is hereby established in the office of the treasurer a fund to be known as the community college system retiree health benefit, which shall be accounted for separately from other funds. All moneys credited to the fund from payments made to the treasurer by the community college system shall be used exclusively for payment of the costs associated with the provision of retiree health care benefits for community college employees who retired after July 1, 2011 and became eligible for retiree health care benefits. The plan design and cost-sharing arrangement shall be equivalent to the health benefits offered to retired state employees pursuant to RSA 21-I:30, RSA 21-I:30, XIII and RSA 100-A:54, III shall apply to such retirees. The moneys in the fund shall be nonlapsing and continually appropriated to the treasurer.</p>	<p>AMENDED BY THE SENATE</p> <p>64 Community College System; Retiree Health Care Payments; Task Force.</p> <p>I. The community college system of New Hampshire shall remit to the state the sum of \$957,295 for the fiscal year ending June 30, 2014 and the sum of \$1,048,862 for the fiscal year ending June 30, 2015 for retiree health care benefits.</p> <p>II. The commissioner of the department of administrative services and the chancellor of the community college system of New Hampshire shall jointly establish a task force consisting of representatives from each entity to evaluate and make recommendations for future cost allocation of retiree health care benefits for community college system employees and retirees. The task force shall submit its recommendations to the governor, the senate president, the speaker of the house of representatives, and the chairpersons of the senate and house finance committees by December 1, 2013.</p>
<p>90 New Chapter; New Hampshire Scholarship Program. Amend RSA by inserting after chapter 200-M the following new chapter:</p> <p style="text-align: center;">CHAPTER 200-N NEW HAMPSHIRE SCHOLARSHIP PROGRAM</p> <p>200-N:1 Program Established. There is hereby established the New Hampshire scholarship program which shall be administered by the department of education. The purpose of this program is to provide academic scholarships to students pursuing a degree at a public postsecondary educational institution in New Hampshire, or outside of New Hampshire if the educational institution is located in a state that has entered into a reciprocal scholarship agreement with New Hampshire. All funds received pursuant to this chapter shall be nonlapsing and continually appropriated to the department of education for the purposes of this program.</p> <p>200-N:2 Program Criteria.</p> <p>I. Any student who has graduated from a public or private high school or has received a GED or other high school equivalency certificate in New Hampshire, who is interested in pursuing an associate's, bachelor's, or master's degree at any public postsecondary educational institution in New Hampshire, or outside of New Hampshire if the educational institution is located in a state that has entered into a reciprocal scholarship agreement with New Hampshire, and whose family income is less than 200 percent of the state median family</p>	<p>DELETED BY THE SENATE</p>

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<p>income based on the most recent calculations by the United States Department of Commerce, Census Bureau, shall be eligible to apply for this program.</p> <p>II. Applicants who are selected to receive a scholarship under this program shall meet the academic and other criteria as may be established pursuant to this chapter. The scholarship shall be for a maximum of 5 academic years.</p> <p>200-N:3 Rulemaking. The commissioner of the department of education shall adopt rules, pursuant to RSA 541-A, relative to the following:</p> <p>I. The academic standards by which scholarships shall be awarded.</p> <p>II. Priorities in awarding scholarships where the funds available for scholarships are less than the amount needed for eligible applicants.</p> <p>III. A scholarship application process, which includes but is not limited to requiring that all applicants complete a formal scholarship application on appropriate forms to be developed by the department of education and time frames for the application process.</p> <p>IV. Procedures for awarding and disbursing scholarships.</p> <p>V. Procedures for determining the amount of funds available each fiscal year for scholarships.</p>	
<p>91 Repeal. The following are repealed:</p> <p>I. RSA 77-A:5, XV, relative to the education tax credit against the business profits tax.</p> <p>II. RSA 77-E:3-d, relative to the education tax credit against the business enterprise tax.</p> <p>III. RSA 77-G, relative to the education tax credit.</p>	<p>DELETED BY THE SENATE</p>
<p>92 Repeal. 2011, 224:221, relative to fines paid by mail, is repealed.</p>	<p>65 Repeal. 2011, 224:221, relative to fines paid by mail, is repealed.</p>
<p>93 Police Standards and Training Council Training Fund. Amend RSA 188-F:30 to read as follows:</p> <p>188-F:30 Police Standards and Training Council Training Fund. There is established in the state treasury a separate fund to be known as the police standards and training council training fund from which the state treasurer shall pay expenses incurred in the administration of this subdivision. <i>This fund shall be nonlapsing and continually appropriated to the police standards and training council.</i></p>	<p>AMENDED BY THE SENATE</p> <p>66 Police Standards and Training Council Training Fund. Amend RSA 188-F:30 to read as follows:</p> <p>188-F:30 Police Standards and Training Council Training Fund. There is established in the state treasury a separate <i>nonlapsing</i> fund to be known as the police standards and training council training fund from which the state treasurer shall pay expenses incurred in the administration of this subdivision. <i>In case the expenditure of additional funds in excess of appropriated amounts is necessary to meet the statutory obligations of the police standards and training council for the training of police and corrections officers on a timely basis because of unanticipated circumstances beyond the control of the police standards</i></p>

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	<p><i>and training council, the governor and council, with approval of the fiscal committee of the general court, upon request of the police standards and training council, may authorize the transfer of unappropriated amounts from the police standards and training council training fund for such purposes.</i></p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>67 Repeal. RSA 188-F:32-b, relative to transfers of unappropriated funds, is repealed.</p>
<p>94 Fire Standards and Training and Emergency Medical Services Fund. Amend RSA 21-P:12-d to read as follows: 21-P:12-d Fire Standards and Training and Emergency Medical Services Fund. There is established in the office of the state treasurer a separate, nonlapsing fund to be known as the fire standards and training and emergency medical services fund from which the state treasurer shall pay expenses incurred in the administration of the division of fire standards and training and emergency medical services, under RSA 21-P:12-a, the division of fire safety, under RSA 21-P:12, the division of homeland security and emergency management, and the position of fireworks inspector, under RSA 160-C:17. <i>If the expenditure of additional funds over budget estimates was unanticipated and is necessary for the proper functioning of the division of fire standards and training and emergency medical services, the division of fire safety, or the division of homeland security and emergency management, the commissioner of the department of safety may transfer funds, with the prior approval of the fiscal committee of the general court, from this fund to the department of safety for such purposes.</i></p>	<p>68 Fire Standards and Training and Emergency Medical Services Fund. Amend RSA 21-P:12-d to read as follows: 21-P:12-d Fire Standards and Training and Emergency Medical Services Fund. There is established in the office of the state treasurer a separate, nonlapsing fund to be known as the fire standards and training and emergency medical services fund from which the state treasurer shall pay expenses incurred in the administration of the division of fire standards and training and emergency medical services, under RSA 21-P:12-a, the division of fire safety, under RSA 21-P:12, the division of homeland security and emergency management, and the position of fireworks inspector, under RSA 160-C:17. <i>If the expenditure of additional funds over budget estimates was unanticipated and is necessary for the proper functioning of the division of fire standards and training and emergency medical services, the division of fire safety, or the division of homeland security and emergency management, the commissioner of the department of safety may transfer funds, with the prior approval of the fiscal committee of the general court, from this fund to the department of safety for such purposes.</i></p>
<p>95 Land and Community Heritage Investment Program Trust Fund; Deposit of Recording Surcharge. Notwithstanding the provisions of RSA 478:17-g, II(c), for the fiscal year ending June 30, 2014, the amount of \$2,000,000 received from the recording surcharge collected by registers of deeds under RSA 478:17-g, II(a) shall be credited to the general fund and the remainder of the funds received from the surcharge shall be deposited in the land and community heritage investment program trust fund under RSA 227-M:7, and for the fiscal year ending June 30, 2015, the amount of \$1,000,000 received from the recording surcharge collected by registers of deeds under RSA 478:17-g, II(a) shall be credited to the general fund and the remainder of the funds received from the surcharge shall be deposited in the land and community heritage investment program trust fund under RSA 227-M:7.</p>	<p>DELETED BY THE SENATE</p>
<p>96 PUC Expenditure for Green Launching Pad. Notwithstanding any other law to the</p>	<p>DELETED BY THE SENATE</p>

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<p>contrary, in each year of the biennium ending June 30, 2015, the public utilities commission shall expend \$250,000 of agency income appropriated in class line 102 in accounting unit 02-81-81-811510-5454, renewable energy fund, to provide funds to the Green Launching Pad at the university of New Hampshire.</p>	
<p>97 Business Enterprise Tax; Threshold Amounts for Taxation; Effective Date. Amend 2012, 279:12, I to read as follows: I. Section 1 of this act shall be in effect for taxable periods ending on or after December 31, 2013 2015.</p>	<p>DELETED BY THE SENATE</p>
<p>98 Tobacco Tax Rate Increased. Amend RSA 78:7 to read as follows: 78:7 Tax Imposed. A tax upon the retail consumer is hereby imposed at the rate of [\$1.68] \$1.98 for each package containing 20 cigarettes or at a rate proportional to such rate for packages containing more or less than 20 cigarettes, on all cigarettes sold at retail in this state. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the cigarettes in which such products usually are sold at retail. The word "package" as used in this section shall not include individual cigarettes. No tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States.</p>	<p>DELETED BY THE SENATE</p>
<p>99 Tobacco Tax Rate. Amend RSA 78:7-c to read as follows: 78:7-c Tax Imposed on Tobacco Products Other Than Cigarettes. A tax upon the retail consumer is hereby imposed on tobacco products other than cigarettes at a rate of [48] 56.6 percent of the wholesale sales price. The tax under this section may be rounded to the nearest cent if the commissioner determines that the amount of tax would not thereby be made materially disproportionate. No such tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States. No such tax shall be imposed on premium cigars.</p>	<p>DELETED BY THE SENATE</p>
<p>100 Applicability. Sections 98 and 99 of this act shall apply to all persons licensed under RSA 78:2. Such persons shall inventory all cigarettes and taxable tobacco products other than cigarettes in their possession and file a report of such inventory with the department of revenue administration on a form prescribed by the commissioner within 60 days after the effective date of this section. The tax rate effective July 1, 2013 shall apply to such inventory and the difference, if any, in the amount paid previously on such inventory and the current</p>	<p>DELETED BY THE SENATE</p>

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effective rate of tax shall be paid with the inventory form. The inventory form shall be treated as a tax return for the purpose of computing penalties under RSA 21-J.	
101 Repeal. 2011, 224:379 through 224:381, relative to contingent tax rate increases of the tobacco tax on cigarettes and other tobacco products based on reporting of tobacco tax revenues, are repealed.	DELETED BY THE SENATE
102 Tax on Meals and Rooms; Disposition of Revenue. RSA 78-A:26, I is repealed and reenacted to read as follows: I. Beginning on July 1, 1995, and for each fiscal year thereafter, the department shall pay over all revenue, except revenues identified in paragraph III of this section, collected under this chapter to the state treasurer. On or before October 1 of each year, the department shall determine the cost of administration of this chapter for the fiscal year ending on the preceding June 30, and it shall notify the state treasurer of these costs by a report certified by them as to correctness. After deducting the cost of administration of the chapter from the total income, the state treasurer shall distribute the net income as follows: (a) The amount necessary to provide payments of principal and interest on the bonds and notes authorized under RSA 198:15-a, II for the fiscal years ending June 30, 2009 through June 30, 2030; (b) An amount equal to 3.15 percent of the net income distributed under the introductory paragraph of paragraph I and subparagraph I(a) in the first year of the preceding fiscal biennium, which shall be credited to the department of resources and development, division of travel and tourism development; (c) Forty percent of the net income under the introductory paragraph of paragraph I of the most recent fiscal year to the unincorporated towns, unorganized places, towns, and cities. The amount to be distributed to each such town, place, or city shall be determined by multiplying the amount to be distributed by a fraction, the numerator of which shall be the population of the unincorporated town, unorganized place, town or city and the denominator of which shall be the population of the state. The population figures shall be based on the latest resident population figures furnished by the office of energy and planning; and (d) The remainder to the general fund.	69 Tax on Meals and Rooms; Disposition of Revenue. RSA 78-A:26, I is repealed and reenacted to read as follows: I. Beginning on July 1, 1995, and for each fiscal year thereafter, the department shall pay over all revenue, except revenues identified in paragraph III of this section, collected under this chapter to the state treasurer. On or before October 1 of each year, the department shall determine the cost of administration of this chapter for the fiscal year ending on the preceding June 30, and it shall notify the state treasurer of these costs by a report certified by them as to correctness. After deducting the cost of administration of the chapter from the total income, the state treasurer shall distribute the net income as follows: (a) The amount necessary to provide payments of principal and interest on the bonds and notes authorized under RSA 198:15-a, II for the fiscal years ending June 30, 2009 through June 30, 2030; (b) An amount equal to 3.15 percent of the net income distributed under the introductory paragraph of paragraph I and subparagraph I(a) in the first year of the preceding fiscal biennium, which shall be credited to the department of resources and development, division of travel and tourism development; (c) Forty percent of the net income under the introductory paragraph of paragraph I of the most recent fiscal year to the unincorporated towns, unorganized places, towns, and cities. The amount to be distributed to each such town, place, or city shall be determined by multiplying the amount to be distributed by a fraction, the numerator of which shall be the population of the unincorporated town, unorganized place, town or city and the denominator of which shall be the population of the state. The population figures shall be based on the latest resident population figures furnished by the office of energy and planning; and (d) The remainder to the general fund.
103 Reference Change. Amend RSA 6:12, I(b)(21) to read as follows: (21) The money received under RSA 78-A:26, I(a) I(b) and RSA 230:52, II,	70 Reference Change. Amend RSA 6:12, I(b)(21) to read as follows: (21) The money received under RSA 78-A:26, I(a) I(b) and RSA 230:52, II,

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<p>which shall be credited to the division of travel and tourism development, department of resources and economic development.</p>	<p>which shall be credited to the division of travel and tourism development, department of resources and economic development.</p>
<p>104 Carry Forward Credit Period Changes; Effective Date. Amend 2011, 225:2 and 225:3 to read as follows: 225:2 Applicability. Section 1 of this act shall take effect for taxable periods ending on or after July 1, 2014 2015. 225:3 Effective Date. This act shall take effect July 1, 2014 2015.</p>	<p>DELETED BY THE SENATE</p>
<p>105 Director of Division of Forests and Lands; Retirement Classification. Notwithstanding the provisions of RSA 100-A:1 or RSA 100-A:3 to the contrary, if the person holding the position of acting director of the division of forests and lands, department of resources and economic development, on the effective date of this act is appointed as the full-time director of the division of forests and lands, such person may continue to be considered a permanent fireman in group II for the term of such person's service as director, provided that immediately prior to appointment as director such person was a group II member and continues to meet the physical, mental, educational, and other qualifications to fight forest fires as a group II fireman.</p>	<p>DELETED BY THE SENATE</p>
<p>106 Fish and Game Department; Publications, Specialty Items and Fund Raising Revolving Fund. Amend RSA 206:22-a, III to read as follows: III. The amount in the publications, specialty items and fund raising revolving fund shall not exceed [\$200,000] \$100,000 and any amounts in excess of [\$200,000] \$100,000 shall be deposited in the fish and game fund. Any moneys in the fund not in excess of [\$200,000] \$100,000 shall not lapse.</p>	<p>71 Fish and Game Department; Publications, Specialty Items and Fund Raising Revolving Fund. Amend RSA 206:22-a, III to read as follows: III. The amount in the publications, specialty items and fund raising revolving fund shall not exceed [\$200,000] \$100,000 and any amounts in excess of [\$200,000] \$100,000 shall be deposited in the fish and game fund. Any moneys in the fund not in excess of [\$200,000] \$100,000 shall not lapse.</p>
<p>107 Fish and Game Department; Accounts Transferred; Prepaid Fish and Game License Fund. All moneys existing in the prepaid fish and game license account as of June 30, 2013 shall be transferred to the fish and game fund established in RSA 206:33.</p>	<p>DELETED BY THE SENATE</p>
<p>108 Repeal. The following are repealed: I. RSA 214:9-c, IV and V, relative to moneys received for lifetime licenses for hunting, fishing, and trapping. II. RSA 214:9-cc, IV and V relative to moneys received for lifetime licenses for bow and arrow, muzzleloader, and crossbow. III. RSA 6:12, I(b)(163), relative to prepaid fish and game license fund.</p>	<p>DELETED BY THE SENATE</p>

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<p>109 Fish and Game Department; Utilization of Funds to Support Staff Costs. Notwithstanding any other provision of law, for the biennium ending June 30, 2015, the executive director of the fish and game department, with the approval of the fish and game commission, may utilize funds in the wildlife habitat account established in RSA 214:1-f and fisheries habitat account established in RSA 214:1-g for the wages, salaries, benefits, and other expenses of the department employees.</p>	<p>72 Fish and Game Department; Utilization of Funds to Support Staff Costs. Notwithstanding any other provision of law, for the biennium ending June 30, 2015, the executive director of the fish and game department, with the approval of the fish and game commission, may utilize funds in the wildlife habitat account established in RSA 214:1-f and fisheries habitat account established in RSA 214:1-g for the wages, salaries, benefits, and other expenses of the department employees.</p>
<p>110 Fish and Game Department; Utilization of Funds to Support Staff Costs. Notwithstanding any other provision of law, for the biennium ending June 30, 2015, the executive director of the fish and game department may utilize funds in the statewide public boat access fund established in RSA 233-A:13 for the wages, salaries, benefits, and other expenses of the department employees.</p>	<p>73 Fish and Game Department; Utilization of Funds to Support Staff Costs. Notwithstanding any other provision of law, for the biennium ending June 30, 2015, the executive director of the fish and game department may utilize funds in the statewide public boat access fund established in RSA 233-A:13 for the wages, salaries, benefits, and other expenses of the department employees.</p>
<p>111 New Section; Fish and Game Department; Divisions Within the Department. Amend RSA 206 by inserting after section 1 the following new section: 206:1-a Divisions Within the Department. There are established the following divisions, as defined in RSA 21-G:5, within the fish and game department: I. The division of marine fisheries, under RSA 211:65. II. The fisheries division. III. The wildlife division. IV. The business division. V. The facilities and lands division. VI. The law enforcement division. VII. The public affairs division. VIII. The office of the executive director.</p>	<p>74 New Section; Fish and Game Department; Divisions Within the Department. Amend RSA 206 by inserting after section 1 the following new section: 206:1-a Divisions Within the Department. There are established the following divisions, as defined in RSA 21-G:5, within the fish and game department: I. The division of marine fisheries, under RSA 211:65. II. The fisheries division. III. The wildlife division. IV. The business division. V. The facilities and lands division. VI. The law enforcement division. VII. The public affairs division. VIII. The office of the executive director.</p>
<p>112 Fish and Game Department; Fish Food Sales Revenue. Amend RSA 206:35-c to read as follows: 206:35-c Fish Food Sales Revenues. The state treasurer shall establish a separate account to which shall be credited all monies collected by the fish and game department from the sale of fish food at hatchery vending machines. The monies moneys in said account shall be used for the acquisition and maintenance of fish hatchery equipment and/or emergency trout or salmon egg purchase and are hereby appropriated for said purposes. Said funds shall be nonlapsing and are to be expended for the purposes of this section as determined by the executive director with the approval of the commission.</p>	<p>75 Fish and Game Department; Fish Food Sales Revenue. Amend RSA 206:35-c to read as follows: 206:35-c Fish Food Sales Revenues. The state treasurer shall establish a separate account to which shall be credited all monies collected by the fish and game department from the sale of fish food at hatchery vending machines. The monies moneys in said account shall be used for the acquisition and maintenance of fish hatchery equipment and/or emergency trout or salmon egg purchase and are hereby appropriated for said purposes. Said funds shall be nonlapsing and are to be expended for the purposes of this section as determined by the executive director with the approval of the commission.</p>

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

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

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

151-C:3 Health Services Planning and Review Board.

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

- (1) The commissioner of the department of health and human services, or designee.
- (2) The insurance commissioner, or designee.
- (3) Three persons, each from a different region of the state and qualified by reason of education and experience, whose occupation is not in the delivery of health care

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

III.(a) No new certificate of need shall be granted by the board for any nursing home, skilled nursing facility, intermediate care facility, or rehabilitation facility from the effective date of chapter 310, laws of 1995, department of health and human services reorganization act, through the period ending June 30, ~~2014~~ **2015**. This moratorium shall also apply to new certificates of need regarding any rehabilitation bed in any type of facility, including rehabilitation hospitals and facilities offering comprehensive rehabilitation services. However, a certificate of need shall be issued for replacement or renovation of existing beds as necessary to meet life safety code requirements or to remedy deficiencies noted in a licensing inspection pursuant to RSA 151 or state survey and certification process pursuant to titles XVIII and XIX of the Social Security Act. In addition, a certificate of need may be issued for construction or renovation as necessary to repair or refurbish an existing facility, or to accommodate additional beds obtained by transfer to an existing facility. In the case of repair, refurbishment, or transferred beds, the resulting costs in excess of the current capital expenditure threshold as adjusted for inflation pursuant to RSA 151-C:5, II(f)(1) shall not be reflected in any state Medicaid rate. Any application for a certificate of need under this subparagraph shall indicate whether it is for a life safety code requirement or to remedy deficiencies noted in a licensing inspection or whether it is for repair or refurbishment of an existing facility or for transferred beds. If the application is approved, it shall be deemed that the board has agreed with the indicated reason for such application.

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services, who has no fiduciary obligation or financial interest in any health care facility or health care insurer licensed or regulated by this state, and who is not related in his or her immediate family to anyone who is involved in the delivery of health care services or health insurance, appointed by governor and council.

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

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

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

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

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

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

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

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

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

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

(e) The increase or conversion of inpatient beds;

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

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

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

V. The utilization and the financial impact of increased utilization, the effect on the

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average cost of a procedure, whether total health care costs of the state will be increased, not just whether unit costs will be decreased, and health outcomes.	
118 New Section; Additional Reports Required. Amend RSA 151-C by inserting after section 12 the following new section: 151-C:12-a Additional Reports Required. I. In addition to the reports required under RSA 151-C:12, an applicant receiving a certificate of need shall make periodic reports to the board relative to capital costs as compared to approved amounts. II. The department of health and human services shall make periodic reports to the board relative to the operating costs of a particular project and the overall costs to the state using the all-payer claims data base. III. The board shall submit an annual report, beginning November 1, 2013, for the entire state and for each hospital services area containing the following information to the speaker of the house of representatives, the president of the senate, and the governor: (a) Per-capita supply of health care resources, including, at least, acute care hospitals, rehabilitation and post-acute beds, and licensed physicians; and (b) Per-capita rates of utilization, spending, and relative prices for major categories of care for at least commercial payers and the Medicare program.	DELETED BY THE SENATE
119 Certificate of Need; Definitions. Amend RSA 151-C:2, VI to read as follows: VI. "Capital expenditure" means an expenditure which, under generally accepted accounting principles consistently applied, is not properly chargeable as an expense of operation or maintenance, and includes acquisition by purchase, by transfer, or by capital, operating or any other type of lease or comparable arrangement, or through donation, if the expenditure would have been considered a capital expenditure if acquisition had been by purchase.	DELETED BY THE SENATE
120 Repeal. RSA 151-C, relative to the certificate of need law, is repealed.	DELETED BY THE SENATE
121 Exemption Added. Amend RSA 151-C:13, I(h) and (i) to read as follows: (h) Notwithstanding any other provision of this chapter, a skilled nursing facility distinct part unit established by Androscoggin Valley Hospital or Franklin Regional Hospital in order to qualify as a critical access hospital under 42 U.S.C. section 1395i-4 and 42 CFR Part 485, Subpart F; provided, that the number of beds in the skilled nursing facility	DELETED BY THE SENATE

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<p>distinct part unit shall not exceed the hospital’s existing skilled nursing patient capacity. For purposes of this subparagraph, the term “existing skilled nursing patient capacity” means with respect to each month, the number of skilled nursing patient days for such month divided by the number of days in such month, and shall be the highest such number from the 12-month period ending immediately prior to the filing of the federal request for approval of the distinct part unit; provided, however, that the number determined under this subparagraph shall not exceed 10 beds; and</p> <p>(i) Acute care centers established, operated, or designated by the department pursuant to RSA 141-C:26; and</p> <p>(j) Federally qualified health centers as defined in section 330 of the Public Health Service Act (42 U.S.C. section 2546).</p>	
<p>122 Repeal. 2012, 282:17, II, relative to a prospective repeal of RSA 151-C, is repealed.</p>	<p>DELETED BY THE SENATE</p>
<p>123 Certificate of Need; Issuance. Amend RSA 151-C:9, I to read as follows:</p> <p>I. Upon completion of the review, the board, by majority vote of eligible board members, shall render a decision on the applicant or applicants which filed in response to a request for application. Any board member who has a personal or business conflict with any application shall not vote on such application. The decision shall be in the form of an approval, denial, or an approval with conditions. An approval of a certificate of need shall be in conformance with the standard used as the basis for the request for application. <i>The board shall not deny any application which satisfies the applicable standard developed under RSA 151-C:5 solely because the new institutional health service proposed by the applicant is likely to cause economic harm to an existing provider of health care services other than a hospital which qualifies as a critical access hospital under federal law. The board may deny an application based on finding a new institutional health service is likely to have a material adverse impact on quality of care or access to services.</i></p>	<p>DELETED BY THE SENATE</p>
<p>124 New Section; Certificate of Need; State Health Plan. Amend RSA 151-C by inserting after section 4 the following new section:</p> <p>151-C:4-a State Health Plan.</p> <p>I. The board shall develop and issue a state health plan every 2 years. The state health plan shall provide guidance relative to the certificate of need process under this chapter to support priority goals. Specifically, the state health plan shall provide goals and key strategies for improving the health of New Hampshire citizens that ensure:</p>	<p>DELETED BY THE SENATE</p>

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<p>(a) Quality of health care based on evidence-based practices to improve health outcomes.</p> <p>(b) Access to necessary health care services.</p> <p>(c) Efficient spending of limited health care resources to produce reasonable savings and more affordable health care.</p> <p>II. The board shall make an annual report beginning December 1, 2013 to the governor, president of the senate, speaker of the house of representatives, commissioner of the department of health and human services, commissioner of the insurance department, and commissioner of the department of administrative services. The annual report shall assess progress toward meeting the state health plan goals.</p>	
<p>125 Applicability. The current health services planning and review board shall continue to function until the new board established in section 114 of this act is in place.</p>	<p>DELETED BY THE SENATE</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>77 Cannon Mountain. Amend RSA 2011, 224:350 to read as follows: 224:350 Department of Resources and Economic Development; Cannon Mountain. The department of resources and economic development shall deposit \$650,000 in the fiscal year ending June 30, 2012, and \$650,000 in the fiscal year ending June 30, 2013 in <i>net</i> revenue derived by the department of resources and economic development from fees, services, accommodations, rentals, lift and tramway operations, retail sales, and concession operations for Cannon Mountain into the [state general fund which shall be applied to the negative balance contained in the] state park fund established in RSA 216-A:3-i. The department of resources and economic development shall also deposit \$50,000 in each fiscal year of the biennium ending June 30, 2013 into the fish and game search and rescue fund established in RSA 206:42. <i>For the fiscal year ending June 30, 2013, the net revenue in excess of \$700,000 shall be credited to the Cannon Mountain capital improvement fund established in RSA 12-A:29-c for use in paying debt service related to capital improvements for the ski area and related state park facilities at Cannon Mountain.</i></p>
<p>126 Department of Resources and Economic Development; Cannon Mountain. For each year of the biennium ending June 30, 2015, \$500,000 in net revenue derived by the department of resources and economic development from fees, services, accommodations, rentals, revenue from lift and tramway operations, retail sales, and concession operations for Cannon Mountain shall be deposited in the state park fund established in RSA 216-A:3-i. Net revenue in excess of \$500,000 shall be appropriated for capital improvement projects at</p>	<p>AMENDED BY THE SENATE</p> <p>78 Department of Resources and Economic Development; Cannon Mountain. For each year of the biennium ending June 30, 2015, \$500,000 in net revenue derived by the department of resources and economic development from fees, services, accommodations, rentals, revenue from lift and tramway operations, retail sales, and concession operations for Cannon Mountain shall be deposited in the state park fund established in RSA 216-A:3-i. Net</p>

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<p>Cannon Mountain as determined by the commissioner.</p>	<p>revenue in excess of \$500,000 shall be credited to the Cannon Mountain capital improvement fund established in RSA 12-A:29-c for use in paying debt service related to capital improvements for the ski area and related state park facilities at Cannon Mountain.</p>
<p>127 Education; College Tuition Savings Plan; UNIQUE Endowment Allocation Program. Amend RSA 195-H:4, V to read as follows: V. Notwithstanding RSA 6:12, I(b)(115), for the biennium ending June 30, 2013 2015, annual administrative fees, less any annual administrative costs that are generated from the New Hampshire college tuition savings plan, less [\$500,000] \$625,000 per year which shall be distributed to public and private New Hampshire colleges and universities under the UNIQUE endowment allocation program established in administrative rule Csp [701-703] 700, less amounts appropriated to the department of education for need-based scholarships, shall be allocated in the following manner: 70 percent of such total shall be paid annually prior to the end of each state fiscal year to the university system of New Hampshire and 30 percent of such total shall be paid annually prior to the end of each state fiscal year to the community college system of New Hampshire.</p>	<p>AMENDED BY THE SENATE 79 Repeal. RSA 195-H:4, V, relative to allocation of administrative fees, is repealed.</p>
<p>128 Department of Employment Security; Deputy Commissioner. RSA 282-A:109 is repealed and reenacted to read as follows: 282-A:109 Deputy Commissioner. I. The commissioner of employment security shall nominate for appointment by the governor, with the consent of council, a deputy commissioner of the department of employment security, who shall serve for a term of 4 years and shall be qualified to hold that position by reason of education and experience. The deputy commissioner shall act as commissioner whenever the commissioner of the department of employment security is incapacitated, absent, or unable to act for any cause. The deputy commissioner shall also act as commissioner of the department of employment security until a new commissioner is duly appointed whenever there is no commissioner. II. The salary of the deputy commissioner shall be specified in RSA 94:1-a, I.</p>	<p>80 Department of Employment Security; Deputy Commissioner. RSA 282-A:109 is repealed and reenacted to read as follows: 282-A:109 Deputy Commissioner. I. The commissioner of employment security shall nominate for appointment by the governor, with the consent of council, a deputy commissioner of the department of employment security, who shall serve for a term of 4 years and shall be qualified to hold that position by reason of education and experience. The deputy commissioner shall act as commissioner whenever the commissioner of the department of employment security is incapacitated, absent, or unable to act for any cause. The deputy commissioner shall also act as commissioner of the department of employment security until a new commissioner is duly appointed whenever there is no commissioner. II. The salary of the deputy commissioner shall be specified in RSA 94:1-a, I.</p>
<p>129 Department of Employment Security Deputy Commissioner. I. There is established within the department of employment security the unclassified position of deputy commissioner. The deputy commissioner shall be qualified to hold that position by reason of education and experience, and shall be nominated by the commissioner of employment security for appointment by the governor, with the consent of the executive</p>	<p>81 Department of Employment Security Deputy Commissioner. I. There is established within the department of employment security the unclassified position of deputy commissioner. The deputy commissioner shall be qualified to hold that position by reason of education and experience, and shall be nominated by the commissioner of employment security for appointment by the governor, with the consent of the executive</p>

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<p>council, and shall serve for a term of 4 years.</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 which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the deputy commissioner, position 11303 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of deputy commissioner. Funding shall be transferred into expenditure class 011, within accounting unit 02-27-27-270010-8040. The incumbent in the abolished classified position shall be offered the opportunity to seek the commissioner's nomination for the unclassified position of deputy commissioner.</p> <p>III. Paragraphs I and II shall take effect upon the abolition of position 11303, the transfer of funding and appropriations into the unclassified position and the initial appointment of the deputy commissioner, as certified by the commissioner of employment security to the director of legislative services.</p>	<p>council, and shall serve for a term of 4 years.</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 which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and appointment of the deputy commissioner, position 11303 shall be abolished to allow for the transition of this classified position with its available appropriations into the unclassified position of deputy commissioner. Funding shall be transferred into expenditure class 011, within accounting unit 02-27-27-270010-8040. The incumbent in the abolished classified position shall be offered the opportunity to seek the commissioner's nomination for the unclassified position of deputy commissioner.</p> <p>III. Paragraphs I and II shall take effect upon the abolition of position 11303, the transfer of funding and appropriations into the unclassified position and the initial appointment of the deputy commissioner, as certified by the commissioner of employment security to the director of legislative services.</p>
<p>130 Department of Administrative Services; Transfer of Dedicated Funds; General Fund Reimbursement.</p> <p>I. Notwithstanding RSA 6:12 or any other law to the contrary, for the fiscal year ending June 30, 2013, the governor is hereby authorized to identify an amount of dedicated funds for transfer to the general fund, sufficient to cover the budget shortfall. The department of administrative services, with prior approval of the fiscal committee of the general court, shall transfer the amounts of the funds identified by the governor to the general fund.</p> <p>II. For the fiscal year ending June 30, 2013, the commissioner of administrative services shall file a report of all reimbursements of general fund costs resulting from settlements or other means to the fiscal committee of the general court.</p>	<p>DELETED BY THE SENATE</p>
<p>131 Department of Transportation; Transfer of Funds. Notwithstanding any provision of law to the contrary and subject to approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2015, the commissioner of transportation is authorized to transfer funds within and among all accounting units within the department and to create accounting units and expenditure classes as required and as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal law, regulations, or programs, and otherwise as</p>	<p>DELETED BY THE SENATE</p>

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necessary for the efficient management of the department.	
<p>132 New Section; Commission to Study Opportunities and Options to Improve the Sustainability of the Fish and Game Department. Amend RSA 206 by inserting after section 1-a the following new section:</p> <p>206:1-b Commission to Study Opportunities and Options to Improve the Sustainability of the Fish and Game Department.</p> <p>I. There is established a commission to study opportunities and options to improve the sustainability of the fish and game department.</p> <p>II.(a) The members of the commission shall be as follows:</p> <p>(1) Two members of the house of representatives, appointed by the speaker of the house of representatives.</p> <p>(2) Two members of the senate, appointed by the president of the senate.</p> <p>(3) The director of the fish and game department, or designee.</p> <p>(4) The chairman of the fish and game commission, or designee.</p> <p>(5) Three public members appointed by the governor.</p> <p>(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.</p> <p>III. The commission shall study options and opportunities for ensuring the financial stability and sustainability of the fish and game department. The commission may solicit information and testimony from those with experience or expertise relevant to the study.</p> <p>IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Three members of the commission shall constitute a quorum.</p> <p>V. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.</p>	<p>DELETED BY THE SENATE</p>
<p>133 Repeal. RSA 201:1-b, relative to the commission to study opportunities to improve sustainability of the fish and game department, is repealed.</p>	<p>DELETED BY THE SENATE</p>
<p>134 Banks and Banking; Bank Commissioner; Payment of Cost of Examination. Amend RSA 383:11 to read as follows:</p>	<p>82 Banks and Banking; Bank Commissioner; Payment of Cost of Examination. Amend RSA 383:11 to read as follows:</p>

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383:11 Payment of Cost of Examination.

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

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

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

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

- (1) Fiduciary assets up to \$5,000,000,000 shall be calculated at 25 percent;
- (2) Fiduciary assets that are between \$5,000,000,000 and \$10,000,000,000,

383:11 Payment of Cost of Examination.

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

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

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

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

- (1) Fiduciary assets up to \$5,000,000,000 shall be calculated at 25 percent;
- (2) Fiduciary assets that are between \$5,000,000,000 and \$10,000,000,000,

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shall be calculated at 20 percent;
(3) Fiduciary assets that are between \$10,000,000,000 and \$15,000,000,000, shall be calculated at 15 percent;
(4) Fiduciary assets that are between \$15,000,000,000 and \$20,000,000,000, shall be calculated at 10 percent;
(5) Fiduciary assets that are between \$20,000,000,000 and \$25,000,000,000, shall be calculated at 5 percent;
(6) Fiduciary assets that are between \$25,000,000,000 and \$50,000,000,000, shall be calculated at 2.5 percent;
(7) Fiduciary assets that are \$50,000,000,000 or more, shall be calculated at one percent.

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

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

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

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

shall be calculated at 20 percent;
(3) Fiduciary assets that are between \$10,000,000,000 and \$15,000,000,000, shall be calculated at 15 percent;
(4) Fiduciary assets that are between \$15,000,000,000 and \$20,000,000,000, shall be calculated at 10 percent;
(5) Fiduciary assets that are between \$20,000,000,000 and \$25,000,000,000, shall be calculated at 5 percent;
(6) Fiduciary assets that are between \$25,000,000,000 and \$50,000,000,000, shall be calculated at 2.5 percent;
(7) Fiduciary assets that are \$50,000,000,000 or more, shall be calculated at one percent.

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

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

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

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<p>136 Department of State; Position of State Records Manager Established.</p> <p>I. There is hereby established an unfunded classified position of state records manager within the department of state under accounting unit 01-32-32-322510-1610.</p> <p>II. Notwithstanding any provision of law to the contrary, the secretary of state may fill the unfunded position of state records manager during the biennium ending June 30, 2015, providing that the total expenditures for such position shall not exceed the amount appropriated for personal services.</p>	<p>DELETED BY THE SENATE</p>
<p>137 Judicial Branch; Transfers. Notwithstanding any provision of law to the contrary, and subject to approval of the fiscal committee of the general court, for the biennium ending June 30, 2015, the supreme court is hereby authorized to transfer funds within and among all accounting units within the judicial branch as the supreme court deems necessary and appropriate to address budget reductions or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the judicial branch. If the supreme court intends to transfer funds which would otherwise meet the transfer requirements as set forth in RSA 9:17-d, prior approval of the fiscal committee shall be required for transfers of \$75,000 or more.</p>	<p>83 Judicial Branch; Transfers. Notwithstanding any provision of law to the contrary, and subject to approval of the fiscal committee of the general court, for the biennium ending June 30, 2015, the supreme court is hereby authorized to transfer funds within and among all accounting units within the judicial branch as the supreme court deems necessary and appropriate to address budget reductions or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the judicial branch. If the supreme court intends to transfer funds which would otherwise meet the transfer requirements as set forth in RSA 9:17-d, prior approval of the fiscal committee shall be required for transfers of \$75,000 or more.</p>
<p>138 New Paragraph; Department of Justice; Legal Settlement Awards; Reports. Amend RSA 21-M:5 by inserting after paragraph VI the following new paragraph:</p> <p>VII. Submit to the fiscal committee of the general court a report detailing each legal settlement awarded to the state within 30 days of such award and an annual report 60 days after the close of each fiscal year. All reports under this paragraph shall include, but shall not be limited to:</p> <ul style="list-style-type: none">(a) The reason for each settlement.(b) The purpose for which any settlement is to be used.(c) The amount of each settlement.(d) An accounting of the allocation of each such settlement.(e) Whether further legislative action is required to expend any such settlement.	<p>AMENDED BY THE SENATE</p> <p>84 New Section; Disposition of Funds Obtained by the Attorney General. Amend RSA 7 by inserting after section 6-d the following new section:</p> <p>7:6-e Disposition of Funds Obtained by the Attorney General.</p> <p>I. No money received by the attorney general, on behalf of the state or its citizens as a result of any civil judgment, settlement of a claim, settlement of threatened litigation, suit, petition, or other action or threatened action, shall be expended or otherwise distributed until authorized by the general court, provided however that in the case of any judgment or settlement greater than \$1,000,000, the state treasurer shall first transfer 10 percent to the revenue stabilization reserve account established in RSA 9:13-e.</p> <p>II. Upon resolving a matter described in paragraph I, the attorney general shall promptly report to the fiscal committee of the general court any money received under this section. All reports under this paragraph shall include, but shall not be limited to:</p> <ul style="list-style-type: none">(a) The date of the judgment or settlement.(b) The reason for the judgment or settlement.(c) The amount of the judgment or settlement.

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	III. This section shall not apply to fines received by the attorney general in criminal cases, penalty assessment funds, or enforcement actions taken by state agencies or the attorney general in which fines are authorized under state law.
139 Findings and Intent. The legislature recognizes that in some municipalities one official concurrently holds the offices of both town clerk and tax collector but the municipality has not combined the 2 offices pursuant to RSA 41:45-a. Standing alone, neither office would meet the requirements of RSA 100-A:3, I(a) which permits retirement system membership for certain elected or appointed officials. It is the intent of the legislature that such an official holding both offices for the same retirement system employer be allowed to elect membership in the retirement system or to continue membership if already enrolled, if the hours and salary of the combined offices otherwise meet the requirements for membership.	DELETED BY THE SENATE
140 New Subparagraph; Retirement System; Membership. Amend RSA 100-A:3, I(a) by inserting after subparagraph (4) the following new subparagraph: (5) Notwithstanding subparagraph (4), an official who concurrently holds the offices of town clerk and tax collector for the same employer, and who is eligible for the same fringe benefits as other full-time employees of the employer, may satisfy the conditions under subparagraphs (2)-(3) by using both elected or appointed offices to qualify.	DELETED BY THE SENATE
141 Report; Mosaic Parcel GIS System. The department of revenue administration shall compile data on the sharing of the Mosaic Parcel GIS system with other state agencies that includes but is not limited to a listing of the agencies accessing the system, the amount of system time used by each agency, examples of cost allocation plans that could be applied to the use of the system, and any other information that would be necessary in determining the best approach to share costs associated with the system. The department shall provide a report to the house finance committee no later than November 1, 2013.	85 Report; Mosaic Parcel GIS System. The department of revenue administration shall compile data on the sharing of the Mosaic Parcel GIS system with other state agencies that includes but is not limited to a listing of the agencies accessing the system, the amount of system time used by each agency, examples of cost allocation plans that could be applied to the use of the system, and any other information that would be necessary in determining the best approach to share costs associated with the system. The department shall provide a report to the house finance committee no later than November 1, 2013.
142 Liquor Commission; Reimbursement of Cost of Legal Services. Notwithstanding any other law to the contrary, for the biennium ending June 30, 2015, the liquor commission shall reimburse the cost for any legal services provided by the department of justice to the commission that would not normally be included as part of the statewide cost allocation paid by the commission.	86 Liquor Commission; Reimbursement of Cost of Legal Services. Notwithstanding any other law to the contrary, for the biennium ending June 30, 2015, the liquor commission shall reimburse the cost for any legal services provided by the department of justice to the commission that would not normally be included as part of the statewide cost allocation paid by the commission.
143 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486,	87 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486,

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RSA 486-A, RSA 149-M, or any other law to the contrary, for the biennium ending June 30, 2015, the department of environmental services shall discontinue the first in, first out delayed and deferred infrastructure project list or any other infrastructure list as it relates to state aid grants under RSA 486, RSA 486-A, or RSA 149-M. Infrastructure projects that were approved by vote of the executive council prior to November 30, 2008 shall continue to be funded. Infrastructure projects on the first in, first out delayed and deferred infrastructure project list prior to December 31, 2012, as listed in section 144 of this act, shall be eligible for state aid grant payments. Infrastructure projects that had local authorization by December 31, 2008 to construct but are not listed in section 144 are eligible for state aid grants subject to availability of funding. A moratorium shall be in place for any infrastructure projects not listed in section 144 or that did not have local authorization by December 31, 2008 that would have otherwise been eligible for state aid grants under RSA 486, RSA 486-A, or RSA 149-M. Nothing in this section shall affect the provision of the future water supply land protection grants under RSA 486-A if funding is available for such purpose.

RSA 486-A, RSA 149-M, or any other law to the contrary, for the biennium ending June 30, 2015, the department of environmental services shall discontinue the first in, first out delayed and deferred infrastructure project list or any other infrastructure list as it relates to state aid grants under RSA 486, RSA 486-A, or RSA 149-M. Infrastructure projects that were approved by vote of the executive council prior to November 30, 2008 shall continue to be funded. Infrastructure projects on the first in, first out delayed and deferred infrastructure project list prior to December 31, 2012, as listed in section 88 of this act, shall be eligible for state aid grant payments. Infrastructure projects that had local authorization by December 31, 2008 to construct but are not listed in section 88 are eligible for state aid grants subject to availability of funding. A moratorium shall be in place for any infrastructure projects not listed in section 88 or that did not have local authorization by December 31, 2008 that would have otherwise been eligible for state aid grants under RSA 486, RSA 486-A, or RSA 149-M. Nothing in this section shall affect the provision of the future water supply land protection grants under RSA 486-A if funding is available for such purpose.

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

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

Wastewater Projects (RSA 486)

FIFO	Pending Grant Number	Applicant (Location)
1	P-001	Winnepesaukee River Basin Program
2	C-777	Manchester
3	C-778	Manchester
4	C-779	Manchester
5	C-780	Manchester
6	C-782	Manchester
7	C-783	Hillsborough
8	C-784	Hillsborough
9	C-781	Manchester
10	C-731	Swanzy
11	C-789	Bristol

Wastewater Projects (RSA 486)

FIFO	Pending Grant Number	Applicant (Location)
1	P-001	Winnepesaukee River Basin Program
2	C-777	Manchester
3	C-778	Manchester
4	C-779	Manchester
5	C-780	Manchester
6	C-782	Manchester
7	C-783	Hillsborough
8	C-784	Hillsborough
9	C-781	Manchester
10	C-731	Swanzy
11	C-789	Bristol

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12	C-787	Manchester	12	C-787	Manchester
13	C-785	Portsmouth	13	C-785	Portsmouth
14	C-788	Manchester	14	C-788	Manchester
15	C-786	Manchester	15	C-786	Manchester
16	P-002	Manchester	16	P-002	Manchester
17	P-003	Concord	17	P-003	Concord
18	P-004	Manchester	18	P-004	Manchester
19	P-005	Manchester	19	P-005	Manchester
20	P-006	Hanover	20	P-006	Hanover
21	P-007	Concord	21	P-007	Concord
22	P-010	Lebanon	22	P-010	Lebanon
23	P-009	Lebanon	23	P-009	Lebanon
24	P-008	Lebanon	24	P-008	Lebanon
25	P-011	Hinsdale	25	P-011	Hinsdale
26	P-012	Newmarket	26	P-012	Newmarket
27	P-013	Manchester	27	P-013	Manchester
28	P-014	Newmarket	28	P-014	Newmarket
29	P-015	Allenstown	29	P-015	Allenstown
30	P-016	Allenstown	30	P-016	Allenstown
31	P-017	Allenstown	31	P-017	Allenstown
32	P-018	Allenstown	32	P-018	Allenstown
33	P-019	Amherst	33	P-019	Amherst
34	P-020	Exeter	34	P-020	Exeter
35	P-021	Piermont	35	P-021	Piermont
36	P-022	Derry	36	P-022	Derry
37	P-023	Derry	37	P-023	Derry
38	P-024	Salem	38	P-024	Salem
39	P-025	Epping	39	P-025	Epping
40	P-026	Littleton	40	P-026	Littleton
41	P-027	Nashua	41	P-027	Nashua
42	P-028	Nashua	42	P-028	Nashua
43	P-029	Nashua	43	P-029	Nashua

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44	P-030	Newport	44	P-030	Newport
45	P-031	Claremont	45	P-031	Claremont
46	P-032	Nashua	46	P-032	Nashua
47	P-033	Nashua	47	P-033	Nashua
48	P-034	Nashua	48	P-034	Nashua
49	P-035	Manchester	49	P-035	Manchester
50	P-036	Manchester	50	P-036	Manchester
51	P-037	Manchester	51	P-037	Manchester
52	P-038	Manchester	52	P-038	Manchester
53	P-039	Hanover	53	P-039	Hanover
54	P-040	Hudson	54	P-040	Hudson
55	P-041	Merrimack	55	P-041	Merrimack
56	P-042	Jaffrey	56	P-042	Jaffrey
57	P-043	Hanover	57	P-043	Hanover
58	P-044	Manchester	58	P-044	Manchester
59	P-045	Keene	59	P-045	Keene
60	P-046	Tilton	60	P-046	Tilton
61	P-047	Hampton	61	P-047	Hampton
62	P-048	Hampton	62	P-048	Hampton
63	P-049	Manchester	63	P-049	Manchester
64	P-050	Manchester	64	P-050	Manchester
65	P-051	Manchester	65	P-051	Manchester
66	P-052	Keene	66	P-052	Keene
67	P-053	Keene	67	P-053	Keene
68	P-054	Wolfeboro	68	P-054	Wolfeboro
69	P-055	Newbury	69	P-055	Newbury
70	P-056	North Conway Water Precinct	70	P-056	North Conway Water Precinct
71	P-057	North Conway Water Precinct	71	P-057	North Conway Water Precinct
72	P-058	North Conway Water Precinct	72	P-058	North Conway Water Precinct
73	P-059	North Conway Water Precinct	73	P-059	North Conway Water Precinct
74	P-060	Concord	74	P-060	Concord
75	P-061	Manchester	75	P-061	Manchester

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76	P-062	Amherst	76	P-062	Amherst
77	P-063	Manchester	77	P-063	Manchester
78	P-064	Marlborough	78	P-064	Marlborough
79	P-065	Hampton	79	P-065	Hampton
80	P-066	North Conway Water Precinct	80	P-066	North Conway Water Precinct
81	P-067	Wakefield	81	P-067	Wakefield
82	P-068	Merrimack	82	P-068	Merrimack
83	P-069	Conway Village Fire District	83	P-069	Conway Village Fire District
84	P-070	Keene	84	P-070	Keene
85	P-071	Manchester	85	P-071	Manchester
86	P-072	Manchester	86	P-072	Manchester
87	P-073	Newmarket	87	P-073	Newmarket
88	P-074	Manchester	88	P-074	Manchester
89	P-075	Manchester	89	P-075	Manchester
90	P-076	Manchester	90	P-076	Manchester
91	P-077	Manchester	91	P-077	Manchester
92	P-078	Manchester	92	P-078	Manchester
93	P-079	Manchester	93	P-079	Manchester
94	P-080	Concord	94	P-080	Concord
95	P-081	Concord	95	P-081	Concord
96	P-082	Rochester	96	P-082	Rochester
97	P-083	Rochester	97	P-083	Rochester
98	P-084	Rochester	98	P-084	Rochester
99	P-085	Bristol	99	P-085	Bristol
100	P-086	Peterborough	100	P-086	Peterborough
101	P-087	Manchester	101	P-087	Manchester
102	P-088	Berlin	102	P-088	Berlin
103	P-089	Berlin	103	P-089	Berlin
Public Water System Projects (RSA 486-A)			Public Water System Projects (RSA 486-A)		
FIFO	Pending Grant Number	Applicant (Location)	FIFO	Pending Grant Number	Applicant (Location)
1	612010	Lower Bartlett Water Precinct (Bartlett)	1	612010	Lower Bartlett Water Precinct (Bartlett)

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2	512020	Birch Hill (Pennichuck, Conway)	2	512020	Birch Hill (Pennichuck, Conway)
3	1471010	Manchester Water Works	3	1471010	Manchester Water Works
4	1531010	Merrimack Village District	4	1531010	Merrimack Village District
5	2353060	White Rock Estates (Tilton)	5	2353060	White Rock Estates (Tilton)
6	882050	Brake Hill (Gilford)	6	882050	Brake Hill (Gilford)
7	1831010	Orford Village Water District	7	1831010	Orford Village Water District
8	2272010	Granliden Community (Sunapee)	8	2272010	Granliden Community (Sunapee)
9	511030	North Conway Water Precinct	9	511030	North Conway Water Precinct
10	511030	North Conway Water Precinct	10	511030	North Conway Water Precinct
11	2041010	Rye Water District	11	2041010	Rye Water District
12	511010	Conway Village Fire District	12	511010	Conway Village Fire District
13	1036020	Village Square Condo Assoc (Hampstead)	13	1036020	Village Square Condo Assoc (Hampstead)
14	2041010	Rye Water District	14	2041010	Rye Water District
15	1051010	Aquarion Water Company (Hampton)	15	1051010	Aquarion Water Company (Hampton)
16	1431010	Lyme Water Association	16	1431010	Lyme Water Association
Landfill Projects (RSA 149-M)			Landfill Projects (RSA 149-M)		
FIFO	Pending Grant Number	Applicant (Location)	FIFO	Pending Grant Number	Applicant (Location)
1	L-144	Nashua	1	L-144	Nashua
2	L-145	Lebanon	2	L-145	Lebanon
3	L-125	Auburn	3	L-125	Auburn
4	L-146	Tilton	4	L-146	Tilton
5	L-148	Whitefield	5	L-148	Whitefield
6	L-147	Unity	6	L-147	Unity
7	L-149	Marlow	7	L-149	Marlow
8	L-150	Farmington	8	L-150	Farmington
<p>145 Committee Established; State Aid Grants; Department of Environmental Services. There is established a committee to study funding of state aid grants under RSA 486, RSA 486-A, and RSA 149-M.</p> <p>I. The members of the committee shall be as follows:</p> <p>(a) Three members of the house of representatives, 2 of whom shall be members of the finance committee and one of whom shall be a member of the resources, recreation</p>			DELETED BY THE SENATE		

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and development committee, appointed by the speaker of the house of representatives.

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

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

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

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

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

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

(d) Any other matter the committee deems relevant.

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

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

VI. On or before November 1, 2013, the committee shall report its findings and any recommendations for future legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library.

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

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

II. The legislative accountant shall allocate the original \$3,000,000 special legislative account into 4 separate and equal subaccounts. Individual subaccounts shall be established

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

II. The legislative accountant shall allocate the original \$3,000,000 special legislative account into 4 separate and equal subaccounts. Individual subaccounts shall be established

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for the senate, the house of representatives, the joint offices, and the office of legislative budget assistant. Beginning in fiscal year ~~[2012]~~ **2013** and each year thereafter ~~[all]~~, **any** unexpended and unencumbered appropriations shall be transferred to the appropriate subaccount, **provided that no subaccount balance shall exceed \$750,000.** ~~[Any subaccount with a balance in excess of \$750,000 at the end]~~ **All unexpended and unencumbered appropriations remaining at the close** of the fiscal year shall ~~[transfer the excess]~~ **lapse** to the general fund.

for the senate, the house of representatives, the joint offices, and the office of legislative budget assistant. Beginning in fiscal year ~~[2012]~~ **2013** and each year thereafter ~~[all]~~, **any** unexpended and unencumbered appropriations shall be transferred to the appropriate subaccount, **provided that no subaccount balance shall exceed \$750,000.** ~~[Any subaccount with a balance in excess of \$750,000 at the end]~~ **All unexpended and unencumbered appropriations remaining at the close** of the fiscal year shall ~~[transfer the excess]~~ **lapse** to the general fund.

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

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

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

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

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

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

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

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

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

DELETED BY THE SENATE

153 Waiver in Lieu of Court Appearance. Amend RSA 262:44, I to read as follows:
I. Such defendant shall receive, in addition to the summons, a uniform fine schedule entitled "Notice of Fine, Division of Motor Vehicles" which shall contain the normal fines for violations of the provisions of title XXI on vehicles for which a plea may be entered by mail. The defendant shall be given a notice of fine indicating the amount of the fine plus penalty assessment at the time the summons is issued; except if, for cause, the summoning authority wishes the defendant to appear personally. Defendants summoned to appear personally shall do so on the arraignment date specified in the summons, unless otherwise ordered by the court. Defendants who are issued a summons and notice of fine and who wish to plead guilty or nolo contendere shall enter their plea on the summons and return it with payment of the fine plus penalty assessment to the director of the division of motor vehicles within 30 days of the date of the summons. The director of the division of motor vehicles may accept payment of the fine by credit card in lieu of cash payment. Any transaction costs assessed by the issuer of the credit card shall be paid out of the portion of the fine amount which is credited as agency income and not out of the penalty assessment charged by the district court. The director of the division of motor vehicles shall remit the penalty assessments collected to the police standards and training council for deposit in the police standards and training council training fund and to the state treasurer to be credited and continually appropriated to the victims' assistance fund and the judicial branch information technology fund in the percentages and manner prescribed in RSA 188-F:31. Fines shall be paid over to the state treasurer, and shall be credited as agency income by the department of safety within 14 days of their receipt ***and shall not lapse to the general fund until the second year of each biennium.***

92 Waiver in Lieu of Court Appearance. Amend RSA 262:44, I to read as follows:
I. Such defendant shall receive, in addition to the summons, a uniform fine schedule entitled "Notice of Fine, Division of Motor Vehicles" which shall contain the normal fines for violations of the provisions of title XXI on vehicles for which a plea may be entered by mail. The defendant shall be given a notice of fine indicating the amount of the fine plus penalty assessment at the time the summons is issued; except if, for cause, the summoning authority wishes the defendant to appear personally. Defendants summoned to appear personally shall do so on the arraignment date specified in the summons, unless otherwise ordered by the court. Defendants who are issued a summons and notice of fine and who wish to plead guilty or nolo contendere shall enter their plea on the summons and return it with payment of the fine plus penalty assessment to the director of the division of motor vehicles within 30 days of the date of the summons. The director of the division of motor vehicles may accept payment of the fine by credit card in lieu of cash payment. Any transaction costs assessed by the issuer of the credit card shall be paid out of the portion of the fine amount which is credited as agency income and not out of the penalty assessment charged by the district court. The director of the division of motor vehicles shall remit the penalty assessments collected to the police standards and training council for deposit in the police standards and training council training fund and to the state treasurer to be credited and continually appropriated to the victims' assistance fund and the judicial branch information technology fund in the percentages and manner prescribed in RSA 188-F:31. Fines shall be paid over to the state treasurer, and shall be credited as agency income by the department of safety within 14 days of their receipt ***and shall not lapse to the general fund until the second year of each biennium.***

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

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<p>campus.</p>	
<p>155 Documentation of Marriages; Marriage License Fee. Amend RSA 457:29 to read as follows: 457:29 Marriage License Fee. The fee for the marriage license shall be \$[45] 50 to be paid by the parties entering into the marriage. The clerk shall forward \$[38] 43 from each fee to the department of health and human services for the purposes of RSA 173-B:15. The clerk shall retain the remaining \$7 as the fee for making the records of notice, issuing the certificate of marriage, and forwarding the \$[38] 43 portion of the marriage license fee.</p>	<p>DELETED BY THE SENATE</p>
<p>156 Pharmacy Board; Inspectional Services. Amend RSA 318:9-a to read as follows: 318:9-a [Payment for] Inspectional Services. [For the purpose of providing inspectional services under this chapter and RSA 318-B:25,] The pharmacy board shall [enter into separate agreements with] provide inspectional services under this chapter and RSA 318-B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of registration in optometry, the board of dental examiners, and the board of nursing[- providing for each such board to compensate the pharmacy board for such inspectional services. The agreements shall provide for payment based upon a per capita charge for each person registered with each such board as a percentage of the total number of persons subject to inspection under this chapter and RSA 318-B:25. The fees received from agreements under this section shall be deposited with the treasurer as restricted revenue by the pharmacy board, and shall be included in the computation of fees to be established for the following fiscal year].</p>	<p>93 Pharmacy Board; Inspectional Services. Amend RSA 318:9-a to read as follows: 318:9-a [Payment for] Inspectional Services. [For the purpose of providing inspectional services under this chapter and RSA 318-B:25,] The pharmacy board shall [enter into separate agreements with] provide inspectional services under this chapter and RSA 318-B:25 to the board of medicine, the board of veterinary medicine, the board of podiatry, the board of registration in optometry, the board of dental examiners, and the board of nursing[- providing for each such board to compensate the pharmacy board for such inspectional services. The agreements shall provide for payment based upon a per capita charge for each person registered with each such board as a percentage of the total number of persons subject to inspection under this chapter and RSA 318-B:25. The fees received from agreements under this section shall be deposited with the treasurer as restricted revenue by the pharmacy board, and shall be included in the computation of fees to be established for the following fiscal year].</p>
<p>157 New Paragraph; Approved Alcohol Treatment Programs. Amend RSA 172-B:2 by inserting after paragraph III the following new paragraph: IV. The commissioner shall establish, by rules adopted under RSA 541-A, a uniform, sliding-fee scale, based on the client's income, for voluntary services provided by approved alcohol treatment programs.</p>	<p>94 New Paragraph; Approved Alcohol Treatment Programs. Amend RSA 172-B:2 by inserting after paragraph III the following new paragraph: IV. The commissioner shall establish, by rules adopted under RSA 541-A, a uniform, sliding-fee scale, based on the client's income, for voluntary services provided by approved alcohol treatment programs.</p>
<p>158 New Section; Access to Budget and Expenditures for Persons Receiving State Services. Amend RSA 126-A by inserting after section 5 the following new section: 126-A:5-a Access to Budget and Expenditures for Persons Receiving State Services. The commissioner of the department of health and human services and the area agencies shall provide to any person, or that person's guardian, who is receiving state services pursuant to a</p>	<p>AMENDED BY THE SENATE 95 New Section; Access to Budget and Expenditures for Persons Receiving State Services. Amend RSA 126-A by inserting after section 5 the following new section: 126-A:5-a Access to Budget and Expenditures for Persons Receiving State Services. The commissioner of the department of health and human services and the area agencies shall</p>

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<p>plan with an individualized budget, access to examine such budget and the expenditures made under such budget.</p>	<p>provide to any person, or that person’s guardian, who is receiving state services pursuant to a plan with an individualized budget, a copy of such budget and the expenditures made under such budget.</p>												
<p>159 Department of Health and Human Services; Sununu Youth Services Center Report. I. On or before January 1, 2014, the department of health and human services shall report its recommendations to the fiscal committee of the general court as to the most appropriate, cost effective, long and short-term uses of the Sununu Youth Services Center. The department’s assessment shall include an analysis of: (a) The advantages and disadvantages of the current use of the facility; (b) Potential alternative uses for the facility; (c) The viability of using another facility to provide secure detention/committed services given the declining census at the center; and (d) Ways that the current costs to run the facility could be reduced. II. In conducting its assessment, the department shall consult with the community, child welfare, court, and juvenile justice stakeholders to solicit their input as to the most appropriate and fiscally responsible options for addressing the needs of committed and detained youth.</p>	<p>DELETED BY THE SENATE</p>												
<p>160 Use of Surplus General Funds to Mitigate Certain Spending Reductions. I. Notwithstanding the provisions of RSA 9:13-e, at the close of the fiscal year ending June 30, 2013 and the fiscal year ending June 30, 2014, any surplus, as determined by the official audit performed pursuant to RSA 21-l:8, II(a) shall be used to fund the programs in paragraph III in priority order in fiscal year 2014 and 2015, respectively. II. In the event of a general fund operating budget surplus, the comptroller shall notify the fiscal committee of the general court and the governor by January 30 requesting that such surplus, to the extent available, be appropriated to the programs listed in paragraph III in priority order in fiscal year 2014 and 2015, respectively. III.(a) Any surplus determined under paragraphs I and II shall be used to fund the programs listed in the following order of priority:</p> <table data-bbox="243 1187 1096 1335"> <thead> <tr> <th></th> <th><u>FY 2014</u></th> <th><u>FY 2015</u></th> </tr> </thead> <tbody> <tr> <td>(1) Uncompensated Care</td> <td>\$6,400,000</td> <td>\$26,500,000</td> </tr> <tr> <td>(2) Building Aid</td> <td>\$0</td> <td>\$7,200,000</td> </tr> <tr> <td>(3) University System of New Hampshire</td> <td>\$6,000,000</td> <td>\$6,000,000</td> </tr> </tbody> </table>		<u>FY 2014</u>	<u>FY 2015</u>	(1) Uncompensated Care	\$6,400,000	\$26,500,000	(2) Building Aid	\$0	\$7,200,000	(3) University System of New Hampshire	\$6,000,000	\$6,000,000	<p>DELETED BY THE SENATE</p>
	<u>FY 2014</u>	<u>FY 2015</u>											
(1) Uncompensated Care	\$6,400,000	\$26,500,000											
(2) Building Aid	\$0	\$7,200,000											
(3) University System of New Hampshire	\$6,000,000	\$6,000,000											

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<p>(4) Chartered Public Schools \$1,012,550 \$1,446,500</p> <p>(b) The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.</p> <p>(c) In the event that surplus general funds are sufficient to fund school building aid in fiscal year 2015 in subparagraph III(a)(2), the provisions of section 3 of this act shall not apply to fiscal year 2015.</p> <p>(d) Funding authorized for chartered public schools in subparagraph III(a)(4) shall be in addition to any other funding authorized and in excess of any limitations on funding established for the biennium in this act. If surplus general funds determined in paragraphs I and II are sufficient to fund chartered public schools in subparagraph III(a)(4), the provisions of section 152 of this act shall be null and void.</p> <p>IV.(a) Any funds remaining from the fiscal year 2013 surplus after the appropriations in paragraphs I and II shall be deposited in the revenue stabilization reserve account.</p> <p>(b) Any funds remaining from the fiscal year 2014 surplus after the appropriations in paragraphs I and II shall remain in the general fund.</p>	
<p>161 New Subparagraph; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (310) the following new subparagraph:</p> <p>(311) Moneys deposited in the New Hampshire state and municipal road and bridge account established under RSA 260:32-a.</p>	<p>DELETED BY THE SENATE</p>
<p>162 Levy of Tolls and Exemptions. Amend the introductory paragraph of RSA 260:32 to read as follows:</p> <p>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 \$.22 per gallon beginning July 1, 2013; to \$.26 per gallon beginning July 1, 2014; and to \$.30 per gallon beginning July 1, 2015. The road toll on special fuel (diesel) shall increase to \$.20 per gallon on July 1, 2013; to \$.22 per gallon on July 1, 2014; to \$.24 per gallon on July 1, 2015; to \$.26 per gallon on July 1, 2016; to \$.28 per gallon on July 1, 2017; and to \$.30 per gallon on July 1, 2018.</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 amounts collected in excess of \$.18 per gallon shall be deposited on a monthly basis into the New Hampshire state and municipal road and bridge account established in RSA 260:32-a.</i> Provided, that the road toll shall not apply to:</p>	<p>DELETED BY THE SENATE</p>

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<p>163 New Section; Account Established. Amend RSA 260 by inserting after section 32 the following new section:</p> <p>260:32-a Account Established. There is hereby established a separate account in the highway fund called the New Hampshire state and municipal road and bridge account. The account is to be used exclusively for the construction, reconstruction, and maintenance of state and municipal roads and bridges, including weight-restricted bridges and unnumbered roads owned by the state, to improve safe travel for motorists, create jobs, and promote commerce, tourism, and economic growth in the state. The account shall consist of the funds attributable to all road toll revenue collected in excess of \$.18 per gallon, net of any block grant aid apportionment pursuant to RSA 235:23, I. The amount deposited into the New Hampshire road and bridge account is hereby exclusively and continually appropriated to the department of transportation and shall be nonlapsing.</p>	<p>DELETED BY THE SENATE</p>
<p>164 Block Grant Aid; Apportionment. Amend RSA 235:23, I to read as follows:</p> <p>I. Apportionment A. In each fiscal year, the commissioner shall allocate an amount not less than 12 [%] percent of the estimated total road toll revenue and motor vehicle fees to be collected [in the preceding] during the fiscal year to a local highway aid fund. This fund shall be distributed to each city, town, and unincorporated place on a formula in which 1/2 of the amount is based on the proportion which the mileage of regularly maintained class IV and class V highways in each municipality, as of January 1 of the previous year, bears to the total of such mileage in the state; and 1/2 of the amount is based on the proportion which the office of energy and planning population estimate of each municipality bears to the latest estimate of the total population of the state as of July 1 of the year of the estimate. Since the payment is based upon estimated revenues to be received during the fiscal year, the following year's payment shall be adjusted for any overpayment or underpayment during the prior year based upon the actual audited total road toll revenues and motor vehicle fees collected. The aid to be distributed under this paragraph shall be in addition to all other state and federal aid specifically authorized by statute.</p>	<p>DELETED BY THE SENATE</p>
<p>165 New Section; State Bridge Aid; State Highway Aid. Amend RSA 234 by inserting after section 4 the following new section:</p> <p>234:4-a State Bridge Aid. Beginning in fiscal year 2016, the state allocation under this chapter to municipalities for state bridge aid shall be no less than \$13,600,000 per year.</p>	<p>DELETED BY THE SENATE</p>
<p>166 New Section; Federal and State Highway Aid; State Highway Aid. Amend RSA 235 by</p>	<p>DELETED BY THE SENATE</p>

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<p>inserting after section 15 the following new section: 235:15-a State Highway Aid. Beginning in fiscal year 2016, the state allocation under this chapter to municipalities for state highway aid shall be no less than \$3,400,000 per year.</p>	
<p>167 Road Toll; Exception. Amend RSA 260:60 to read as follows: 260:60 Exception. <i>I.</i> Notwithstanding all other laws and rules to the contrary, annually, on or before June 1, the road toll administrator shall compare the number of gallons on which refunds have been made for the preceding calendar year for motor fuel used in the propulsion of boats on inland public waters of the state, with the number of gallons of such motor fuel sold and delivered directly into the fuel tanks, or supplementary fuel tanks, of boats or outboard motors upon the inland public waters for use in such boats or outboards, based on the number of boats registered in the state at 100 gallons usage per boat, and if there is any balance of unrefunded tolls so collected, the administrator shall report the same to the comptroller who shall, on July 1, next following, <i>except as provided in paragraph II</i>, credit 1/2 of said balance to the general fund and credit 1/2 of said balance to the fish and game department. The funds credited to the fish and game department shall be used by said department to carry out its program and be accounted for as the fish and game fund is accounted for. Any funds credited to the fish and game department as above provided shall not lapse at the end of the fiscal year. The department shall pay monthly to the state treasurer all revenue from the aircraft landing area toll. <i>II. Unrefunded tolls under paragraph I that resulted from any increase in the road toll over \$.18 per gallon shall be credited to the highway and bridge betterment account established in RSA 235:23-a.</i></p>	<p>DELETED BY THE SENATE</p>
<p>168 Road Tolls; Credit Provided; Liability Insurance. Amend RSA 260:61, I to read as follows: <i>I.</i> Annually, on or before June 30, the comptroller shall transfer, from road tolls collected, an amount equal to the number of licensed OHRVs and snowmobiles for the previous year times the average number of gallons consumed per year per OHRV and snowmobile times the gasoline road toll imposed under RSA 260:32, less any amount refunded for OHRV and snowmobile use for the previous year, to the fish and game department and the bureau of trails as follows. The road toll administrator shall report to the comptroller if there is a balance of unrefunded road tolls collected. The administrator shall</p>	<p>DELETED BY THE SENATE</p>

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

169 New Subdivision; Commission to Study Revenue Alternatives to the Road Toll. Amend RSA 21-J by inserting after section 47 the following new subdivision:
Commission to Study Revenue Alternatives to the Road Toll
21-J:48 Commission to Study Revenue Alternatives to the Road Toll.
I. There is established a commission to study revenue alternatives to the road toll for the funding of the state’s highways and bridges.
II.(a) The members of the commission shall be as follows:
(1) Three members of the house of representatives, appointed by the speaker of the house of representatives.
(2) Two members of the senate, appointed by the president of the senate.
(3) The commissioner of the department of revenue administration, or designee.
(4) The commissioner of the department of safety, or designee.
(5) The commissioner of the department of environmental services, or designee.
(6) The commissioner of the department of transportation, or designee.
(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.
III. The commission shall study alternatives to the gas tax, through user taxes or fees, for funding improvements to the state’s highways and bridges, ensuring that all motor vehicles contribute their fair share. The committee shall consider the interim report of the commission on the taxation of alternative fuel and electric-powered motor vehicles of November 1, 2012, track the programs developed in other states, and recommend legislation when an appropriate alternative is defined.
IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named house

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<p>member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Three members of the commission shall constitute a quorum.</p> <p>V. The commission shall submit annual reports of its findings and any proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1 of each year.</p>	
<p>NO COMPARABLE HOUSE SECTION</p>	<p>96 Fees for Copies, Verifications, and Amendments to Vital Records. Amend RSA 5-C:10, II to read as follows:</p> <p>II. The town clerk shall forward \$8 of each search fee collected by the clerk under this section to the department of state for deposit in the vital records improvement fund established under RSA 5-C:15 [and \$3 to the state treasurer for deposit in the general fund,] and shall retain the remaining [\$4] \$7 as the clerk's fee for issuing such a copy. For subsequent copies issued at the same time, the town clerk shall forward \$5 of the fee collected for each subsequent copy under this section to the department for deposit in the vital records improvement fund established under RSA 5-C:15 [and \$2 to the state treasurer for deposit in the general fund,] and shall retain the remaining [\$3] \$5 as the clerk's fee for issuing such a copy. The town clerk shall retain the \$25 fee for a delayed birth certificate as the clerk's fee for examining documents and issuing the delayed birth certificate. Fees collected by the registrar shall be forwarded to the state treasurer for deposit into the vital records improvement fund established under RSA 5-C:15.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>97 Certified Public Accountants; Board Fees; Receipts. Amend RSA 309-B:4, IV to read as follows:</p> <p>IV. <i>The board shall establish fees for examination of applicants, for licenses, for certificates of authorization, for reissuance of licenses, for renewal and reinstatement of licenses and certificates to practice under this chapter, for late renewals, for verification of licensure or examination, and for transcribing and transferring records and other services.</i> All moneys collected by the board from fees authorized under this chapter shall be received and accounted for by the board, shall be deposited in the state treasury [to the credit of the board, and shall not lapse]. Administration expenses shall be limited to the funds collected and may include, but shall not be limited to, the costs of conducting investigations and of taking testimony and procuring the attendance of witnesses before the board or its committees; all legal proceedings taken under this chapter for the enforcement of this</p>

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	<p>chapter; and educational programs for the benefit of the public or licensees and their employees. All fees prescribed by the board under prior law shall remain in effect until the board shall prescribe a new schedule of fees pursuant to RSA 541-A.</p>
NO COMPARABLE HOUSE SECTION	<p>98 Professional Engineers; Receipts and Disbursements. Amend RSA 310-A:8 to read as follows:</p> <p>310-A:8 Receipts and Disbursements. [There shall be a board secretary who shall receive and account for all moneys derived under the provisions of this subdivision and shall pay the same to the state treasurer. The secretary of the board shall receive such salary as the board shall determine.] The board may employ such investigators, clerical, and other assistants as are necessary for the proper performance of its work and may make expenditures for any purpose which is reasonably necessary for the proper performance of its duties under this subdivision, including the reasonable expenses of the board's delegate to meetings of, and membership dues to, the National Council of Examiners for Engineering and Surveying (NCEES). The board may, with the approval of the attorney general, hire counsel and investigators and pay the reasonable expenses of such counsel and investigators for the investigation and prosecution of any violation of this subdivision. [Such compensation and reasonable expenses shall be paid from the funds of the board.]</p>
NO COMPARABLE HOUSE SECTION	<p>99 Professional Engineers; Reference Removed. Amend RSA 310-A:3, IV to read as follows:</p> <p>IV. [In addition to any moneys received under RSA 310-A:8,] Members of the board shall receive \$25 for each day actually engaged in the duties of their office and shall be reimbursed for all actual travel, incidental, and clerical expenses necessarily incurred in carrying out the provisions of this chapter.</p>
NO COMPARABLE HOUSE SECTION	<p>100 Land Surveyors; Receipts and Disbursements. Amend RSA 310-A:61 to read as follows:</p> <p>310-A:61 Receipts and Disbursements. [The secretary of the board shall receive and account for all moneys derived under this subdivision, and shall pay the same to the state treasurer. The secretary of the board shall receive such salary as the board shall determine in addition to the expenses provided herein.] The board may employ such clerical or other assistants as are necessary for the proper performance of its work, and may make expenditures for any purpose which, in the opinion of the board, are reasonably necessary for the proper performance of its duties under this subdivision.</p>

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<p>NO COMPARABLE HOUSE SECTION</p>	<p>101 Professional Geologists; Receipts and Disbursements. Amend RSA 310-A:123 to read as follows:</p> <p>310-A:123 Receipts and Disbursements. [There shall be a board secretary who shall receive and account for all moneys derived under the provisions of this subdivision and shall pay the same to the state treasurer.] The board may employ such investigators, clerical assistants, and other assistants as are necessary for the proper performance of its work and may make expenditures for any purpose which is reasonably necessary for the proper performance of its duties under this subdivision, including the reasonable expenses of the board's delegate to meetings and membership dues. The board may, with the approval of the attorney general, hire counsel and investigators and pay the reasonable expenses of such counsel and investigators for the investigation and prosecution of any violation of this subdivision. [Such compensation and reasonable expenses shall be paid from the funds of the board.]</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>102 Real Estate Appraisers; Receipts and Disbursements. Amend RSA 310-B:21, I to read as follows:</p> <p>I. The board shall receive and account for all moneys derived under the provisions of this chapter. [At least monthly, the receipts shall be turned over to the state treasurer, who shall keep such moneys in a separate fund to be known as the real estate appraisers fund. Such fund shall be kept separate and apart from all moneys in the treasury, and shall be disbursed only for purposes of this chapter.] Under no circumstances shall the total amount of payments exceed the fees collected under this chapter.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>103 Appropriation; Reimbursement for Payment of Erroneously Charged Medical Benefits. The sum of \$19,164.34 is hereby appropriated to the department of administrative services for the purpose of reimbursing Mrs. Patrick Kelly, the spouse of a law enforcement officer who died in the line of duty, who through no fault of her own was charged erroneously for medical benefits promised to her by the state of New Hampshire. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>104 Department of Information Technology; Transfers Among Accounts. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary, for the biennium ending June 30, 2015 the department of information technology may transfer funds within and among all accounting units and class lines within said department</p>

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	as necessary for the efficient management of the department. The department of information technology shall provide quarterly reports to the fiscal committee of the general court detailing said transactions.
NO COMPARABLE HOUSE SECTION	105 Continuation of Appropriation Regarding Emergency Management. The sums appropriated pursuant to 2011, 223:1 in accounting unit 02-23-23-236010-2740, class 244, state match public assistance, shall not lapse until June 30, 2015.
NO COMPARABLE HOUSE SECTION	106 General Fund; Transfer to Fish and Game Fund. The state treasurer shall transfer unrestricted general fund revenue to the fish and game fund in the amounts of \$699,000 for the fiscal year ending June 30, 2014 and \$893,000 for the fiscal year ending June 30, 2015. Said transfers shall occur no later than August 1st of each fiscal year.
NO COMPARABLE HOUSE SECTION	107 School Money; Determination of Adequate Education Grants. Amend RSA 198:41, III(b) to read as follows: (b) Beginning July 1, 2013, and each fiscal year thereafter, the department of education shall not distribute a total education grant on behalf of all pupils who reside in a municipality that exceeds [105.5] 108 percent of the total education grant distributed to such municipality in the previous fiscal year.
NO COMPARABLE HOUSE SECTION	108 Purpose. RSA 489-C establishes a voluntary program for the certification of commercial road salt applicators in order to encourage more efficient winter maintenance of roadways, parking lots, and sidewalks and to provide certain liability protections for certified commercial applicators and landowners whose premises are maintained by certified commercial applicators.
NO COMPARABLE HOUSE SECTION	109 New Chapter; Salt Application Controls. Amend RSA by inserting after chapter 489-B the following new chapter: <p style="text-align: center;">CHAPTER 489-C SALT APPLICATOR CERTIFICATION OPTION</p> 489-C:1 Definitions. In this chapter: I. "Apply salt" means to apply salt or a salt alternative to roadways, parking lots, or sidewalks for the purpose of winter maintenance. II. "Commercial applicator" means any individual who applies or supervises others who apply salt, but shall not include municipal or state employees. III. "Commissioner" means the commissioner of the department of environmental

	<p>services.</p> <ul style="list-style-type: none">IV. "Department" means the department of environmental services.V. "Salt" means sodium chloride, calcium chloride, magnesium chloride, or any other substance containing chloride.VI. "Salt alternative" means any substance not containing chloride used for the purpose of de-icing or anti-icing. <p>489-C:2 Certification Option. Commercial applicators may elect to be annually certified by the department. Applicator certificates shall be issued by the department. Any business that employs multiple commercial applicators may obtain a master certificate for the owner or chief supervisor, and commercial applicators employed by the business may obtain certificates to qualify under the master certificate. Any business holding a master certificate shall ensure that all commercial applicators operating under its master certificate receive the required training and shall provide the required recordkeeping on behalf of all commercial applicators. Annual fees for certificates obtained under a master certificate shall be significantly less than the fees for a master certificate.</p> <p>489-C:3 Rulemaking Authority. The commissioner shall adopt rules pursuant to RSA 541-A, relative to:</p> <ul style="list-style-type: none">I. Policies and goals for applying salt.II. Receiving and allocating federal grants and other funds or gifts for the purpose of carrying out any of the provisions of this chapter.III. The types and frequency of training programs required for certification.IV. Procedures for commercial applicators to obtain certification.V. Recordkeeping required for commercial applicators to maintain certification. <p>489-C:4 Application for Certification. Applications for certification shall be on a form prescribed by the department and shall include the following:</p> <ul style="list-style-type: none">I. The full name and address of the person applying for the certification.II. The name and address of a person whose domicile is in the state, and who is authorized to receive and accept service of summons and legal notices of all kinds for the applicant.III. The type of apparatus used to apply salt or salt alternative whether liquid or dry.IV. Any other information deemed necessary by the department. <p>489-C:5 Administration and Enforcement.</p>
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	<p>I. The commissioner shall administer and enforce the provisions of this chapter.</p> <p>II. The department may issue an order to any person who is in violation of any provision of this chapter, an applicator certificate issued under this chapter, or a rule adopted under this chapter, to cease and desist from any act in violation of such provision, certification, or rule. Orders of the department under this section shall be effective immediately.</p> <p>III. The commissioner, after notice and hearing pursuant to RSA 541-A, may revoke the certification of any person who violates this chapter. Rehearings and appeals relating to revocation shall be governed by RSA 541.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>110 New Section; Limited Liability for Winter Maintenance by Private Parking Lot Owners. Amend RSA 508 by inserting after section 21 the following new section: 508:22 New Section; Liability Limited for Winter Maintenance.</p> <p>I. No commercial applicator as defined in RSA 489-C:1, II and certified under RSA 489-C:2, or owner, occupant, or lessee of land whose premises is maintained by a commercial applicator certified under RSA 489-C:2, shall be liable for damages arising from insufficiencies or hazards on any premises owned, occupied, maintained, or operated by them, even with actual notice thereof, when such hazards are caused solely by snow or ice, and the commercial applicator's, owner's, occupant's, or lessee's failure or delay in removing or mitigating such hazards is the result of its implementation, absent gross negligence or reckless disregard of the hazard, of best management practices for winter road, parking lot, and sidewalk maintenance adopted and published by the department of transportation and the department of environmental services. All commercial applicators, owners, occupants, or lessees who adopt such best management practices shall be presumed to be acting pursuant to the best management practices in the absence of proof to the contrary.</p> <p>II. In order to receive the liability protection provided in paragraph I, a commercial applicator as defined in RSA 489-C:1, II, or an owner, occupant, or lessee of land shall keep a written record describing its winter road, parking lot and property maintenance practices. The written record shall include the type and rate of application of de-icing materials used, the dates of treatment, and the weather conditions for each event requiring de-icing. Such records shall be kept for a period of 3 years.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>111 Compensation; Definition. Amend RSA 77-E:1, V to read as follows: V. "Compensation" means:</p>

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	<p>(a) All wages, salaries, fees, bonuses, commissions, or other payments paid <i>directly</i> or accrued <i>by the business enterprise</i> in the taxable period on behalf of or for the benefit of employees, officers, or directors of the business enterprise and subject to or specifically exempt from withholding under section 3401 of the United States Internal Revenue Code except such payments as are made expressly exempt from withholding under sections 3401(a)(1), (9), (10), (13), (14), (15), (16), (18), (19), and (20); and except any tips required to be reported by the employee to the employer under section 6053(a) of the United States Internal Revenue Code; and</p> <p>(b) The amount of any deduction taken under RSA 77-A:4, III in the taxable period; and</p> <p>(c) Any net earnings from self-employment subject to tax under section 1401 of the United States Internal Revenue Code to the extent not included in the amount of any deduction taken under RSA 77-A:4, III in the taxable period.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>112 Legislative Budget Assistant; Charge for Cost of Financial Audits. Amend RSA 14:31-c to read as follows:</p> <p>14:31-c Charge Back of Financial Audits of Special Funds Agencies. The cost of any financial audit done by the legislative budget assistant or by any other auditor under his or her direction or authority of any department, division, or agency funded by highway, fish and game, any self-sustaining, or special fund shall be a charge against the appropriate fund and said cost shall be transferred from said fund to the general fund.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>113 Flood Control Payments. Notwithstanding any provision of law to the contrary, \$250,000 in FY 2014 and \$250,000 in FY 2015 shall be transferred from existing budgetary allocations of the department of justice to the department of revenue administration for the purpose of funding the flood control payments under the Connecticut River Flood Control Compact as contained in RSA 484:1 and the Merrimack River Flood Control Compact as contained in RSA 484:7.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>114 Compensation and Benefit Cost Reductions. For the biennium ending June 30, 2015, the governor shall reduce total appropriations for compensation and benefits for classified employees in any department, as defined in RSA 9:1, by not less than \$20,000,000 in fiscal year 2014 and not less than \$50,000,000 for the biennium, of which the general fund component shall be not less than \$20,000,000.</p>

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115 New Section; Public Assistance to Blind, Aged, or Disabled Persons and to Dependent Children; Prohibited Use of Electronic Benefit Transfer Cards. Amend RSA 167 by inserting after section 7-a the following new section:

167:7-b Prohibited Use of Electronic Benefit Transfer Cards.

I. Any person receiving public assistance is prohibited from using electronic benefit transfer (EBT) cards or cash obtained with EBT cards for the purpose of purchasing or participating in any activities in any location listed in paragraph II. Any person receiving public assistance who uses an EBT card in violation of paragraph II shall be subject to the following penalties:

(a) Suspension of cash assistance benefits for that person for 2 pay periods for the first offense.

(b) Suspension of cash assistance benefits for that person for 4 pay periods for the second offense.

(c) Suspension of cash assistance benefits for that person for 6 pay periods for the third and subsequent offense.

II. On or before January 1, 2014, the businesses listed in this paragraph shall disable the ability of automated teller machines and point-of-sale machines located on their business premises to accept EBT cards. The following businesses are required to comply with this paragraph:

(a) State liquor stores and agency liquor stores established by or under the authority of the New Hampshire liquor commission.

(b) Off-premises retail licensees that exclusively or primarily sell beer, wine, or other alcoholic beverages.

(c) Gambling establishments licensed under the authority of New Hampshire racing and charitable gaming commission or the New Hampshire lottery commission.

(d) Retail establishments which provide adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment.

III. The department may notify the licensing authority of any business listed in paragraph II in the event that such business has continued to allow the use of the EBT card in violation of this section. The licensing authority may take reasonable action as deemed appropriate under existing licensing provisions. Notwithstanding any provision of law to the contrary, the department is authorized to provide information and cooperate with the

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	licensing authority regarding any investigation commenced under this section.
NO COMPARABLE HOUSE SECTION	116 Medicaid Enhancement Tax; Definitions. Amend RSA 84-A:1, III to read as follows: III. "Hospital" means general hospitals [and special hospitals for rehabilitation] required to be licensed under RSA 151 that provide inpatient and outpatient hospital services, but not including government facilities.
NO COMPARABLE HOUSE SECTION	117 Uncompensated Care Fund. Amend RSA 167:63, IV to read as follows: III. "Hospital" means general hospitals [and special hospitals for rehabilitation] required to be licensed under RSA 151 that provide inpatient and outpatient hospital services, but not including government facilities.
NO COMPARABLE HOUSE SECTION	118 New Subdivision; Commission to Study Expansion of Medicaid Eligibility. Amend RSA 126-A by inserting after section 65 the following new subdivision: Commission to Study Expansion of Medicaid Eligibility 126-A:66 Commission Established; Membership; Duties. I.(a) There is established a commission to study the potential costs and benefits of expanding Medicaid eligibility in New Hampshire. The members of the commission shall be as follows: (1) Two members of the senate, one of whom shall be appointed by the president of the senate and one of whom shall be appointed by the minority leader. (2) Two members of the house of representatives, one of whom shall be appointed by the speaker of the house of representatives and one of whom shall be appointed by the minority leader. (3) The commissioner of the department of health and human services, or designee, who shall serve as a non-voting member. (4) A person representing the health care industry, appointed by the speaker of the house of representatives. (5) A person representing the insurance industry, appointed by the senate president. (6) One public member, appointed by the governor. (b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission. II.(a) The commission's study shall include, but not be limited to, the potential costs and benefits of:

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	<p>(1) Expanding Medicaid eligibility in New Hampshire as authorized by section 1902(a)(10)(A)(i)(VIII) and section 1902(e)(14) of the Social Security Act as amended by the Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Public Law 111-152.</p> <p>(2) Requesting federal approval to provide medical assistance through the purchase of private health insurance to individuals who become newly eligible for Medicaid if New Hampshire expands eligibility.</p> <p>(3) Seeking a Medicaid waiver that would enhance state flexibility on program design, eligibility, co-payments, benefit levels, or seek a federal block grant for Medicaid.</p> <p>(4) The impact that increased Medicaid eligibility as well as increased utilization of health care exchanges will have on the ability of medical providers to provide access to health care services.</p> <p>(5) The impact that increasing Medicaid eligibility could have regarding increased cost shifting to other insured groups due to under reimbursement for Medicaid.</p> <p>(b) The commission may solicit information from any person or entity the commission deems relevant to its study.</p> <p>IV. The first-named senate member shall serve as chairperson of the commission. The first meeting of the commission shall be called by the first-named senate 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>V. The department of administrative services shall provide administrative support to the commission.</p> <p>VI. The commission shall make an interim report of its finding and recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, and the governor on or before December 1, 2013 and a final report on or before December 1, 2014.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>119 Appropriation. The sum of \$200,000 is hereby appropriated to the department of administrative services for the fiscal year ending June 30, 2014, for the purpose of providing administrative support to the commission established in RSA 126-A:66 as inserted by section 118 of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>120 Repeal. RSA 126-A:66, relative to the commission to study the potential costs and</p>

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<p>NO COMPARABLE HOUSE SECTION</p>	<p>benefits of expanding Medicaid eligibility in New Hampshire, is repealed.</p> <p>121 New Subdivision; Commission on Medicaid Long-Term Care Financing and Cost. Amend RSA 151-E by inserting after section 18 the following new subdivision: Commission on Medicaid Long-Term Care Financing and Costs 151-E:19 Commission on Medicaid Long-Term Care Financing and Cost.</p> <p>I. There is established a commission to review and analyze the costs and future funding of Medicaid long-term care services for the elderly, either in licensed facilities or under the Medicaid waiver in New Hampshire.</p> <p>(a) The members of the commission shall be as follows:</p> <p>(1) One member of the senate who shall be a member of the finance committee, appointed by the president of the senate.</p> <p>(2) Three members of the house of representatives, one of whom shall be a member of the health, human services and elderly affairs committee and one of whom shall be a member of the finance committee, appointed by the speaker of the house of representatives.</p> <p>(3) The commissioner of the department of health and human services, or designee.</p> <p>(4) A representative of the New Hampshire Association of Counties, appointed by the association.</p> <p>(b) Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.</p> <p>II.(a) The commission shall review and analyze the costs and future funding of Medicaid long-term care services for the elderly, either in licensed facilities or under the Medicaid waiver in New Hampshire. The commission's study shall include, but not be limited to, a review and analysis of funding sources, reimbursement rates, and overall costs.</p> <p>(b) The commission may solicit information from any other entity or resource the commission deems relevant to its study.</p> <p>III. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Four members of the commission shall constitute a quorum.</p> <p>IV. The commission shall report its findings and any recommendations for proposed</p>
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	legislation to the oversight committee on health and human services, established in RSA 126-A:13, on or before November 1, 2013.
NO COMPARABLE HOUSE SECTION	122 Repeal. RSA 151-E:19, relative to a commission to review and analyze the costs and future funding of Medicaid long-term care services for the elderly, either in licensed facilities or under the Medicaid waiver in New Hampshire, is repealed.
NO COMPARABLE HOUSE SECTION	123 Transfer of Dedicated Funds; Renewable Energy Fund. Notwithstanding the provisions of RSA 362-F:10 and any other law to the contrary, for the fiscal year ending June 30, 2014, the department of administrative services shall transfer funds from the renewable energy fund to the general fund in the amount of \$16,100,000.
NO COMPARABLE HOUSE SECTION	124 General Fund Balance. Notwithstanding RSA 9:13-e, II, any budget surplus for the close of the fiscal biennium ending June 30, 2013 shall not be deposited in the revenue stabilization reserve account but shall remain in the general fund.
NO COMPARABLE HOUSE SECTION	125 Transfer of Funds to the Tri-County Community Action Program. I. Notwithstanding any provision of law to the contrary, the chairman of the public utilities commission is authorized to transfer funds from the account created by RSA 362-F:10 to the office of energy and planning to repay funds for low income home energy assistance, and to provide other necessary funds to Tri-County Community Action Program, Inc., acting through its court-appointed special trustee, for the stabilization of that agency, in an amount not to exceed \$533,000 upon request of the special trustee, until June 30, 2014. Such funds shall be used to pay and manage priority unsecured debt and such other obligations as the special trustee shall determine. The special trustee shall provide monthly reports on the use of such funds, as well as the efforts to stabilize and restore accountability to the agency, to the office of energy and planning, the department of justice charitable trusts unit, and to the probate court as it requires. II. Funds transferred under this section shall be repaid by the Tri-County Community Action Program from litigation or settlement funds or from insurance proceeds received or recovered by the Tri-County Community Action Program from claims or litigation related to the circumstances that resulted in the special trusteeship. The state shall have a priority claim to reimbursement from such proceeds. The final amount utilized by the agency and the use of the funds shall be reported to the fiscal committee of the general court, the office of energy and planning, and the department of justice charitable trusts unit no later than July

	31, 2014.
NO COMPARABLE HOUSE SECTION	<p>126 Trusts and Agency Funds; Other Post-Employment Benefits (OPEB) Trusts. Amend RSA 6:12-c by inserting after paragraph II the following new paragraph:</p> <p>III.(a) The state treasurer may establish one or more other post-employment benefits (OPEB) trusts for the payment of other post-employment benefits for employees or officers of the state after their termination of service. In this paragraph, the term “other post-employment benefits” means employee benefits other than pensions that are received after employment ends, and may include such medical, disability, or other health benefits, as are covered by Statement No. 45 of the Governmental Accounting Standards Board (GASB). The term “trust” means a trust qualified under GASB Statement No. 43.</p> <p>(b) Deposits to any fund under such a trust and any earnings on those deposits shall be irrevocable and shall be held in trust for the exclusive benefit of retirees and their beneficiaries in accordance with the terms of the plans or programs providing other post-employment benefits, except that funds governed by the trust may be withdrawn for other purposes only when the state’s liability owed to former officers or employees for other post-employment benefits has been satisfied or otherwise eliminated pursuant to subparagraph (d)(2). The assets of any trust created pursuant to this paragraph shall be exempt from taxation and execution, attachment, garnishment, or any other process. No public officer, employee, or agency shall divert, use, or authorize the use of such funds for any purpose other than as provided in law for other post-employment benefits covered by the trust and administrative expenses.</p> <p>(c) The state treasurer shall have the full power to invest, reinvest, and manage the assets of the trust. The state treasurer shall invest the assets of the trust with the care, skill, prudence, and diligence under the circumstances then prevailing that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims. The state treasurer shall also diversify such investments so as to minimize the risk of large losses unless under the circumstances it is clearly prudent not to do so. The state treasurer may engage a trust administrator, investment consultants, or other qualified professionals to assist with management and investment of the funds of the trust and may pay for these services out of the funds of the trust.</p> <p>(d) The state treasurer may withdraw money from the funds of a trust created</p>

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	<p>pursuant to this paragraph only:</p> <p>(1) As needed to pay other post-employment benefits owed to former state officers and employees; or</p> <p>(2) When all other post-employment benefits liability owed to former state officers or employees has been satisfied or otherwise deceased.</p> <p>(e) The state treasurer shall complete and make available, not later than 120 days after the close of each fiscal year, an annual comprehensive financial report of the OPEB trust for the preceding fiscal year. The comprehensive financial report shall be prepared in a manner consistent with generally accepted accounting principals and shall be audited annually by a qualified independent auditor selected by the state treasurer.</p> <p>(f) When the balance of any trust established under this paragraph reaches \$10,000,000, the state treasurer shall transfer responsibility for administration of the trust to a board of trustees comprised of the state treasurer and 3 members of the public. The governor, the speaker of the house of representatives, and the senate president shall each appoint one trustee, who shall be a qualified person with substantial investment or financial experience, taking into account factors such as educational background, business experience, and professional licensure and designations. The trustees shall serve 3-year terms and until a successor is appointed and qualified, except that the initial appointment by the governor shall be for a term of one year, the initial appointment by the speaker of the house of representatives shall be for a term of 2 years, and the initial appointment by the senate president shall be for a term of 3 years. No trustee, other than the state treasurer, may serve more than 3 full terms.</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>127 Navigation Safety Fund. Amend RSA 270-E:6-a to read as follows: 270-E:6-a Navigation Safety Fund. There is established the navigation safety fund which shall be nonlapsing and continually appropriated to the department of safety, division of state police. The state treasurer may invest moneys in the fund as provided by law and all interest received on such investment shall be credited to the fund. The fund shall only be used to promote the safety of navigation and the administration and enforcement of RSA 270, RSA 270-B, RSA 270-D, and RSA 270-E. [Any balance remaining in the navigation safety fund at the close of each fiscal year shall lapse to the general fund.]</p>
<p>NO COMPARABLE HOUSE SECTION</p>	<p>128 Department of Health and Human Services, Office of Medicaid Business and Policy; Hospital Reimbursement. Any hospital that provides designated receiving services under</p>

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	contract with the department of health and human services pursuant to RSA 135-C shall be reimbursed at a rate that is not less than 80 percent of the rate paid to New Hampshire hospital.
<p>170 Effective Date.</p> <ul style="list-style-type: none">I. Sections 31, 36, 132, 150, and 169 of this act shall take effect upon its passage.II. Sections 34, 37, 39, 93, 100, 130, 135, 151, and 160 of this act shall take effect June 30, 2013.III. Section 22 of this act shall take effect January 1, 2014.IV. Section 38 of this act shall take effect November 15, 2013.V. Sections 73-82 of this act shall take effect 60 days after its passage.VI. Sections 114 and 125 of this act shall take effect August 1, 2013.VII. Sections 115-119, 121, 123, and 124 of this act shall take effect February 1, 2014.VIII. Section 120 of this act shall take effect June 30, 2019.IX. Sections 29 and 30 of this act shall take effect as provided in section 31 of this act.X. The remainder of this act shall take effect July 1, 2013.	<p>129 Effective Date.</p> <ul style="list-style-type: none">I. Sections 28, 33, 54, 90, 111, 118, 119, and 121 of this act shall take effect upon its passage.II. Sections 31, 34, 66-67, 77, 89, 91, and 105 of this act shall take effect June 30, 2013.III. Sections 108-110 of this act shall take effect 90 days after its passage.IV. Section 120 of this act shall take effect December 2, 2014.V. Section 115 of this act shall take effect January 1, 2014.VI. Section 35 of this act shall take effect November 15, 2013.VII. Section 122 of this act shall take effect November 1, 2013.VIII. Section 127 of this act shall take effect July 1, 2015.IX. Sections 26 and 27 of this act shall take effect as provided in section 28 of this act.X. The remainder of this act shall take effect July 1, 2013.