

SB 450-FN – AS AMENDED BY THE HOUSE

03/24/10 1113s
03/24/10 1174s
12May2010... 1953h
12May2010... 1956h

2010 SESSION

10-2705
01/10

SENATE BILL **450-FN**

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

SPONSORS: Sen. Sgambati, Dist 4; Sen. D'Allesandro, Dist 20; Sen. Gallus, Dist 1; Sen. Janeway, Dist 7

COMMITTEE: Finance

AMENDED ANALYSIS

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

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12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.
13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.
14. Abolishes the position of animal population control assistant.
15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).
16. Suspends the catastrophic illness program in the department of health and human services for the fiscal year ending June 30, 2011.
17. Suspends the senior volunteer grant program in the department of health and human services for the fiscal year ending June 30, 2011.
18. Reduces required funding by the department of health and human services for juvenile placement programs and requires the department to report biennially on the effectiveness of the programs.
19. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.
20. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.
21. Suspends the provision of indirect graduate medical education payments to hospitals through June, 2011.
22. Suspends catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.
23. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.
24. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax in addition to the state meals and rooms tax.
25. Reduces rooms and meals tax revenue distributions to towns and cities an additional \$6,091,930.
26. Removes the application of the rooms and meals tax to campsites.
27. Authorizes the state treasurer to refinance certain debt service obligations.
28. Increases the bonded appropriation for the university system of New Hampshire KEEP NH program by \$25,000,000 for the biennium ending June 30, 2011.
29. Increases the tax rate imposed on tobacco products other than cigarettes.
30. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.
31. Requires the lapse of certain retirement pension benefit-health insurance funds.

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32. Requires the lapse of certain judicial council funds for contracts for program services.
33. Requires the lapse of certain appropriations to the state treasurer for debt service.
34. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.
35. Establishes a commission to study business taxes.
36. Reduces the state's contribution for benefits under the New Hampshire retirement system for fiscal year 2011.
37. Increases the license fees for selling animals and birds.
38. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.
39. Transfers certain appropriations relating to adequate education grants.
40. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.
41. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.
42. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.
43. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.
44. Requires nonclassified and unclassified state employees to take 12 furlough days during fiscal year 2011.
45. Requires reductions in personnel expenditures in an agency to be distributed proportionately between classified and unclassified employees of such agency.
46. Provides that the procedure for reassignment of state employees prior to layoff is suspended and any positions intended by a department to be left vacant shall remain vacant.
47. Prohibits certain transfers of funds out of any class line which is the source of payment for Medicaid providers whose reimbursement rates are set by the department of health and human services and whose rates have been reduced by the department of health and human services through the use of a budget neutrality factor, a proportionate discount factor, or any similar reduction device.
48. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.
49. Requires the relocation of the populations of the Anna Philbrook center and the Shea Farm transitional housing unit.
50. Establishes a committee to study the transfer of populations of the youth development center and the state prison for women.

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- 51. Directs the state treasurer to deposit certain fine revenues in the general fund.
- 52. Replaces the electricity consumption tax paid by consumers with an electricity generation tax paid by generation facilities.
- 53. Sets the insurance premium tax at 2 percent for all lines of insurance.
- 54. Changes the rate of the New Hampshire estate tax to 8 percent of the gross value of the portion of the decedent's taxable estate that exceeds \$2,000,000.
- 55. Increases the fees for marriage licenses and vital record copies and amendments and requires a portion of the increase to be deposited in the general fund.
- 56. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.
- 57. Makes appropriation reductions for fiscal year 2011.

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Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

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

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Administration of the New Hampshire Employment Program; Duties; Rulemaking. Amend
2 RSA 167:83, V to read as follows:

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

8 2 Non-TANF Funded Program for 2-Parent Families With Dependent Children. Amend
9 RSA 167:77-e to read as follows:

10 167:77-e Assistance Program for 2-Parent Families with Dependent Children. ~~[By October 1,~~
11 ~~2008,]~~ The department ~~[shall]~~ **may** establish a non-TANF, state-funded financial assistance program
12 for 2-parent needy families with dependent children in which one parent is underemployed or
13 unemployed. With the exception of parental underemployment or unemployment, client eligibility
14 and program requirements and administration shall be in accordance with this chapter and the rules
15 adopted under this chapter. In order to meet the federal work participation rate and avoid federally-
16 imposed penalties, the commissioner may add additional groups of families to this state-funded,
17 financial assistance program as funding permits and also may transfer cases back to the TANF
18 program, pursuant to rules adopted under RSA 541-A.

19 3 Authorizing the Department of Health and Human Services to File Claims for Medical and
20 Financial Assistance Against Abandoned Property Held by the Treasury; Filing of Claim With
21 Administrator. Amend RSA 471-C:26, I(c)(2) and (3) to read as follows:

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

25 (3) **Except as provided in subparagraphs (5)-(7)**, in the absence of an open
26 estate or probate court decree of final distribution, and the unclaimed property is valued at less than

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1 \$5,000 and does not include securities in share form, by the surviving spouse of the deceased owner,
2 or, if there is no surviving spouse, then to the next of kin in accordance with the provisions of
3 RSA 561:1.

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

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

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

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

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

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

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

24 5 Repeal. 2009, 144:211, relative to community mental health centers; administrative
25 requirements suspended, is repealed.

26 6 Department of Health and Human Services; Transfer Among Accounts. Amend 2009, 144:39,
27 III to read as follows:

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

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1 7 Lead Paint Poisoning Prevention and Control; Rulemaking. Amend RSA 130-A:10, IV to read
2 as follows:

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

10 8 Lead Poisoning Prevention Fund. Amend RSA 130-A:15 to read as follows:

11 130-A:15 Lead Poisoning Prevention Fund. There is hereby established the lead poisoning
12 prevention fund to be used to carry out the provisions of this chapter. The fund shall be composed of
13 fees, fines, gifts, grants, donations, bequests, or other moneys from any public or private source and
14 shall be used to implement and encourage lead paint removal and education, **and to support**
15 **program staff and administrative costs**. The fund shall be nonlapsing and shall be continually
16 appropriated to the commissioner of the department of health and human services for the purposes
17 of this chapter.

18 9 New Paragraph; Department of Health and Human Services; Duties of the Department.
19 Amend RSA 161:2 by inserting after paragraph XVII the following new paragraph:

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

23 10 New Section; Special Fund; Civil Fines. Amend RSA 151 by inserting after section 16-a the
24 following new section:

25 151:16-b Civil Fines. All administrative fines and other civil monetary penalties collected by the
26 department from facilities licensed under this chapter shall be kept by the state treasurer in a
27 separate, non-lapsing, interest bearing account. Interest earned on moneys deposited in the account
28 shall be deposited into the account. The moneys in the account shall be used by the department for
29 the protection of the health and property of residents of facilities licensed under this chapter.

30 11 New Subparagraph; Special Fund. Amend RSA 6:12, I(b) by inserting after subparagraph
31 (299) the following new subparagraph:

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

34 12 Medicaid Enhancement Tax; Due Date. Amend RSA 84-A:3, II-a to read as follows:

35 II-a. For the taxable period beginning July 1, 1993, and for every taxable period thereafter,
36 each hospital shall pay 100 percent of its medicaid enhancement tax due and payable for the taxable
37 period no later than the fifteenth day of the ~~third~~ **fourth** month of the taxable period.

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1 Notwithstanding any provision of this chapter or any other law, no penalty or interest shall be
2 imposed for failure to make payment of tax when due if such payment is made on or before the last
3 day of the month in which such payment is due.

4 13 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18,
5 I(a)(3) to read as follows:

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

13 14 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18,
14 I(b)(3) to read as follows:

15 (3) Sentenced to a mandatory sentence of not less than 10 consecutive days of which
16 3 consecutive 24-hour periods shall be served in the county correctional facility and 7 consecutive
17 days shall be served at the [~~state-operated~~] 7-day multiple DWI offender intervention [~~detention~~
18 ~~center~~] **program** established under RSA 265-A:40, which sentence shall begin no later than [~~21~~] **45**
19 days after conviction. In the event that the [~~state-operated~~] 7-day multiple DWI offender
20 intervention [~~detention-center~~] **program** has no available space, the person shall be assigned to an
21 equivalent 7-day residential intervention program approved by the commissioner of health and
22 human services. The person shall begin following any treatment recommendations arising out of the
23 final evaluation given to the person at the multiple DWI offender intervention [~~detention-center~~]
24 **program** or equivalent program within 60 days after the person has completed serving the required
25 7 consecutive days or such other time as the court may order;

26 15 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18,
27 I(c)(3) to read as follows:

28 (3) Sentenced to a mandatory sentence of not less than 21 consecutive days of which
29 14 consecutive 24-hour periods shall be served in the county correctional facility followed by 7
30 consecutive days served at the [~~state-operated~~] 7-day multiple DWI offender intervention [~~detention~~
31 ~~center~~] **program** established under RSA 265-A:40, which sentence shall begin no later than 21 days
32 after conviction. In the event that the [~~state-operated~~] 7-day multiple DWI offender intervention
33 [~~detention-center~~] **program** has no available space the person shall be assigned to an equivalent 7-
34 day residential intervention program approved by the commissioner of health and human services,
35 and the remainder of the sentence may be deferred at the court's discretion. The person shall begin
36 following any treatment recommendations arising out of the final evaluation given to the person at
37 the multiple DWI offender intervention [~~detention-center~~] **program** or equivalent program within 60

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1 days after the person has completed serving the required 7 consecutive days or such other time as
2 the court may order. The court may, at the satisfactory completion of any ordered treatment,
3 suspend any remaining deferred sentence. Failure to successfully complete any court-ordered
4 intervention program or recommended treatment shall result in the imposition of any remaining
5 deferred sentence; and

6 16 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18,
7 IV(a)(3)-(5) to read as follows:

8 (3)(A) If the complaint alleges that the prior conviction occurred within 2 years
9 preceding the date of the second offense, the person shall be sentenced to a mandatory sentence of
10 not less than 37 consecutive days of which 30 consecutive 24-hour periods shall be served in the
11 county correctional facility followed by 7 consecutive days to be served at the ~~[state-operated]~~ 7-day
12 multiple DWI offender intervention ~~[detention-center]~~ **program** established under RSA 265-A:40
13 within 21 days after conviction, except that in circumstances where the ~~[state-operated]~~ 7-day
14 multiple DWI offender intervention ~~[detention-center]~~ **program** has no available space the person
15 shall be assigned to an equivalent 7-day residential intervention program approved by the
16 commissioner of health and human services. The person shall begin following any treatment
17 recommendations arising out of the final evaluation given to the person at the multiple DWI offender
18 intervention ~~[detention-center]~~ **program** or equivalent program within 60 days after the person has
19 completed serving the required 30 consecutive 24-hour periods or such other time as the court may
20 order.

21 (B) If the complaint alleges that the prior conviction occurred more than 2 but
22 not more than 10 years preceding the date of the second offense, the person shall be sentenced to a
23 mandatory sentence of not less than 10 consecutive days of which 3 consecutive 24-hour periods shall
24 be served in the county correctional facility and 7 consecutive days shall be served at the ~~[state-~~
25 ~~operated]~~ 7-day multiple DWI offender intervention ~~[detention-center]~~ **program** established under
26 RSA 265-A:40, which sentence shall begin no later than 21 days after conviction. In the event that
27 the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention-center]~~ **program** has no
28 available space the person shall be assigned to an equivalent 7-day residential intervention program
29 approved by the commissioner of health and human services. The person shall begin following any
30 treatment recommendations arising out of the final evaluation given to the person at the multiple
31 DWI offender intervention ~~[detention-center]~~ **program** or equivalent program within 60 days after
32 the person has completed serving the required 7 consecutive days or such other time as the court
33 may order.

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

36 (5) The person shall pay a fee ~~[to the commissioner]~~, as established under RSA 126-
37 A:43, for the costs of the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention-center]~~

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1 program prior to license restoration. If the person attends an approved equivalent 7-day residential
2 intervention program, the fees and costs shall be paid to the program.

3 17 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18,
4 VI to read as follows:

5 VI. If any person is convicted of a violation of RSA 265-A:2, I or RSA 265-A:3, and the
6 conviction is not based upon a complaint which alleges prior convictions as provided in paragraph IV,
7 but the person is found to have had one or more such prior convictions in this state or in an out-of-
8 state jurisdiction within 10 years preceding the date of the offense, the person's driver's license or
9 privilege to drive shall be revoked for not less than one year nor more than 3 years. Except for good
10 cause found by the court and noted in writing, the court may suspend up to 6 months of this
11 sentence, provided that within 45 days after conviction the person has entered the 7-day program at
12 the ~~[state-operated]~~ multiple DWI offender intervention ~~[detention-center]~~ program or an equivalent
13 7-day residential intervention program approved by the commissioner of health and human services,
14 as provided in RSA 265-A:40 and RSA 265-A:42. The person's license shall not be restored until the
15 person has successfully completed the program. The court may further order attendance at a
16 residential treatment center, for a period not to exceed 30 days, at the person's own expense.

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

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

27 19 Penalties for Boating While Intoxicated. Amend RSA 265-A:19, II to read as follows:

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

34 20 Impaired Driver Intervention Programs. Amend RSA 265-A:39, I to read as follows:

35 I. Except as provided in paragraph IV, the commissioner of the department of health and
36 human services shall be responsible for biennially approving the impaired driver intervention
37 programs and 7-day residential intervention programs equivalent to the multiple DWI offender

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

7 21 Multiple DWI Offender Intervention Program. RSA 265-A:40 is repealed and reenacted to
8 read as follows:

9 265-A:40 Multiple DWI Offender Intervention Program.

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

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

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

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

26 (a) Program curriculum and content.

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

28 22 Impaired Driver Intervention Programs; Utilization of Funds. Amend RSA 265-A:41 to read
29 as follows:

30 265-A:41 Utilization of Funds. All funds derived from the fees collected by the commissioner of
31 the department of health and human services under RSA 265-A:18 shall be paid over to the state
32 treasurer within 10 days of the subsequent month, or at an earlier date, for deposit into a separate
33 account in the treasury known as the 7-day multiple DWI offender intervention [~~detention center~~]
34 program account. These funds are appropriated as indicated in the operating budget as a source of
35 funds for the 7-day multiple DWI offender intervention [~~detention center~~] program. Any funds
36 remaining in the account over the appropriation indicated in the operating budget shall lapse into
37 the general fund at the end of each fiscal year.

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1 23 Impaired Driver Intervention Programs; Attendance Required. Amend RSA 265-A:42, IV(b)
2 to read as follows:

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

6 24 Sentences and Limitations. Amend RSA 651:2, V(h) to read as follows:

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

13 25 Report Required. The commission to examine driving while impaired education and
14 intervention programs shall, pursuant to the authority under 2008, 256:10, as extended by 2009,
15 202:5, study the penalties for intoxication or under the influence of drugs offenses, including but not
16 limited to the multiple DWI offender intervention program. Based upon available research and data,
17 the commission shall review and evaluate the merits of the penalties and the program in order to
18 develop recommendations on these issues. On or before November 1, 2010, the commission shall
19 report its findings to the governor's commission on alcohol and drug abuse prevention, intervention,
20 and treatment, the speaker of the house of representatives, the president of the senate, the
21 commissioner of the department of health and human services, the house clerk, the senate clerk, the
22 state library, and the governor and shall make recommendations, if appropriate, for future
23 legislation to address these issues.

24 26 State Treasurer; Application of Receipts. Amend RSA 6:12, I (b)(147) to read as follows:

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

27 27 Department of Health and Human Services; Office of Reimbursements; Duties. Amend RSA
28 126-A:34, I(a) to read as follows:

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

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1 28 Department of Health and Human Services; Office of Reimbursements; Financial
2 Statements. Amend RSA 126-A:38, II-III to read as follows:

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

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

15 29 Operating Budget; Lapse; Legislative Branch. Notwithstanding 2009, 143:1, the legislative
16 branch shall lapse an additional \$312,000 for the fiscal year ending June 30, 2010 and lapse an
17 additional \$669,000 for the fiscal year ending June 30, 2011. The reductions required by this section
18 shall be in addition to the lapse required pursuant to 2009, 143:10 and in addition to the lapse
19 required pursuant to 2010, 4:1.

20 30 Operating Budget; General Fund Appropriation Reductions; Department of Information
21 Technology. Notwithstanding 2009, 143:1, the department of information technology, in consultation
22 with the department of administrative services, shall reduce class lines of the department by an
23 amount that will result in additional reductions of general funded agencies' appropriations for class
24 27 totaling \$2,175,000 for the fiscal year ending June 30, 2011. The reductions required under this
25 section shall be in addition to any reductions required pursuant to 2009, 143:12 and by Executive
26 Order No. 2010-02. The commissioner of the department of information technology shall submit to
27 the fiscal committee of the general court and the commissioner of the department of administrative
28 services an itemization of the reductions in expenditure classes made to implement this section on or
29 before July 31, 2010.

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

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

8 33 New Paragraph; Animal Population Control Program; Management of Fund. Amend RSA
9 437-A:4-a by inserting after paragraph II the following new paragraph:

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

14 34 Animal Population Control Program; Rulemaking. Amend RSA 437-A:5, II-a to read as
15 follows:

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

17 35 Animal Population Control Program; Assistant Position. The animal population control
18 program assistant position shall be abolished and, if the position is filled the department shall
19 transfer the individual to a vacant position of similar responsibility, or the individual shall be laid
20 off.

21 36 Operating Budget; General Fund Appropriation Reduction; Department of Environmental
22 Services. Notwithstanding 2009, 143:1, the state general fund appropriations for the department of
23 environmental services shall be reduced by an additional \$432,335 for the fiscal year ending June 30,
24 2011. The reduction required by this section shall be in addition to any reductions required
25 pursuant to Executive Order No. 2010-02 and any other section contained in this act. Such
26 reduction shall be attributable to a combination of vacant positions, supplanting general fund
27 appropriations with federal funds and other funds that might be available for that purpose, and
28 reductions in specific class line item appropriations provided that such reductions do not cause a
29 reduction of services, a reduction of grants or aid to local communities, or an increase in fees. The
30 commissioner of environmental services shall submit to the fiscal committee of the general court an
31 itemization of the reductions in expenditure classes made to implement this section on or before
32 February 15, 2011.

33 37 Health and Human Services; Contract Consolidation. For the fiscal year ending June 30,
34 2011, the department of health and human services shall reduce state general fund appropriations
35 by \$1,500,000 by consolidating social services and medical contracts in order to reduce
36 administrative costs. The department shall not reduce program services in order to meet the
37 reductions required under this section.

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

5 39 Youth Development Center; Appropriation Reduction. Notwithstanding any provision of law
6 to the contrary, the department of health and human services shall decrease state general fund
7 appropriations for the youth development center under accounting unit 05-95-41-412010 by
8 \$1,561,514 for the fiscal year ending June 30, 2011. In order to meet this reduction, the department
9 shall eliminate 30 positions at the youth development center which are no longer necessary due to
10 the declining census at such center.

11 40 Department of Health and Human Services; North Country Transportation. For the
12 biennium ending June 30, 2011, the department of health and human services shall not reduce
13 funding provided to North Country Transportation used toward meeting the state matching funds
14 requirement for the Job Access and Reverse Commute (JARC) grant award from the United States
15 Department of Transportation.

16 41 Department of Health and Human Services; Suspension of Catastrophic Illness Program.
17 Notwithstanding any provision of law or rule to the contrary, for the fiscal year ending June 30,
18 2011, the catastrophic illness program under RSA 137-G is suspended.

19 42 Department of Health and Human Services; Suspension of Senior Volunteer Grant Program.
20 Notwithstanding any provision of law or rule to the contrary, for the fiscal year ending June 30,
21 2011, the senior volunteer grant program under RSA 161-F:40 is suspended.

22 43 Prevention Programs. Amend RSA 170-G:4, XVI to read as follows:

23 XVI. Encourage cities, towns, and counties to develop and maintain prevention programs,
24 court diversion programs, and alternative dispositions for juveniles other than placements outside of
25 the home through the use of a formula which shall allow for the transfer of funds to cities, towns,
26 and counties which have, or are developing, prevention programs or alternatives for juvenile care.
27 The amount to be distributed for this program shall be not less than [4-5] **3** percent of the annual
28 amount appropriated to the department of health and human services for placement costs. The
29 method of distribution shall be based upon rules adopted under RSA 541-A by the commissioner.
30 For purposes of this paragraph, prevention programs shall include programs or activities for the
31 prevention of child abuse and neglect. ***Before January 1, 2011, and biennially thereafter, the***
32 ***department shall provide to the chairmen of the house and senate health and human***
33 ***services committees, and the chairmen of the house and senate finance committees a report***
34 ***assessing the effectiveness of the programs funded through this paragraph.***

35 44 Department of Health and Human Services; Suspension of Residential Rate Setting Rule.
36 Amend 2009, 144:32 to read as follows:

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1 144:32 Department of Health and Human Services; Suspension of Residential Rate Setting
2 Rule. Notwithstanding any provision of the law or rule to the contrary, for the biennium ending
3 June 30, 2011, He-C 6422 relative to the residential child care facilities rate setting is suspended.
4 The base rate for residential providers for the [~~biennium~~] **state fiscal year** ending June 30, [~~2011~~]
5 **2010** shall be the rate in effect on June 30, 2009. **For the state fiscal year ending June 30, 2011,**
6 **the rate paid to residential providers subject to the rate setting rule as of June 30, 2009**
7 **shall be reduced by 2 percent. The base rate for the calculation of the 2 percent rate**
8 **reduction shall be the rate in effect on June 30, 2009. Notwithstanding any provision of**
9 **law or rule to the contrary, for state fiscal year 2011, the rate established pursuant to RSA**
10 **170-G:4, XVII for all other services and programs which are paid for by the department**
11 **pursuant to RSA 169-B:40, 169-C:27, and 169-D:29 shall be reduced by 2 percent. The base**
12 **rate for the calculation of the 2 percent rate reduction shall be the rate in effect on July 1,**
13 **2009.**

14 45 Department of Health and Human Services; Direct Graduate Medical Education; Suspension.
15 Amend 2009, 144:24 to read as follows:

16 144:24 Department of Health and Human Services; Direct Graduate Medical Education. The
17 commissioner of the department of health and human services shall submit a Title XIX Medicaid
18 state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the
19 provision of direct graduate medical education payments to hospitals as contemplated at 42 U.S.C.
20 section 1396a(a)(30)(A) to be effective July 1, 2009. Upon approval of the state plan amendment, and
21 as of the effective date of the state plan amendment, any obligations for payment of direct graduate
22 medical education are suspended until [~~June 30, 2011~~] **July 1, 2011.**

23 46 Department of Health and Human Services; Indirect Graduate Medical Education
24 Suspension. The commissioner of the department of health and human services shall submit a Title
25 XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to
26 suspend the provision of indirect graduate medical education payments to hospitals effective April 1,
27 2010. Upon approval of the state plan amendment, and as of the effective date of the state plan
28 amendment, any obligations for payment of indirect graduate medical education shall be suspended
29 until July 1, 2011.

30 47 Department of Health and Human Services; Suspension of Catastrophic Aid Payment.
31 Notwithstanding 2009, 144:160, the commissioner of the department of health and human services
32 shall submit a Title XIX Medicaid state plan amendment to the federal Centers for Medicare and
33 Medicaid Services to suspend all catastrophic aid payments to hospitals effective June 15, 2010 and
34 continuing through June 30, 2011.

35 48 Department of Health and Human Services; Public Assistance; Definitions. Amend
36 RSA 167:6, VI to read as follows:

37 VI. For the purposes hereof, a person shall be eligible for aid to the permanently and totally

1 disabled who is between the ages of 18 and 64 years of age inclusive; is a resident of the state; and is
2 disabled as defined in the federal Social Security Act, Titles II and XVI and the regulations adopted
3 under such act, except that the minimum required duration of the impairment shall be 48 months,
4 unless and until the department adopts a 12-month standard in accordance with RSA 167:3-j. In
5 determining disability, the standards for “substantial gainful activity” as used in the Social Security
6 Act shall apply, including all work incentive provisions including Impairment Related Work
7 Expenses, Plans to Achieve Self Support, and subsidies. No person shall be eligible to receive such
8 aid while receiving old age assistance, aid to the needy blind, or aid to families with dependent
9 children. ***Notwithstanding any provision of law to the contrary, eligibility for cash***
10 ***assistance shall be conditioned upon the recipient filing an application for any federal***
11 ***disability benefits for which the individual may be entitled and pursuing any appeals***
12 ***available for those federal benefits. Cash assistance shall terminate upon a finding by a***
13 ***federal administrative law judge that the individual is medically ineligible for the federal***
14 ***benefits. The department may terminate cash assistance for failure to comply with the***
15 ***requirements of this paragraph, subject to the recipient’s right to an administrative***
16 ***appeal.***

17 49 New Subdivision; Optional Local Meals and Rooms Tax. Amend RSA 78-A by inserting after
18 section 26 the following new subdivision:

19 Optional Local Meals and Rooms Tax

20 78-A:27 Local Meals and Rooms Tax.

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

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

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

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

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

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

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

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

7 50 Rooms and Meals Tax; Distribution to Cities and Towns. Notwithstanding any provision of
8 law, for the fiscal year ending June 30, 2011, the state treasurer shall reduce the total revenue
9 distributed to cities and towns authorized by 2009, 143:1 and 2009, 144:8 by the sum of \$6,091,930.
10 The remaining funds shall be distributed to cities and towns pursuant to the formula for determining
11 the amount of revenue returnable to cities and towns under RSA 78-A:26, I and II.

12 51 Meals and Rooms Tax; Definition of Hotel; Campsites. Amend the introductory paragraph of
13 RSA 78-A:3, III to read as follows:

14 III. “Hotel” means an establishment which holds itself out to the public by offering sleeping
15 accommodations for rent, whether or not the major portion of its operating receipts is derived from
16 sleeping accommodations. The term includes, but is not limited to, inns, motels, tourist homes and
17 cabins, ski dormitories, ski lodges, lodging homes, rooming houses, furnished room houses, boarding
18 houses, private clubs, hostels, cottages, camps, [~~campsites,~~] chalets, barracks, dormitories, and
19 apartments. The term does not include the following:

20 52 Authorization for Debt Restructuring. The state treasurer is hereby authorized to refinance
21 all or a portion of the state’s fiscal year 2011 debt service obligations by the issuance at one time or
22 from time to time of up to \$55,000,000 aggregate principal amount of general obligation refunding
23 bonds, which shall mature in such amounts and at such time as the state treasurer, with the
24 approval of the governor and council, shall determine; provided that the final maturity of such bonds
25 shall not be later than June 30, 2021. The issue of such bonds shall be subject to the same
26 requirements and provisions of law as would then be applicable to the issue of the bonds being
27 refunded, except as provided in this section. Such refinancing is intended to result in a general fund
28 reduction of the required debt service for the biennium ending June 30, 2011 of approximately
29 \$40,000,000. The amount of general fund debt service so refinanced shall lapse to the general fund
30 on or before June 30, 2011.

31 53 Capital Appropriation; University System of New Hampshire. Amend 2005, 259:2, I to read
32 as follows:

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

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1 the following capital projects:

2 A. DeMeritt Hall renovation and expansion (UNH);

3 B. James Hall renovation and expansion (UNH);

4 C. Parsons Hall renovation (UNH);

5 D. Planning for renovation of Nesmith Hall (UNH), renovation and expansion of
6 Physical Education Center (PSU), and conversion of former Zorn dining commons to academic
7 building (KSC);

8 E. Infrastructure work on the Keene State College and Plymouth State University
9 campuses;

10 F. NHPTV equipment (UNH); and

11 G. University Centers that would co-locate USNH and Community-Technical College
12 System programs.

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

21 54 Capital Appropriation; University System of New Hampshire; KEEP NH. Amend 2005,
22 259:2, II, to read as follows:

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

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

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

33 C. ~~[\$74,500,000]~~ **\$99,500,000** through the biennium ending June 30, 2011 (~~[\$35,000,000]~~
34 **\$60,000,000** in new authorization for the biennium).

35 D. ~~[\$109,500,000]~~ **\$134,500,000** through the biennium ending June 30, 2013
36 (\$35,000,000 in new authorization for the biennium).

37 55 Capital Budget; Bonds Authorized; University System of New Hampshire; KEEP. Amend

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1 2005, 259:8, II to read as follows:

2 II. To provide funds for the appropriation made in section 2, paragraphs I, *I-a*, and II, the
3 state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of
4 [~~\$109,500,000~~] **\$134,500,000** and for said purposes may issue bonds and notes in the name of and on
5 behalf of the state of New Hampshire in accordance with RSA 6-A; provided the cumulative bonds or
6 notes shall not be issued in excess of:

- 7 (1) \$4,500,000 through the biennium ending June 30, 2007.
8 (2) \$39,500,000 through the biennium ending June 30, 2009.
9 (3) [~~\$74,500,000~~] **\$99,500,000** through the biennium ending June 30, 2011.
10 (4) [~~\$109,500,000~~] **\$134,500,000** through the biennium ending June 30, 2013.

11 56 Tobacco Tax; Tax on Products Other than Cigarettes. Amend RSA 78:7-c to read as follows:

12 78:7-c Tax Imposed on Tobacco Products Other Than Cigarettes. A tax upon the retail consumer
13 is hereby imposed on tobacco products other than cigarettes at a rate of [~~48.59~~] **65.03** percent of the
14 wholesale sales price. The tax under this section may be rounded to the nearest cent if the
15 commissioner determines that the amount of tax would not thereby be made materially
16 disproportionate. No such tax is imposed on any transactions, the taxation of which by this state is
17 prohibited by the Constitution of the United States. No such tax shall be imposed on premium
18 cigars.

19 57 Applicability; Tax on Tobacco Products Other than Cigarettes. Section 56 of this act shall
20 apply to all persons licensed under RSA 78:2. Such persons shall inventory all taxable tobacco
21 products other than cigarettes in their possession and file a report of such inventory with the
22 department of revenue administration on a form prescribed by the commissioner within 20 days after
23 the effective date of this section. The tax rate effective on the effective date of this section shall
24 apply to such inventory and the difference, if any, in the amount paid previously on such inventory
25 and the current effective rate of tax shall be due within 90 days of the effective date of this section.
26 The inventory form shall be treated as a tax return for the purpose of computing penalties under
27 RSA 21-J.

28 58 Operating Budget; Transfer of Dedicated Funds. Notwithstanding RSA 6:12 and any other
29 law to the contrary, for the fiscal year ending June 30, 2010, the department of administrative
30 services shall transfer funds from the following accounts or funds maintained separately on the
31 books of the state to the general fund in the following amounts:

32 Account/Fund	Amount Transferred to General Fund
33 Statewide Public Boat Access Fund, RSA 233-A:13	\$500,000
34 Nitrogen Oxide Emissions Reduction Fund, 35 RSA 125-J:13, II	\$90,000
36 Laboratory Equipment Fund, RSA 131:3-a, II	\$100,000
37 New Hampshire Hazardous Waste Cleanup Fund,	

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1	RSA 147-B:3	\$100,000
2	Default Bench Warrant Fund, RSA 263:56-d	\$100,000
3	Fire Standards and Training and Emergency Medical	
4	Services Fund, RSA 21-P:12-d	\$1,500,000
5	Recount Administrative and Fee Account,	
6	RSA 660:31	\$110,000
7	Reflectorized Plates Inventory Fund, RSA 228:25	\$250,000
8	Education Credentialing Fund, RSA 186:11, X	\$250,000
9	Sludge Analysis Fund, RSA 485-A:4, XIV-c	\$25,000
10	Wastewater Plant Operator Certification Fund, RSA 485-A:7-a	\$75,000

11 59 Operating Budget; Lapse of Appropriation. New Hampshire Retirement System; Retirement
12 Pension Benefit; Health Insurance. Amend 2009, 143:1, 01, 59, 59, 590510, 1052, class 064, footnote
13 F to read as follows:

14 [~~*064—F. This appropriation shall not lapse until June 30, 2011]~~

15 60 Operating Budget. Lapse of Appropriation. Judicial Council; Contracts for Program
16 Services. Amend 2009, 143:1, 02, 07, 070010, 1094, class 102, footnote F to read as follows:

17 [~~*102—F. This appropriation shall not lapse until June 30, 2011]~~

18 61 Department of Treasury. Lapse of Appropriation for Debt Service. Amend 2009, 143:1, 01,
19 38, 38, 380010, 2076, class 043, footnote F and class 044, footnote F to read as follows:

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

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

22 62 Taxation of Interest and Dividends; Who Taxable. Amend RSA 77:3, I(b) to read as follows:

23 (b) **Partnerships, limited liability companies, associations, and** trusts, the
24 beneficial interest in which is not represented by transferable shares, whose gross interest and
25 dividend income from all sources exceeds \$2,400 during the taxable year, but not including a
26 qualified investment company as defined in RSA 77-A:1, XXI, or a trust comprising a part of an
27 employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, section
28 3.

29 63 Taxation of Interest and Dividends; What Taxable. RSA 77:4, III is repealed and reenacted
30 to read as follows:

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

35 64 New Sections; Taxation of Interests and Dividends; Partnerships and Limited Liability
36 Companies. Amend RSA 77 by inserting after section 14 the following new sections:

37 77:14-a Partnerships and Limited Liability Companies. Partnerships and limited liability

1 companies having a usual place of business in this state, any member of which is an inhabitant
2 thereof, shall be subject to taxes imposed by this chapter. If any of the members of the partnership
3 or limited liability company are not inhabitants of this state only so much of the income thereof as is
4 proportionate to the aggregate interest of the partners or members who are inhabitants of this state
5 in the profits of the partnership or limited liability company shall be taxed.

6 77:14-b Partners and Members. The tax shall be assessed on such a partnership or limited
7 liability company by the name under which it does business, and the partners or members shall not
8 be taxed with respect to the taxable income derived by them from such a partnership or limited
9 liability company.

10 77:14-c Members of Partnership or Limited Liability Company Outside the State. An inhabitant
11 of this state who is a member of a partnership or limited liability company having no usual place of
12 business in this state, who receives income from such partnership or limited liability company
13 derived from such a source that it would be taxable if received directly from such source by such
14 partner or member, shall as to such income be subject to the taxes imposed by this chapter.

15 77:14-d Application of Sections. RSA 77:14-a to 14-d shall apply, so far as apt, to associations
16 and trusts, but not to partnerships, limited liability companies, associations, and trusts the
17 beneficial interest in which is represented by transferable shares.

18 65 Repeal. RSA 77:1-a, relative to definitions, is repealed.

19 66 Applicability. Sections 62-65 of this act shall apply to taxable periods ending on or after
20 December 31, 2010.

21 67 New Chapter; Commission to Study Business Taxes Established. Amend RSA by inserting
22 after chapter 77-E the following new chapter:

23 CHAPTER 77-F

24 COMMISSION TO STUDY BUSINESS TAXES

25 77-F:1 Commission to Study Business Taxes Established.

26 I. There is a commission established to study business taxes.

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

28 (a) Three members of the senate, appointed by the president of the senate.

29 (b) Four members of the house of representatives, appointed by the speaker of the house
30 of representatives.

31 (c) Five members of the public appointed by the governor, representing the following
32 groups and interests:

33 (1) Tax experts and accountants;

34 (2) Small business;

35 (3) Real estate, finance, and investment; and

36 (4) Business trade associations.

37 II. The commission shall study and evaluate:

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1 (a) The present system of business taxation in New Hampshire, including but not
2 limited to the rates and allocation among taxpayers of the business enterprise tax, the business
3 profits tax, and the interest and dividends tax.

4 (b) Whether there are changes to the present system of business taxes and rates of
5 assessment that should be considered by the legislature in order to:

6 (1) Ensure fairness and equity in the allocation of business taxes including among
7 similarly situated business entities and taxpayers;

8 (2) Ensure clear tax laws and synchronization with federal tax laws; and

9 (3) Continue to provide a business tax environment that enhances the growth of jobs,
10 income in the state, and the transition to clean and renewable energy.

11 (c) Safe harbors for the reasonable compensation deduction under the business profits
12 tax, including but not limited to:

13 (1) Safe harbors based on the percentage of the gross selling price on the sale of
14 business assets other than inventory;

15 (2) The percentage of gross revenues and the percentage of gross business profits
16 using the independent investor return test;

17 (3) The federal self-employment tax; and

18 (4) Any other issue related to the reasonable compensation deduction.

19 (d) Business tax credits and deductions including, but not limited to, net operating
20 losses.

21 (e) Offering tax credits to insurance companies that create new net jobs in New
22 Hampshire.

23 III. The commission may solicit and receive testimony and other information from any
24 person or organization with information or expertise relevant to the committee's objective. State
25 agencies shall cooperate with the commission, and provide data, information, reports, and testimony
26 to the commission upon request.

27 IV. The governor shall appoint a chair from among the members. The first meeting of the
28 commission shall be called by the chair and shall be held within 45 days of the effective date of this
29 section. Seven members of the commission shall constitute a quorum.

30 V. Legislative members of the commission shall receive mileage at the legislative rate when
31 attending meetings of the commission.

32 VI. The commission shall, following a public hearing on a draft final report, submit a final
33 report on the items included in subparagraphs II(a) and (b) or before December 1, 2010, containing
34 its findings and any recommendations for proposed legislation, to the governor, the president of the
35 senate, the speaker of the house of representatives, the chairs of the house and senate ways and
36 means committees, the house and senate clerks, and the state librarian.

37 VII. The commission shall, following a public hearing on a draft final report, submit a final

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1 report on the items included in subparagraphs II(c) and (d) or before November 1, 2012, containing
2 its findings and any recommendations for proposed legislation, to the governor, the president of the
3 senate, the speaker of the house of representatives, the chairs of the house and senate ways and
4 means committees, the house and senate clerks, and the state librarian.

5 68 Repeal. RSA 77-F, relative to a commission to study business taxes, is repealed.

6 69 New Hampshire Retirement System; Employer Contributions; State Payment. Amend
7 RSA 100-A:16, II(b)-(c) to read as follows:

8 (b) The contributions of each employer for benefits under the retirement system on
9 account of group II members shall consist of a percentage of the earnable compensation of its
10 members to be known as the "normal contribution," and an additional amount to be known as the
11 "accrued liability contribution;" provided that any employer, other than the state, shall pay 70
12 percent of such total contributions for state fiscal year 2010, and 30 percent thereof shall be paid by
13 the state for state fiscal year 2010, and that beginning with state fiscal year 2011 any employer,
14 other than the state, shall pay ~~[75]~~ **80** percent of such total contributions, and ~~[25]~~ **20** percent thereof
15 shall be paid by the state, and that beginning with state fiscal year 2012, and every state fiscal year
16 thereafter, any employer, other than the state, shall pay 65 percent of such total contributions, and
17 35 percent thereof shall be paid by the state; and provided that, in the case of compensation
18 attributable to extra or special duty, the employer shall pay the full amount of such total
19 contributions; and provided further that, in case of group II members employed by the state, the
20 state shall pay both normal and accrued liability contributions. The rate percent of such normal
21 contribution, including contributions on behalf of group II members whose group II creditable service
22 is in excess of 40 years, in each instance shall be fixed on the basis of the liabilities of the system
23 with respect to the particular members of the various member classifications as shown by actuarial
24 valuations, except as provided in subparagraphs (h) and (i).

25 (c) The contributions of each employer for benefits under the retirement system on
26 account of group I members shall consist of a percentage of the earnable compensation of its
27 members to be known as the "normal contribution," and an additional amount to be known as the
28 "accrued liability contribution;" provided that, in the case of teachers, any employer, other than the
29 state, shall pay 70 percent of such total contributions for state fiscal year 2010, and 30 percent
30 thereof shall be paid by the state for state fiscal year 2010, and that beginning with state fiscal year
31 2011 any employer, other than the state, shall pay ~~[75]~~ **80** percent of such total contributions, and
32 ~~[25]~~ **20** percent thereof shall be paid by the state, and that beginning with state fiscal year 2012, and
33 every state fiscal year thereafter, any employer, other than the state, shall pay 65 percent of such
34 total contributions, and 35 percent thereof shall be paid by the state; and provided further that in
35 case of teacher members employed by the state the state shall pay both normal and accrued liability
36 contributions. The rate percent of such normal contribution in each instance shall be fixed on the
37 basis of the liabilities of the system with respect to the particular members of the various member

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1 classifications as shown by actuarial valuation, except as provided in subparagraphs (h) and (i).

2 70 Department of Agriculture; Licenses; Transfers of Animals and Birds. Amend RSA 437:3 to
3 read as follows:

4 437:3 Licenses. Applications for licenses shall be made annually in writing to the department
5 accompanied by a license fee of [~~\$200~~] **\$350**. After January 1, the license fee shall be [~~\$100~~] **\$175**. If
6 after inspection the department finds that the premises, cages and facilities thereon meet the proper
7 standards for health and sanitation and that their use will not result in inhumane treatment of said
8 animals or birds, and proof is provided with the application that the zoning enforcement official of
9 the municipality wherein such facility is to be maintained has certified that the facility conforms to
10 the municipal zoning regulations, a license shall be issued. Licenses shall expire on June 30
11 following issue, and may be renewed on application to the department accompanied by a renewal fee
12 of [~~\$200~~] **\$350**. Such licenses shall be in the form prescribed by the department, shall be publicly
13 displayed at the premises covered by them and adjacent to animal display cages. Each such license
14 shall be subject to revocation at any time by the department, if in the judgment of the department
15 the conditions under which it was issued are not being maintained. Each licensee shall be inspected
16 by an employee of the department or by a person appointed by the department no less frequently
17 than every 6 months. Upon receipt of a written complaint alleging violation of this subdivision, the
18 department shall investigate said complaint within a reasonable time. All license fees shall be
19 deposited in the state treasury.

20 71 Lottery Commission; Report Required. The lottery commission shall submit to the governor,
21 the president of the senate, and the speaker of the house of representatives, no later than November
22 15, 2010, a comprehensive report describing how it proposes to modernize and update its products
23 within the next 5 years in order to maximize revenues in a competitive lottery environment.

24 72 Operating Budget; Transfer of Appropriations; Adequate Education Grants; Funds From
25 Education Trust Fund Transferred to General Fund.

26 I. The commissioner of the department of administrative services is authorized to transfer
27 up to \$80,000,000 from the appropriation in account 06-56-56-560010-7550 class line 086 for fiscal
28 year 2011 into account 06-56-56-560010-7550, class line 086 for fiscal year 2010 on or before June 30,
29 2010. Account 06-56-56-560010-7550, class line 079 for fiscal year 2010 shall be reduced by the same
30 amount that is transferred into account 06-56-56-560010-7550, class line 086 for fiscal year 2010,
31 and account 06-56-56-560010-7550, class line 079 for fiscal year 2011 shall be increased by the
32 corresponding amount.

33 II. Notwithstanding RSA 198:39, any funds remaining in the education trust fund as of June
34 30, 2010 shall be transferred to the general fund as undesignated surplus.

35 73 Application; Appropriations Reductions; All State Agencies. The reductions required by this
36 act shall be in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.

37 74 Special School District Meetings. Notwithstanding RSA 197:2 and RSA 197:3, for the fiscal

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1 year ending June 30, 2011, a special meeting of a school district shall be held upon the majority vote
2 of the school board only for the purpose of addressing changes in catastrophic aid funding which
3 could affect the school district during the 2011 year.

4 75 Repeal. Section 74 of this act, relative to special school district meetings, is repealed.

5 76 Special Meeting of Towns for the Fiscal Year Ending June 30, 2011. Notwithstanding any
6 other provision of law to the contrary, for the fiscal year ending June 30, 2011, any town, including
7 those towns that have adopted RSA 40:13 may, by a majority vote of the governing body, call a
8 special meeting without court approval to address any reduction in the amount of state revenue
9 distributed to the town which could affect the town's budget. Such meetings shall be subject to the
10 following:

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

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

20 III. The governing body of any town that has adopted the provisions of RSA 40:13 may elect
21 to hold and conduct the meeting in accordance with the provisions of RSA 39 and RSA 40 and other
22 applicable law without regard to RSA 40:13. If the governing body elects to follow the provisions of
23 RSA 40:13, it shall provide at least a 15-day period between the deliberative session and the vote for
24 the purposes of proceedings under this section.

25 77 Repeal. Section 76 of this act, relative to the special meetings of towns, is repealed.

26 78 State Agencies; Supplanting General Fund Reductions With Other Funds. For the fiscal year
27 ending June 30, 2011, any state agency may supplant general fund reductions required pursuant to
28 this act with federal and other funds that may become available for that purpose. The department of
29 administrative services shall report to the fiscal committee of the general court on or before July 30,
30 2010 detailing the use of any such funds.

31 79 Furloughs Required for Certain State Employees. Nonclassified and unclassified state
32 employees shall take 12 unpaid furlough days during fiscal year 2011.

33 80 Reductions in Personnel Expenditures. Notwithstanding any provision of law to the
34 contrary, for the biennium ending June 30, 2011, any reductions in personnel expenditures in an
35 agency shall be distributed proportionately between classified and unclassified employees of such
36 agency. Upon petition by an agency, the fiscal committee of the general court may grant an
37 exemption from this requirement.

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1 81 Vacant Positions; Bumping Rights; Layoffs. Amend 2009, 144:64 to read as follows:

2 144:64 Department of Administrative Services; Suspension of Bumping Rights.

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

7 ***II.*** The procedure for layoffs of permanent employees pursuant to administrative rule Per
8 1101.02 (d), prohibiting the layoff of permanent employees while there are temporary fill-in, part-
9 time, or probationary employees serving in the same class of position within the same division of the
10 agency, is hereby suspended from the effective date of this section to June 30, 2011.

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

15 82 Vacant Positions; Rehiring of Laid Off State Employees. Amend 2009, 144:65, II to read as
16 follows:

17 ***II.*** It is the intent of the general court that any position which becomes available in a
18 department or establishment, as defined in RSA 9:1, shall be filled, if possible, by a state employee
19 laid off, as defined in paragraph I, if such person is not currently employed by the state of New
20 Hampshire and if he or she meets the minimum qualifications for the position, ***provided however***
21 ***that any position a department or establishment intends to leave vacant shall remain***
22 ***vacant.***

23 83 New Section; Certain Transfers Prohibited. Amend RSA 9 by inserting after section 16-b the
24 following new section:

25 9:16-c Certain Transfers Prohibited. Notwithstanding any other provision of law to the
26 contrary, no funds shall be transferred out of any class line which is the source of payment for
27 Medicaid providers whose reimbursement rates are set by the department of health and human
28 services and whose rates have been reduced by the department of health and human services
29 through the use of a budget neutrality factor, a proportionate discount factor, or any similar
30 reduction device.

31 84 Department of Health and Human Services; Reduction in Appropriation. Amend 2009, 143:9,
32 as amended by 2010, 4:3 to read as follows:

33 143:9 Department of Health and Human Services; Reduction in Appropriation. The department
34 of health and human services is hereby directed to reduce state general fund appropriations from any
35 line by [~~\$19,559,231~~] **\$8,676,231** for the biennium ending June 30, 2011. Any direct services to New
36 Hampshire citizens shall be excluded from these reductions unless expressly approved by the fiscal
37 committee of the general court and the governor and council. The department shall provide a

1 quarterly report of reductions made under this section to the fiscal committee of the general court
2 and the governor and council.

3 85 Transfer of Anna Philbrook Center Residents. Notwithstanding any provision of law to the
4 contrary:

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

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

13 86 Shelter Care Services. For the biennium ending June 30, 2011, the department of health and
14 human services shall continue to fund shelter care services at Midway Shelter in Bradford, Antrim
15 Girls Shelter in Antrim, and North Country Shelter Care in Jefferson.

16 87 Shea Farm Transitional Housing Unit; Transfer to Tobey Building. The department of
17 health and human services and department of corrections shall work in consultation to facilitate the
18 transfer of the Shea Farm transitional housing unit to the Tobey building. Notwithstanding any
19 provision of law to the contrary, all of the functions, positions, powers, duties, responsibilities, and
20 funding for the Shea Farm transitional housing unit and the Tobey building shall be appropriately
21 transferred to allow operation of the transitional housing unit and relocation of programs of the
22 department of health and human services currently residing in the Tobey building. Said transfers
23 shall include, but not be limited to, the use of existing capital and operating budget appropriations to
24 allow for renovations to the Tobey building to ensure its appropriate use, as well as renovations to
25 the Anna Philbrook center if the department of health and human services decides to utilize said
26 facility for office space pursuant to section 85 of this act. The transfers provided in this section shall
27 include all of the equipment, books, papers, and records of the departments necessary for the
28 operation of the facilities.

29 88 Committee to Study the Youth Development Center and State Prison for Women.

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

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

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

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

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

1 month on a form prescribed by the department.

2 II. Any taxpayer who ceases to engage in generating electricity, and is thereby not
3 responsible for filing returns under this chapter, shall file a final return with the department not
4 more than one month after discontinuing such activity. This requirement shall apply
5 notwithstanding any other provision of this chapter regarding the time within which to file a return.

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

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

16 83-G:5 Exemptions.

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

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

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

22 (b) Energy generated by wind energy, geothermal energy, hydrogen derived from
23 biomass fuels or methane gas, ocean thermal, wave, current, or tidal energy, methane gas, biomass
24 technologies, solar technologies, or hydroelectric energy, or that uses as its primary fuel source solid
25 waste as defined in RSA 149-M:4; or

26 (c) Electricity generated which is not interconnected to the electric distribution grid.

27 83-G:6 Instruments, Books, Records, Papers, and Other Documents.

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

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

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

36 83-G:7 Additional Returns. When the commissioner has reason to believe that a taxpayer has
37 failed to file a return or to include any part of the total kilowatt hours electricity generated in a filed

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1 return, the commissioner may require the taxpayer to file a return or a supplementary return
2 showing such additional information as the commissioner prescribes. Upon the receipt of the
3 supplementary return, or if none is received within the time set by the commissioner, the
4 commissioner may find and assess the amount due upon the information that is available. The
5 making of such additional return does not relieve the taxpayer of any penalty for failure to make a
6 correct original return, or relieve such person from liability for interest imposed under RSA 21-J:28
7 or for any other additional charges imposed by the commissioner. This section shall not be construed
8 to modify or extend the statute of limitations provided in RSA 21-J:29.

9 83-G:8 Administration; Rulemaking.

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

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

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

17 (b) The administration of the electricity generation tax.

18 (c) The recovery of any tax, interest on tax, additions to tax, or penalties imposed by RSA
19 83-G or RSA 21-J.

20 83-G:9 Tax Sales. The provisions of RSA 80:26 apply to the sale of land for the payment of taxes
21 due under this chapter, and the state treasurer is authorized to purchase the land for the state. If
22 the state purchases the land, the state treasurer shall certify the purchase to the governor, and the
23 governor shall draw a warrant for the purchase price out of any money in the treasury not otherwise
24 appropriated.

25 83-G:10 Severability. If any provision of this chapter or the application thereof to any person or
26 circumstance is held to be invalid, the invalidity shall not affect other provisions or applications of
27 the chapter which can be given effect without the invalid provision or application, and to this end the
28 provisions of this chapter are severable.

29 91 Reference Change. Amend RSA 21-J:31 to read as follows:

30 21-J:31 Penalty for Failure to File. Any taxpayer who fails to file a return when due, unless an
31 extension has been granted by the department, shall pay a penalty equal to 5 percent of the amount
32 of the tax due or \$10, whichever is greater, for each month or part of a month during which the
33 return remains unfiled. The total amount of any penalty shall not, however, exceed 25 percent of the
34 amount of the tax due or \$50, whichever is greater. This penalty shall not be applied in any case in
35 which a return is filed within the extended filing period as provided in RSA 77:18-b, RSA 77-A:9,
36 RSA 77-E:8, RSA ~~83-C:6, RSA 83-E:5~~ **83-G:4**, RSA 84-A:7, or RSA 84-C:7, or the failure to file was
37 due to reasonable cause and not willful neglect of the taxpayer. The amount of the penalty is

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1 determined by applying the percentages specified to the net amount of any tax due after crediting
2 any timely payments made through estimating or other means.

3 92 Reference Change. Amend RSA 21-J:33-a, I to read as follows:

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

8 93 Repeal. RSA 83-E, relative to the electricity consumption tax, is repealed.

9 94 Insurance Premium Tax. Amend RSA 400-A:32, I(a) to read as follows:

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

13 ~~(1) Effective July 1, 2007, a tax of 1.75 percent for all lines of business written~~
14 ~~pursuant to RSA 401:1, I III and V VIII, and RSA 401:1 a, I and II;~~

15 ~~(2) Effective January 1, 2009, a tax of 1.50 percent for all lines of business written~~
16 ~~pursuant to RSA 401:1, I III and V VIII, and RSA 401:1 a, I and II;~~

17 ~~(3) Effective January 1, 2010, a tax of 1.25 percent for all lines of business written~~
18 ~~pursuant to RSA 401:1, I III and V VIII, and RSA 401:1 a, I and II; and~~

19 ~~(4) Effective January 1, 2011, a tax of one percent for all lines of business written~~
20 ~~pursuant to RSA 401:1, I III and V VIII, and RSA 401:1 a, I and II.~~

21 ~~(5)-] a tax of 2 percent for all lines of business written pursuant to RSA 401:1, [IV-]~~
22 including, but not limited to, insurers licensed pursuant to RSA 420-A, RSA 420-B, and RSA 420-F.

23 95 Applicability. The provisions of RSA 400-A:32, I(a) as amended by section 94 of this act
24 shall apply to tax periods of authorized insurers beginning after June 30, 2009. Any additional
25 premium tax liability due to the amendment to RSA 400-A:32, I(c) by section 94 of this act shall be
26 paid in full to the insurance commissioner by June 15, 2010.

27 96 Taxation of Transfers of Certain Estates. RSA 87:1 is repealed and reenacted to read as
28 follows:

29 87:1 Tax Imposed; Exemption.

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

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

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

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

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1 determined as follows:

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

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

10 97 Authority to Audit. Amend RSA 87:36, II to read as follows:

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

15 98 Repeal. The following are repealed:

16 I. RSA 87:7, relative to intent of chapter.

17 II. RSA 87:9, relative to chapter void, when.

18 III. RSA 87:10, relative to adjustments.

19 99 Documentation of Marriages; Marriage License Fee. Amend RSA 457:29 to read as follows:

20 457:29 Marriage License Fee. The fee for the marriage license shall be [~~\$45~~] **\$50** to be paid by
21 the parties entering into the marriage. The clerk shall forward \$38 from each fee to the department
22 of health and human services for the purposes of RSA 173-B:15, **and \$5 to the state treasurer for**
23 **deposit in the general fund.** The clerk shall retain the remaining \$7 as the fee for making the
24 records of notice, issuing the certificate of marriage, and forwarding the [~~\$38~~] **\$43** portion of the
25 marriage license fee.

26 100 Fees for Copies, Verifications, and Amendments to Vital Records. Amend RSA 5-C:10, I-II
27 to read as follows:

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

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

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

7 101 Prohibition on Delay of Payment or Expenditure. For the fiscal years ending June 30, 2010
8 and June 30, 2011, no department as defined in RSA 9:1 shall delay a payment or expenditure from
9 one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended
10 balance that would lapse in the preceding year.

11 102 Appropriations and Charges. In addition to any other sums appropriated for the fiscal year
12 ending June 30, 2011, the following appropriations and charges are hereby authorized for the
13 following departments and agencies. Said appropriations shall be a charge against the funds as
14 specified in the individual appropriation:

1-14		Department of Administrative Services		
01-14-14-1400-1042		Commissioner - Administration		
01-14-14-1400-1042	020	Current Expenses	General Funds	(\$1,000)
01-14-14-1400-1042	030	Equipment New/Replacement	General Funds	(\$500)
01-14-14-1400-1042	080	Out-of-State Travel	General Funds	(\$1,000)
01-14-14-1410-1044		Personnel Admin - Support		
01-14-14-1410-1044	020	Current Expenses	General Funds	(\$7,500)
01-14-14-1405-1310		Bureau of Accounting		
01-14-14-1405-1310	030	Equipment New/Replacement	General Funds	(\$250)
01-14-14-1405-1310	066	Employee Training	General Funds	(\$1,450)
01-14-14-1405-1330		Financial Reporting		
01-14-14-1405-1330	070	In-State Travel	General Funds	(\$150)
01-14-14-1405-1330	080	Out-of-State Travel	General Funds	(\$1,000)
01-14-14-1400-1350		Budget Office		
01-14-14-1400-1350	080	Out-of-State Travel	General Funds	(\$1,000)
01-14-14-1400-1360		Business Office		
01-14-14-1400-1360	020	Current Expenses	General Funds	(\$500)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
01-14-14-1420-1370		Financial Data Management		
01-14-14-1420-1370	037	Technology - Hardware	General Funds	(\$25,352)
01-14-14-1420-1370	046	Consultants (non-benefited)	General Funds	(\$30,000)
01-14-14-1400-1375		Risk Management Unit		
01-14-14-1400-1375	020	Current Expenses	General Funds	(\$500)
01-14-14-1400-1375	030	Equipment New/Replacement	General Funds	(\$250)
01-14-14-1400-1375	080	Out-of-State Travel	General Funds	(\$1,000)
01-14-14-1415-1440		Plant & Property Administration		
01-14-14-1415-1440	070	In-State Travel	General Funds	(\$250)
01-14-14-1415-1440	080	Out-of-State Travel	General Funds	(\$1,450)
01-14-14-1410-1442		Employee Relations		
01-14-14-1410-1442	020	Current Expenses	General Funds	(\$600)
01-14-14-1415-2040		General Services		
0.1-14-14-1415-2040	023	Heat, Electricity & Water	General Funds	(\$50,000)
01-14-14-1415-2040	080	Out-of-State Travel	General Funds	(\$184)
01-14-14-1415-2042		Bureau Facilities and Assets Management		
01-14-14-1415-2042	030	Equipment New/Replacement	General Funds	(\$5,300)
01-14-14-1415-2045		Bureau of Court Facilities		
01-14-14-1415-2045	023	Heat, Electricity & Water	Other Funds	(\$125,000)
01-14-14-1415-2045	047	Own Forces Maintenance - Building & Grounds	Other Funds	(\$6,500)
01-14-14-1415-2045	070	In-State Travel	Other Funds	(\$5,000)
01-14-14-1415-2045	201	Sheriff's Reimbursement	General Funds	(\$100,000)
01-14-14-1415-2083		M-S Building		
01-14-14-1415-2083	020	Current Expenses	General Funds	(\$10,000)
01-14-14-1415-2083	023	Heat, Electricity & Water	General Funds	(\$25,000)
01-14-14-1415-2083	030	Equipment New/Replacement	General Funds	(\$900)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
01-14-14-1415-2083	070	In-State Travel	General Funds	(\$500)
01-14-14-1415-2091		Public Works Bureau		
01-14-14-1415-2091	020	Current Expenses	General Funds	(\$5,000)
01-14-14-1415-2091	030	Equipment New/Replacement	General Funds	(\$1,000)
01-14-14-1415-2091	070	In-State Travel	General Funds	(\$7,500)
01-14-14-1415-2098		Dept. Of Justice Building		
01-14-14-1415-2098	023	Heat, Electricity & Water	General Funds	(\$15,000)
01-14-14-1415-2098	030	Equipment New/Replacement	General Funds	(\$1,000)
01-14-14-1415-2099		Upham Walker Building		
01-14-14-1415-2099	023	Heat, Electricity & Water	General Funds	(\$5,000)
01-14-14-1415-5320		Lakes Region Campus		
01-14-14-1415-5320	070	In-State Travel	General Funds	(\$300)
01-14-14-1400-1356		Retirees Health		
01-14-14-1400-1356	046	Consultants (Non-benefited)	General Funds	(\$7,790)
01-14-14-1400-1356	100	Prescription Drug Expenditures	General Funds	(\$1,423,300)
01-14-14-1400-1356	101	Medical Payments To Providers	General Funds	(\$1,010,800)
01-14-14-1400-1356	102	Contracts for Program Services	General Funds	(\$108,110)
01-34		Department of Cultural Resources		
01-34-34-3420-3420		Office of Preservation		
01-34-34-3420-3420	010	Personal Services - Permanent Classified	General Funds	(\$38,560)
01-34-34-3420-3420	060	Benefits	General Funds	(\$31,614)
01-34-34-3420-3441		Federal Preservation Programs		
01-34-34-3420-3441	010	Personal Services - Permanent Classified	Federal Funds	\$38,560
01-34-34-3420-3441	060	Benefits	Federal Funds	\$31,614
01-34-34-3405-7000		Central Library Services		
01-34-34-3405-7000	010	Personal Services - Permanent Classified	General Funds	(\$115,595)
01-34-34-3405-7000	060	Benefits	General Funds	(\$44,512)
01-34-34-3410-1250		State Arts Development		

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
01-34-34-3410-1250	011	Personal Services - Unclassified	General Funds	(\$32,561)
01-34-34-3410-1250	060	Benefits	General Funds	(\$12,469)
01-84		Dept of Revenue Administration		
01-84-84-8400-7884		Administration		
01-84-84-8400-7884	070	In-State Travel	General Funds	(\$50,000)
01-84-84-8405-1301		Audit Division		
01-84-84-8405-1301	010	Personal Services - Permanent Classified	General Funds	(\$319,665)
01-84-84-8405-1301	060	Benefits	General Funds	(\$180,391)
01-84-84-8405-1401		Collections Division		
01-84-84-8405-1401	010	Personal Services - Permanent Classified	General Funds	(\$47,981)
01-84-84-8405-1401	060	Benefits	General Funds	(\$24,135)
01-84-84-8405-1501		Documents Processing Division		
01-84-84-8405-1501	010	Personal Services - Permanent Classified	General Funds	(\$126,805)
01-84-84-8405-1501	012	Personal Services - Unclassified	General Funds	(\$70,853)
01-84-84-8405-1501	045	Personal Services (Non-Benefited)	General Funds	(\$30,000)
01-84-84-8405-1501	060	Benefits	General Funds	(\$126,972)
01-84-84-8410-5413		Appraisal Services		
01-84-84-8410-5413	010	Personal Services - Permanent Classified	General Funds	(\$33,291)
01-84-84-8410-5413	060	Benefits	General Funds	(\$14,258)
01-28		Real Estate Commission		
01-28-28-2800-2054		Real Estate Comm Admin		
01-28-28-2800-2054	010	Personal Services- Permanent Classified	General Funds	(\$11,000)
01-28-28-2800-2054	104	Certification Expense	General Funds	(\$27,000)
01-29		Real Estate Appraiser Board		
01-29-29-2923-1140		Real Estate Appraiser Board Admin		
01-29-29-2923-1140	060	Benefits	General Funds	(\$7,155)
01-51		Board of Accountancy		
01-51-51-5100-2115		Board of Accountancy Admin		

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
01-51-51-5100-2115	020	Current Expenses	General Funds	(\$8,000)
01-51-51-5100-2115	046	Consultants (Non-benefited)	General Funds	(\$4,100)
01-31		Joint Board		
01-31-31-3100-2250		Joint Board Admin		
01-31-31-3100-2250	010	Personal Services- Permanent Classified	General Funds	(\$33,840)
01-31-31-3100-2250	060	Benefits	General Funds	(\$23,561)
01-39		Board of Manufactured Housing		
01-39-39-3923-4423		Board of Manufactured Housing		
01-39-39-3923-4423	020	Current Expense	General Funds	(\$1,451)
01-39-39-3923-4423	070	In-State Travel	General Funds	(\$260)
01-05		Executive Council		
01-05-05-0520-1001		Executive Council		
01-05-05-0520-1001	012	Personal Services - Unclassified	General Funds	(\$300)
01-05-05-0520-1001	020	Current Expense	General Funds	(\$2,180)
01-05-05-0520-1001	027	Transfers to DoIT	General Funds	(\$500)
01-05-05-0520-1001	030	Equipment	General Funds	(\$600)
01-05-05-0520-1001	080	Out-of-State Travel	General Funds	(\$1,215)
01-02		Executive Office		
01-02-02-0200		Executive Office		
01-02-02-0200-1036		Office of the Governor		
01-02-02-0200-1036		Personal Services/Current Expenses/Benefits	General Funds	(\$75,665)
01-02-02-0205		Governor's Commission on Disability		
01-02-02-0205-1004		Commission on Disability		
01-02-02-0205-1004	011	Personal Services - Unclassified	General Funds	(\$31,237)
01-02-02-0205-1006	020	Current Expenses	General Funds	(\$500)
01-02-02-0205-1004	026	Organizational Dues	General Funds	(\$100)
01-02-02-0205-1006	030	Equipment	General Funds	(\$500)
01-02-02-0205-1006	046	Consultants (Non-Benefited)	General Funds	(\$750)
01-02-02-0205-1004	060	Benefits	General Funds	(\$4,881)
01-02-02-0205-1006	070	In-State Travel	General Funds	(\$1,500)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
01-02-02-0205-1006	080	Out-of-State	General Funds	(\$559)
01-02-02-0205-1004	230	Interpreter Services	General Funds	(\$2,000)
01-02-02-0240		Office of Energy and Planning Administration		
01-02-02-0240-6400				
01-02-02-0240-6400	010	Personal Services- Permanent Classified	General Funds	(\$21,204)
01-02-02-0240-6400	016	Personal Services - Non-Classified	General Funds	(\$12,659)
01-02-02-0240-6400	046	Consultants (Non-Benefited)	General Funds	(\$10,000)
01-02-02-0240-6400	060	Benefits	General Funds	(\$6,942)
01-02-02-0240-6400	068	Remuneration	General Funds	(\$18,607)
01-02-02-0240-6570		Municipal/Regional Assistance		
01-02-02-0240-6570	010	Personal Services- Permanent Classified	General Funds	(\$2,150)
01-02-02-0240-6570	060	Benefits	General Funds	(\$332)
01-02-02-0240-6570	073	Grants - Non Federal	General Funds	(\$30,000)
01-02-02-0240-4096		Connecticut River Valley		
01-02-02-0240-4096	068	Remuneration	General Funds	(\$26,136)
01-02-02-0240-8114		Unemployment Compensation		
01-02-02-0240-8114	061	Unemployment Compensation	General Funds	(\$5,000)
02-12		Adjutant General Department		
02-12-12-1200-2220		Administration and Armories		
02-12-12-1200-2220	010	Personal Services- Permanent Classified	General Funds	(\$89,318)
02-12-12-1200-2220	020	Current Expense	General Funds	(\$15,000)
02-12-12-1200-2220	022	Rents & Leases Other than State	General Funds	(\$6,853)
02-12-12-1200-2220	060	Benefits	General Funds	(\$63,308)
02-12-12-1200-2233		Air National Guard MNT/OPER		
02-12-12-1200-2233	020	Current Expenses	General Funds	(\$5,000)
02-12-12-1200-2233	020	Current Expenses	Federal Funds	(\$15,000)
02-12-12-1200-2233	023	Heat, Electricity, & Water	General Funds	(\$5,000)
02-12-12-1200-2233	023	Heat, Electricity, & Water	Federal Funds	(\$15,000)
02-12-12-1200-2233	047	Own Forces Maintenance - Building &		

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
		Grounds	General Funds	(\$5,000)
02-12-12-1200-2233	047	Own Forces Maintenance - Building & Grounds	Federal Funds	(\$15,000)
02-12-12-1200-2240		Army and State 50/50		
02-12-12-1200-2240	023	Heat, Electricity, & Water	General Funds	(\$45,000)
02-12-12-1200-2240	023	Heat, Electricity, & Water	Federal Funds	(\$45,000)
02-12-12-1200-2240	103	Contracts for Operational Services	General Funds	(\$88,374)
02-12-12-1200-2240	103	Contracts for Operational Services	Federal Funds	(\$88,374)
02-12-12-1210-2260		NH State Veterans Cemetery Operations		
02-12-12-1210-2260	050	Personal Services - Temporary/Appointed	General Funds	(\$15,000)
02-12-12-1210-2260	060	Benefits	General Funds	(\$1,147)
02-18		Department of Agriculture, Markets & Food		
02-18-18-1825-2705		Animal Population Control		
02-18-18-1825-2705	010	Personal Services- Permanent Classified	General Funds	(\$30,888)
02-18-18-1825-2705	060	Benefits	General Funds	(\$30,098)
02-18-18-1830-2137		Pesticide Regulation		
02-18-18-1830-2137	060	Benefits	General Funds	(\$31,626)
02-18-18-1830-2137	060	Benefits	Other Funds	\$31,626
02-18-18-1805-2133		Division of Weights & Measures		
02-18-18-1805-2133	018	Overtime	General Funds	(\$31,041)
02-18-19-1900-7883		Board of Veterinary Medicine		
02-18-19-1900-7883	010	Personal Services- Permanent Classified	General Funds	(\$9,688)
02-18-19-1900-7883	060	Benefits	General Funds	(\$5,677)
02-20		Department of Justice		
02-20-20-2000-2601		Attorney General		
02-20-20-2000-2601	010	Personal Services- Permanent Classified	General Funds	(\$89,379)
02-20-20-2000-2601	060	Benefits	General Funds	(\$32,799)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
02-20-20-2005-2610		Criminal Bureau		
02-20-20-2005-2610	010	Personal Services- Permanent Classified	General Funds	(\$124,374)
02-20-20-2005-2610	060	Benefits	General Funds	(\$63,229)
02-20-20-2005-2610	010	Personal Services- Permanent Classified	Federal Funds	\$92,428
02-20-20-2005-2610	060	Benefits	Federal Funds	\$42,264
02-20-20-2005-2611		Consumer Bureau		
02-20-20-2005-2611	010	Personal Services- Permanent Classified	General Funds	(\$39,990)
02-20-20-2005-2611	014	Personal Services- Unclassified	General Funds	(\$68,092)
02-20-20-2005-2611	060	Benefits	General Funds	(\$43,025)
02-20-20-2005-2611	010	Personal Services- Permanent Classified	Other Funds	\$39,990
02-20-20-2005-2611	014	Personal Services- Unclassified	Other Funds	\$68,092
02-20-20-2005-2611	060	Benefits	Other Funds	\$43,025
02-20-20-2010-2620		Civil Bureau		
02-20-20-2010-2620	010	Personal Services- Permanent Classified	General Funds	(\$47,310)
02-20-20-2010-2620	013	Personal Services- Unclassified	General Funds	(\$172,374)
02-20-20-2010-2620	060	Benefits	General Funds	(\$106,062)
02-73		Public Employee Labor Relations Board		
02-73-73-7300-2066		Public Employee Labor Relations Board		
02-73-73-7300-2066	010	Personal Services- Permanent Classified	General Funds	(\$14,936)
02-73-73-7300-2066	020	Current Expenses	General Funds	(\$1,500)
02-73-73-7300-2066	026	Organizational Dues	General Funds	(\$115)
02-73-73-7300-2066	046	Consultants (Non-Benefited)	General Funds	(\$1,200)
02-73-73-7300-2066	050	Personal Services- Temporary/Appointed	General Funds	(\$4,500)
02-73-73-7300-2066	070	In-State Travel	General Funds	(\$250)
02-86		Racing & Charitable Gaming Commission		
02-86-86-8600-2210		Racing & Charitable Gaming Commission		
02-86-86-8600-2210	018	Overtime	General Funds	(\$5,000)
02-86-86-8600-2210	019	Holiday Pay	General Funds	(\$1,000)
02-86-86-8600-2210	020	Current Expenses	General Funds	(\$15,000)
02-86-86-8600-2210	024	Maintenance Other than Building & Grounds	General Funds	(\$500)
02-86-86-8600-2210	059	Full-Time Temporary	General Funds	(\$20,000)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
02-86-86-8600-2210	060	Benefits	General Funds	(\$10,000)
02-86-86-8600-2210	070	In-State Travel	General Funds	(\$5,000)
02-26		Department of Labor		
02-26-26-2605-6100		Inspection Division		
02-26-26-2605-6100	010	Personal Services- Permanent Classified	General Funds	(\$57,826)
02-26-26-2605-6100	060	Benefits	General Funds	(\$50,174)
02-77		Liquor Commission		
02-77-77-7705-7878		Enforcement		
02-77-77-7705-7878	18	Overtime	Other Funds	(\$60,000)
02-77-77-7705-7878	30	Equipment New/Replacement	Other Funds	(\$70,000)
02-77-77-7705-1021		Licensing		
02-77-77-7705-1021	22	Rents & Leases Other Than State	Other Funds	(\$40,000)
02-77-77-7710-1023		Financial Administration		
02-77-77-7710-1023	22	Rents & Leases Other Than State	Other Funds	(\$110,000)
02-77-77-7715-1024		Merchandising - Administration		
02-77-77-7715-1024	46	Consultants (Non-Benefited)	Other Funds	(\$225,000)
02-46		Department of Corrections		
02-46-46-4650-8236		Pharmacy		
02-46-46-4650-8236	070	In-State travel	General Funds	(\$1,601)
02-46-46-4650-8236	100	Prescription Drug Expenditures	General Funds	(\$750,000)
02-46-46-4600-7101		Commissioner's Office		
02-46-46-4600-7101	020	Current Expenses	General Funds	(\$15,000)
02-46-46-4600-7101	066	Employee Training	General Funds	(\$15,000)
02-46-46-4600-7101	070	In-State travel	General Funds	(\$1,722)
02-46-46-4660-7111		NH State Prison for Women		
02-46-46-4660-7111	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4660-7111	023	Heat, Electricity & Water	General Funds	(\$11,493)
02-46-46-4660-7111	047	Own Forces Maintenance - Building &		

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
		Grounds	General Funds	(\$2,000)
02-46-46-4660-7111	048	Contractual Maintenance - Building & Grounds	General Funds	(\$3,000)
02-46-46-4660-7111	068	Remuneration	General Funds	(\$12,497)
02-46-46-4660-7111	070	In-State travel	General Funds	(\$3,257)
02-46-46-4660-7111	102	Contracts For Program Services	General Funds	(\$242,000)
02-46-46-4650-5833		Secured Psych Unit (SPU)		
02-46-46-4650-5833	020	Current Expenses	General Funds	(\$5,000)
02-46-46-4650-5833	024	Maintenance Other Than Building & Grounds	General Funds	(\$1,000)
02-46-46-4650-5833	047	Own Forces Maintenance - Building & Grounds	General Funds	(\$5,000)
02-46-46-4650-5833	068	Remuneration	General Funds	(\$4,507)
02-46-46-4650-5833	070	In-State travel	General Funds	(\$1,831)
02-46-46-4630-7103		NHSP/M - Kitchen		
02-46-46-4630-7103	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4630-7103	024	Maintenance Other Than Building & Grounds	General Funds	(\$2,000)
02-46-46-4630-7108		NHSP/M - Warehouse		
02-46-46-4630-7108	020	Current Expenses	General Funds	(\$40,000)
02-46-46-4630-7108	070	In-State travel	General Funds	(\$217)
02-46-46-4630-7113		NHSP/M - Admin		
02-46-46-4630-7113	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4630-7113	024	Maintenance Other Than Building & Grounds	General Funds	(\$1,000)
02-46-46-4630-7113	070	In-State travel	General Funds	(\$25,727)
02-46-46-4630-7120		NHSP/M - Security		
02-46-46-4630-7120	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4630-7120	068	Remuneration	General Funds	(\$150,173)
02-46-46-4630-7140		NHSP/M - Maintenance		

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
02-46-46-4630-7140	020	Current Expenses	General Funds	(\$40,000)
02-46-46-4630-7140	023	Heat, Electricity & Water	General Funds	(\$158,914)
02-46-46-4630-7140	047	Own Forces Maintenance - Building & Grounds	General Funds	(\$10,000)
02-46-46-4630-7140	070	In-State travel	General Funds	(\$3,257)
02-46-46-4600-7170		Parole Board		
02-46-46-4600-7170	020	Current Expenses	General Funds	(\$5,000)
02-46-46-4600-7170	068	Remuneration	General Funds	(\$200)
02-46-46-4600-7170	070	In-State travel	General Funds	(\$9,874)
02-46-46-4650-8231		Mental Health		
02-46-46-4650-8231	020	Current Expenses	General Funds	(\$1,000)
02-46-46-4650-8231	070	In-State travel	General Funds	(\$2,569)
02-46-46-4650-8235		Residential Treatment Unit (RTU)		
02-46-46-4650-8235	020	Current Expenses	General Funds	(\$5,000)
02-46-46-4650-8235	070	In-State travel	General Funds	(\$2,910)
02-46-46-4610-8300		Financial Services		
02-46-46-4610-8300	020	Current Expenses	General Funds	(\$1,000)
02-46-46-4610-8300	070	In-State travel	General Funds	(\$286)
02-46-46-4640-8302		Field Services		
02-46-46-4640-8302	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4640-8302	023	Heat, Electricity & Water	General Funds	(\$1,562)
02-46-46-4640-8302	047	Own Forces Maintenance - Building & Grounds	General Funds	(\$2,000)
02-46-46-4640-8302	070	In-State travel	General Funds	(\$90,733)
02-46-46-4600-8360		Training		
02-46-46-4600-8360	020	Current Expenses	General Funds	(\$2,000)
02-46-46-4600-8360	070	In-State travel	General Funds	(\$1,329)
02-46-46-4645-7874		Calumet House		

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
02-46-46-4645-7874	023	Heat, Electricity & Water	General Funds	(\$2,455)
02-46-46-4645-7874	024	Maintenance Other Than Building & Grounds	General Funds	(\$2,000)
02-46-46-4645-7874	070	In-State travel	General Funds	(\$1,086)
02-46-46-4650-8234		Medical - Dental		
02-46-46-4650-8234	024	Maintenance Other Than Building & Grounds	General Funds	(\$3,000)
02-46-46-4650-8234	070	In-State travel	General Funds	(\$11,326)
02-46-46-4645-5172		Shea Farm		
02-46-46-4645-5172	023	Heat, Electricity & Water	General Funds	(\$2,947)
02-46-46-4645-5172	048	Contractual Maintenance - Building & Grounds	General Funds	(\$6,000)
02-46-46-4645-7107		North End House		
02-46-46-4645-7107	070	In-State travel	General Funds	(\$543)
02-46-46-4600-8301		Human Resources		
02-46-46-4600-8301	070	In-State travel	General Funds	(\$615)
02-76		NH Commission for Human Rights		
02-76-76-7600-7882		NH Commission for Human Rights		
02-76-76-7600-7882	020	Current Expenses	General Funds	(\$2,175)
02-76-76-7600-7882	020	Current Expenses	Federal Funds	(\$458)
02-76-76-7600-7882	038	Technology - Software	General Funds	(\$2,557)
02-76-76-7600-7882	038	Technology - Software	Federal Funds	(\$539)
02-76-76-7600-7882	050	Personal Services- Temporary/Appointed	General Funds	(\$1,638)
02-76-76-7600-7882	050	Personal Services- Temporary/Appointed	Federal Funds	(\$345)
02-76-76-7600-7882	057	Books, Periodicals, Subscriptions	General Funds	(\$1,922)
02-76-76-7600-7882	057	Books, Periodicals, Subscriptions	Federal Funds	(\$405)
02-76-76-7600-7882	066	Employee Training	General Funds	(\$814)
02-76-76-7600-7882	066	Employee Training	Federal Funds	(\$171)
02-76-76-7600-7882	068	Remuneration	General Funds	(\$826)
02-76-76-7600-7882	068	Remuneration	Federal Funds	(\$174)
02-76-76-7600-7882	070	In-State Travel	General Funds	(\$1,264)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
02-76-76-7600-7882	070	In-State Travel	Federal Funds	(\$266)
02-76-76-7600-7882	103	Contracts for Operational Services	General Funds	(\$25)
02-76-76-7600-7882	103	Contracts for Operational Services	Federal Funds	(\$5)
03-35		Department of Resources and Economic Development		
03-35-35-3500-3400		Office of the Commissioner		
03-35-35-3500-3400	040	Indirect Costs	General Funds	(\$1,657)
03-35-35-3500-3401		Design Development-Maintenance		
03-35-35-3500-3401	010	Personal Services- Permanent Classified	General Funds	(\$36,025)
03-35-35-3500-3401	010	Personal Services- Permanent Classified	Other Funds	(\$41,782)
03-35-35-3500-3401	060	Benefits	General Funds	(\$14,395)
03-35-35-3500-3401	060	Benefits	Other Funds	(\$16,694)
03-35-35-3500-3402		Bureau Of Historic Sites		
03-35-35-3500-3402	070	In-State Travel	General Funds	(\$500)
03-35-35-3510-3500		Forest And Lands/Adm.		
03-35-35-3510-3500	045	Personal Services (Non-Benefited)	General Funds	(\$16,000)
03-35-35-3510-3505		Management & Protection		
03-35-35-3510-3505	010	Personal Services- Permanent Classified	Other Funds	(\$19,413)
03-35-35-3510-3505	060	Benefits	Other Funds	(\$7,765)
03-35-35-3510-3510		Forest Management		
03-35-35-3510-3510	010	Personal Services- Permanent Classified	General Funds	(\$86,509)
03-35-35-3510-3510	010	Personal Services- Permanent Classified	Other Funds	\$86,509
03-35-35-3510-3510	020	Current Expenses	General Funds	(\$10,000)
03-35-35-3510-3510	060	Benefits	General Funds	(\$24,825)
03-35-35-3510-3510	060	Benefits	Other Funds	\$24,825
03-35-35-3510-2102		Fuelwood		
03-35-35-3510-2102	020	Current Expenses	Other Funds	\$10,000
03-35-35-3510-3520		Forest Protection		
03-35-35-3510-3520	010	Personal Services- Permanent Classified	General Funds	(\$55,996)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
03-35-35-3510-3520	050	Personal Services - Temporary/Appointed	General Funds	(\$29,778)
03-35-35-3510-3520	060	Benefits	General Funds	(\$32,758)
03-35-35-3510-3492		Special Deputy Training		
03-35-35-3510-3492	050	Personal Services - Temporary/Appointed	Other Funds	\$25,000
03-35-35-3510-3492	060	Benefits	Other Funds	\$1,912
03-35-35-3505-3600		Economic Development Admin.		
03-35-35-3505-3600	020	Current Expenses	General Funds	(\$4,458)
03-35-35-3505-3600	069	Promotional And Marketing Expense	General Funds	(\$100,000)
03-35-35-3505-3612		Office of International Comm.		
03-35-35-3505-3612	020	Current Expenses	General Funds	(\$86,000)
03-35-35-3505-3615		Industrial Research Center		
03-35-35-3505-3615	102	Contracts For Program Services	General Funds	(\$100,000)
03-35-35-3520-3620		Travel & Tourism		
03-35-35-3520-3620	069	Promotional And Marketing Expense	General Funds	(\$165,000)
03-35-35-3520-3576		International Tourism		
03-35-35-3520-3576	069	Promotional And Marketing Expense	General Funds	(\$5,000)
03-35-35-3520-5874		Travel & Tourism Dev Fund		
03-35-35-3520-5874	069	Promotional And Marketing Expense	General Funds	(\$40,000)
03-44		Environmental Services		
03-44-44-4400-1002		Administration and Support		
03-44-44-4400-1002	102	Contracts for Program Services	General Funds	(\$220,000)
03-44-44-4420-1003		State Aid Grants		
03-44-44-4420-1003	073	Grants - Non-Federal	General Funds	(\$327,701)
03-44-44-4420-1518		Lakes - Rivers Management		
03-44-44-4420-1518	102	Contracts for Program Services	General Funds	(\$100,000)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
03-44-44-4420-1523		ShellFish Healthy Tides		
03-44-44-44201523	102	Contracts for Program Services	General Funds	(\$16,500)
03-44-44-4420-3800		Dam Maintenance Administration		
03-44-44-4420-3800	102	Contracts for Program Services	General Funds	(\$78,700)
03-44-44-4420-3800	303	Public Access Projects	General Funds	(\$25,000)
03-44-44-4440-2589		CERCLA Maintenance		
03-44-44-4440-2589	102	Contracts for Program Services	General Funds	(\$200,000)
03-44-44-4400-1002		Administration and Support		
03-44-44-4400-1002	010	Personal Services - Permanent Classified	General Funds	(\$75,373)
03-44-44-4400-1002	010	Personal Services - Permanent Classified	Other Funds	(\$34,982)
03-44-44-4400-1002	060	Benefits	General Funds	(\$40,861)
03-44-44-4400-1002	060	Benefits	Other Funds	(\$18,965)
03-44-44-4420-3800		Dam Bureau Administration		
03-44-44-4420-3800	010	Personal Services - Permanent Classified	General Funds	(\$110,070)
03-44-44-4420-3800	060	Benefits	General Funds	(\$64,534)
03-44-44-4420-3800	010	Personal Services - Permanent Classified	Other Funds	(\$22,545)
03-44-44-4420-3800	060	Benefits	Other Funds	(\$13,218)
03-44-44-4420-3815		Wetlands Administration		
03-44-44-4420-3815	010	Personal Services - Permanent Classified	General Funds	(\$64,254)
03-44-44-4420-3815	060	Benefits	General Funds	(\$51,343)
03-44-44-4440-5402		Solid Waste Assist- Prmt- Enfor		
03-44-44-4440-5402	010	Personal Services - Permanent Classified	General Funds	(\$147,661)
03-44-44-4440-5402	060	Benefits	General Funds	(\$72,576)
03-44-44-4440-5492		RCRA State Match		
03-44-44-4440-5492	010	Personal Services - Permanent Classified	General Funds	(\$94,551)
03-44-44-4440-5492	060	Benefits	General Funds	(\$56,607)
03-44-44-4430-5496		Radon Program		
03-44-44-4430-5496	010	Personal Services - Permanent Classified	General Funds	(\$31,907)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
03-44-44-4430-5496	060	Benefits	General Funds	(\$10,027)
03-44-44-4430-5496	010	Personal Services - Permanent Classified	Federal Funds	(\$31,907)
03-44-44-4430-5496	060	Benefits	Federal Funds	(\$10,028)
04-96		Department of Transportation		
04-96-96-9640-2931		Railroad		
04-96-96-9640-2931	010	Personal Services- Permanent Classified	General Funds	(\$34,866)
04-96-96-9640-2931	060	Benefits	General Funds	(\$21,800)
04-96-96-9640-2931	010	Personal Services- Permanent Classified	Federal Funds	\$34,866
04-96-96-9640-2931	060	Benefits	Federal Funds	\$21,800
04-96-96-9640-2107		Aeronautics		
04-96-96-9640-2107	070	In-State Travel	General Funds	(\$4)
04-96-96-9640-2049		Land & Buildings		
04-96-96-9640-2049	046	Consultants (Non-Benefited)	General Funds	(\$2,500)
04-96-96-9640-2049	048	Contractual Maintenance - Buildings & Grounds	General Funds	(\$17,500)
04-96-96-9640-2049	400	Construction, Repair & Material	General Funds	(\$5,000)
04-96-96-9640-2058		Maintenance/Critical Repair		
04-96-96-9640-2058	048	Contractual Maintenance - Buildings & Grounds	General Funds	(\$10,000)
05-95		Department of Health and Human Services		
05-95-40		Division for Children, Youth and Families		
05-95-40-4030-5855		Child-Family Services		
05-95-40-4030-5855	101	Medical Payments to Providers	General Funds	(\$6,997)
05-95-40-4030-5855	101	Medical Payments to Providers	Federal Funds	(\$7,031)
05-95-40-4030-5855	533	Foster Care Services	General Funds	(\$172,486)
05-95-40-4030-5855	533	Foster Care Services	Federal Funds	(\$173,320)
05-95-40-4030-5855	535	Out Of Home Placements	General Funds	(\$232,263)
05-95-40-4030-5855	535	Out Of Home Placements	Federal Funds	(\$233,385)
05-95-40-4030-5855	550	Assessment and Counseling	General Funds	(\$1,716)
05-95-40-4030-5855	550	Assessment and Counseling	Federal Funds	(\$1,724)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
05-95-40-4030-5855	563	Community Based Services	General Funds	(\$59,040)
05-95-40-4030-5855	563	Community Based Services	Federal Funds	(\$59,325)
05-95-40-4030-5857		DCYF-Prevention Programs		
05-95-40-4030-5857	073	Grants - Non-Federal	General Funds	(\$784,911)
05-95-45		Division of Family Assistance		
05-95-45-4500-6127		Employment Support		
05-95-45-4500-6127	102	Contracts For Program Services	General Funds	(\$73,000)
05-95-45-4500-6127	102	Contracts For Program Services	Federal Funds	(\$554,000)
05-95-48		Bureau of Elderly and Adult Services		
05-95-48-4810-8915		Congregate Housing		
05-95-48-4810-8915	502	Payments to Providers	General Funds	(\$15,000)
05-95-48-4815-6173		Nursing Services		
05-95-48-4815-6173	504	Nursing Home Payments	General Funds	(\$2,057,000)
05-95-48-4815-6173	504	Nursing Home Payments	Federal Funds	(\$2,057,000)
05-95-48-4815-6173	505	Mid-Level Care Expenses	General Funds	(\$71,000)
05-95-48-4815-6173	505	Mid-Level Care Expenses	Federal Funds	(\$70,000)
05-95-48-4815-6173	506	Home Nursing Services	General Funds	(\$435,000)
05-95-48-4815-6173	506	Home Nursing Services	Federal Funds	(\$436,000)
05-95-48-4815-6173	529	Home Health Services	General Funds	\$274,000
05-95-48-4815-6173	529	Home Health Services	Federal Funds	\$274,000
05-95-90		Division of Public Health Services		
05-95-90-9015-5121		Health Promotion		
05-95-90-9015-5121	020	Current Expenses	General Funds	(\$12,422)
05-95-90-9015-5121	022	Rents & Leases Other than State	General Funds	(\$1,500)
05-95-90-9015-5121	050	Personal Services - Temporary/Appointed	General Funds	(\$9,503)
05-95-90-9015-5121	060	Benefits	General Funds	(\$727)
05-95-90-9020-2223		Boston EMA Title I		
05-95-90-9020-2223	568	TI HIV Care Boston Ema	General Funds	(\$400,000)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
05-95-90-9025-5178		Immunization Program		
05-95-90-9025-5178	102	Contracts For Program Services	Federal Funds	(\$5,000)
05-95-90-9030-5230		Public Health Laboratories		
05-95-90-9030-5230	020	Current Expenses	General Funds	(\$20,400)
05-95-90-9030-5230	548	Reagents	General Funds	(\$27,000)
05-95-92		Bureau of Behavioral Health		
05-95-92-9200-7010		Community Mental Health Services		
05-95-92-9200-7010	552	Rehab Services	General Funds	(\$466,000)
05-95-92-9200-7010	552	Rehab Services	Federal Funds	(\$617,000)
05-95-93		Division of Developmental Services		
05-95-93-9300-7100		Developmental Services		
05-95-93-9300-7100	102	Contracts for Program Services	General Funds	(\$30,000)
05-95-93-9300-7100	557	Medicaid Waiver Services	General Funds	(\$671,000)
05-95-93-9300-7100	557	Medicaid Waiver Services	Federal Funds	(\$671,000)
05-95-93-9300-7016		Acquired Brain Disorder Services		
05-95-93-9300-7016	557	Medicaid Waiver Services	General Funds	(\$120,000)
05-95-93-9300-7016	557	Medicaid Waiver Services	Federal Funds '	(\$120,000)
05-95-93-9300-7559		NH Brain Injury Program		
05-95-93-9300-7559	502	Payments to Providers	General Funds	(\$50,000)
05-95-93-9300-5191		Special Medical Services		
05-95-93-9300-5191	046	Consultants (Non-Benefited)	General Funds	(\$41,000)
05-95-93-9300-5191	102	Contracts for Program Services	General Funds	(\$15,000)
05-95-93-9300-5191	561	Specialty Clinics	General Funds	(\$99,000)
05-95-94		New Hampshire Hospital		
05-95-94-9400-8750		Acute Psychiatric Services		
05-95-94-9400-8750	102	Contracts for Program Services	General Funds	(\$190,000)
05-95-94-9400-8750	102	Contracts for Program Services	Federal Funds	(\$22,000)
05-95-95-9560		Office of Medicaid and Business Policy		

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
05-95-95-9560-6126		Medicaid Administration		
05-95-95-9560-6126	512	Transportation Of Clients	General Funds	(\$306,000)
05-95-95-9560-6126	512	Transportation Of Clients	Federal Funds	(\$306,000)
05-95-95-9560-6143		Pharmacy Services		
05-95-95-9560-6143	503	State Phase Down	General Funds	(\$5,500,000)
05-95-95-9560-6147		Provider Payments		
05-95-95-9560-6147	101	Medical Payments to Providers	General Funds	(\$3,416,846)
05-95-95-9560-6147	101	Medical Payments to Providers	Federal Funds	(\$3,415,246)
05-95-95-9560-6147	565	Outpatient Hospital	General Funds	(\$350,000)
05-95-95-9560-6147	565	Outpatient Hospital	Federal Funds	(\$350,000)
05-95-95-9584		DCBCS Treatment & Prevention		
05-95-95-9584-1388		Governor		
05-95-95-9584-1388	102	Contracts for Program Services	General Funds	(\$76,000)
05-43		New Hampshire Veterans Home		
05-43-43-4300-5358		Custodial Services		
05-43-43-4300-5358	018	Overtime	General Funds	(\$10,000)
05-43-43-4300-5358	019	Holiday Pay	General Funds	(\$5,000)
05-43-43-4300-5358	020	Current Expenses	General Funds	(\$10,000)
05-43-43-4300-5358	021	Food Institutions	General Funds	(\$26,000)
05-43-43-4300-5358	023	Heat, Electricity & Water	General Funds	(\$40,000)
05-43-43-4300-5358	047	Own Forces Maintenance - Building & Grounds	General Funds	(\$50,000)
05-43-43-4300-5358	050	Personal Services - Temporary/Appointed	General Funds	(\$20,000)
05-43-43-4300-5358	070	In-State Travel	General Funds	(\$7,000)
05-43-43-4300-5359		Professional Services		
05-43-43-4300-5359	010	Personal Services- Permanent Classified	General Funds	(\$773,535)
05-43-43-4300-5359	010	Personal Services- Permanent Classified	Federal Funds	\$773,535
05-43-43-4300-5359	011	Personal Services - Unclassified	General Funds	(\$5,727)
05-43-43-4300-5359	011	Personal Services - Unclassified	Federal Funds	\$5,727
05-43-43-4300-5359	018	Overtime	General Funds	(\$6,180)
05-43-43-4300-5359	018	Overtime	Federal Funds	\$6,180

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
05-43-43-4300-5359	019	Holiday Pay	General Funds	(\$23,619)
05-43-43-4300-5359	019	Holiday Pay	Federal Funds	\$10,974
05-43-43-4300-5359	019	Holiday Pay	Other Funds	(\$9,540)
05-43-43-4300-5359	020	Current Expenses	General Funds	(\$31,999)
05-43-43-4300-5359	020	Current Expenses	Federal Funds	\$27,640
05-43-43-4300-5359	020	Current Expenses	Other Funds	(\$3,289)
05-43-43-4300-5359	026	Organizational Dues	General Funds	(\$119)
05-43-43-4300-5359	026	Organizational Dues	Federal Funds	\$119
05-43-43-4300-5359	027	Transfers to Office Information Technology	General Funds	(\$7,520)
05-43-43-4300-5359	027	Transfers to Office Information Technology	Federal Funds	\$7,520
05-43-43-4300-5359	030	Equipment New/Replacement	General Funds	(\$10,952)
05-43-43-4300-5359	030	Equipment New/Replacement	Federal Funds	\$10,952
05-43-43-4300-5359	041	Audit Fund Set Aside	General Funds	(\$377)
05-43-43-4300-5359	041	Audit Fund Set Aside	Federal Funds	\$377
05-43-43-4300-5359	046	Consultants (Non-Benefited)	General Funds	(\$18,775)
05-43-43-4300-5359	046	Consultants (Non-Benefited)	Federal Funds	\$18,775
05-43-43-4300-5359	050	Personal Services - Temporary/Appointed	General Funds	(\$40,051)
05-43-43-4300-5359	050	Personal Services - Temporary/Appointed	Federal Funds	\$40,051
05-43-43-4300-5359	060	Benefits	General Funds	(\$407,826)
05-43-43-4300-5359	060	Benefits	Federal Funds	\$407,826
05-43-43-4300-5359	070	In-State Travel	General Funds	(\$1,366)
05-43-43-4300-5359	070	In-State Travel	Federal Funds	\$527
05-43-43-4300-5359	070	In-State Travel	Other Funds	(\$633)
05-43-43-4300-5359	080	Out-of-State Travel	General Funds	(\$313)
05-43-43-4300-5359	080	Out-of-State Travel	Federal Funds	\$313
05-43-43-4300-5360		Pharmacy Services		
05-43-43-4300-5360	100	Prescription Drug Expenditures	General Funds	(\$54,000)
05-74		HHS Admin Attached Boards		
05-74-74-7405-7400		Board of Medicine		
05-74-74-7405-7400	018	Overtime	General Funds	(\$31)
05-74-74-7405-7400	020	Current Expenses	General Funds	(\$5,000)
05-74-74-7405-7400	050	Personal Services - Temporary/Appointed	General Funds	(\$18,810)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
05-74-74-7405-7400	060	Benefits	General Funds	(\$1,552)
05-74-74-7410-7410		Board of Optometry		
05-74-74-7410-7410	020	Current Expenses	General Funds	(\$1,500)
05-74-74-7410-7410	070	In-State Travel	General Funds	(\$539)
05-74-74-7420-7420		Nursing Home Exam Board		
05-74-74-7420-7420	020	Current Expenses	General Funds	(\$500)
05-74-74-7420-7420	050	Personal Services - Temporary/Appointed	General Funds	(\$924)
05-74-74-7420-7420	060	Benefits	General Funds	(\$77)
05-74-74-7425-7425		Off of Allied Health Prof		
05-74-74-7425-7425	046	Consultants (Non-Benefited)	General Funds	(\$700)
05-74-74-7425-7425	050	Personal Services - Temporary/Appointed	General Funds	(\$4,883)
05-74-74-7425-7425	060	Benefits	General Funds	(\$117)
05-74-74-7425-7425	070	In-State Travel	General Funds	(\$2,000)
05-74-74-7430-7430		Nurses Registration		
05-74-74-7430-7430	018	Overtime	General Funds	(\$8,000)
05-74-74-7430-7430	020	Current Expenses	General Funds	(\$10,000)
05-74-74-7430-7430	024	Maintenance Other Than Building & Grounds	General Funds	(\$3,000)
05-74-74-7430-7430	046	Consultants (Non-Benefited)	General Funds	(\$3,500)
05-74-74-7430-7430	050	Personal Services - Temporary/Appointed	General Funds	(\$924)
05-74-74-7430-7430	060	Benefits	General Funds	(\$77)
05-74-74-7430-7430	070	In-State Travel	General Funds	(\$500)
05-74-74-7431-7431		Nurses Registration		
05-74-74-7431-7431	020	Current Expenses	Other Funds	(\$1,000)
05-74-74-7431-7431	024	Maintenance Other Than Building & Grounds	Other Funds	(\$3,000)
05-74-74-7431-7431	042	Post Retirement (Additional Fringe Benefits)	Other Funds	(\$1,442)
05-74-74-7431-7431	050	Personal Services - Temporary/Appointed	Other Funds	(\$306)
05-74-74-7431-7431	060	Benefits	Other Funds	(\$500)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
05-74-74-7432-7432		Nurses Registration		
05-74-74-7432-7432	020	Current Expenses	Other Funds	(\$9,000)
05-74-74-7432-7432	046	Consultants (Non-Benefited)	Other Funds	(\$250)
05-74-74-7432-7432	070	In-State Travel	Other Funds	(\$1,000)
05-74-74-7435-7435		Pharmacy Board		
05-74-74-7435-7435	018	Overtime	General Funds	(\$8,000)
05-74-74-7435-7435	020	Current Expenses	General Funds	(\$2,004)
05-74-74-7435-7435	022	Rents & Leases Other than State	General Funds	(\$1,000)
05-74-74-7435-7435	026	Organizational Dues	General Funds	(\$600)
05-74-74-7435-7435	046	Consultants (Non-Benefited)	General Funds	(\$2,500)
05-74-74-7435-7435	070	In-State Travel	General Funds	(\$6,000)
05-74-74-7440-7440		Chiropractic Examiners		
05-74-74-7440-7440	010	Personal Services- Permanent Classified	General Funds	(\$10,156)
05-74-74-7440-7440	060	Benefits	General Funds	(\$5,542)
05-74-74-7445-7445		Cosmetology/Barbers Board		
05-74-74-7445-7445	010	Personal Services- Permanent Classified	General Funds	(\$8,385)
05-74-74-7445-7445	060	Benefits	General Funds	(\$10,632)
05-74-74-7450-7450		Dental Board		
05-74-74-7450-7450	020	Current Expenses	General Funds	(\$5,500)
05-74-74-7450-7450	026	Organizational Dues	General Funds	(\$590)
05-74-74-7450-7450	046	Consultants (Non-Benefited)	General Funds	(\$1,000)
05-74-74-7455-7455		Electrolysis Board		
05-74-74-7455-7455	020	Current Expenses	General Funds	(\$334)
05-74-74-7460-7460		Funeral Directors - Embalmers		
05-74-74-7460-7460	020	Current Expenses	General Funds	(\$994)
05-74-74-7460-7460	026	Organizational Dues	General Funds	(\$75)
05-74-74-7460-7460	046	Consultants (Non-Benefited)	General Funds	(\$1,000)
05-74-74-7465-7465		NH Bd of Mental Health Practice		
05-74-74-7465-7465	020	Current Expenses	General Funds	(\$3,000)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
05-74-74-7465-7465	046	Consultants (Non-Benefited)	General Funds	(\$1,000)
05-74-74-7465-7465	050	Personal Services - Temporary/Appointed	General Funds	(\$8,847)
05-74-74-7465-7465	060	Benefits	General Funds	(\$733)
05-74-74-7470-7470		Ophthalmic Dispensers		
05-74-74-7470-7470	020	Current Expenses	General Funds	(\$1,410)
05-74-74-7475-7475		Naturopathic Examiners		
05-74-74-7475-7475	020	Current Expenses	General Funds	(\$197)
05-74-74-7475-7475	050	Personal Services - Temporary/Appointed	General Funds	(\$584)
05-74-74-7475-7475	060	Benefits	General Funds	(\$48)
05-74-74-7480-7480		Hearing Aid Dealers		
05-74-74-7480-7480	020	Current Expenses	General Funds	(\$1,000)
05-74-74-7480-7480	070	In-State Travel	General Funds	(\$128)
05-74-74-7485-7485		Board of Acupuncture		
05-74-74-7485-7485	020	Current Expenses	General Funds	(\$183)
05-74-74-7485-7485	050	Personal Services - Temporary/Appointed	General Funds	(\$544)
05-74-74-7485-7485	060	Benefits	General Funds	(\$45)
05-74-74-7490-7490		Midwifery Council		
05-74-74-7490-7490	020	Current Expenses	General Funds	(\$64)
05-74-74-7492-7492		Bd of Alc - ODA Professionals		
05-74-74-7492-7492	070	In-State Travel	General Funds	(\$1,962)
05-74-74-7493-7493		Massage Therapy Advisory Board		
05-74-74-7493-7493	020	Current Expenses	General Funds	(\$5,821)
05-74-74-7495-7495		Bd of Licensed Dietitians		
05-74-74-7495-7495	050	Personal Services - Temporary/Appointed	General Funds	(\$1,158)
05-74-74-7495-7495	060	Benefits	General Funds	(\$96)
06-57		Postsecondary Education Commission		
06-57-57-5700-5407		Administration - Financial Aid		

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
06-57-57-5700-5407	021	Food Institutions	General Funds	(\$2,000)
06-57-57-5700-5407	050	Personal Services - Temporary/Appointed	General Funds	(\$20,659)
06-57-57-5700-5407	060	Benefits	General Funds	(\$1,580)
06-57-57-5700-6074		Granite State Scholars		
06-57-57-5700-6074	107	Scholarships & Grants	General Funds	(\$160,949)
06-57-57-5700-6075		Veterinary Education Program		
06-57-57-5700-6075	107	Scholarships & Grants	General Funds	(\$21,813)
06-57-57-5700-6076		Medical Education Program		
06-57-57-5700-6076	107	Scholarships & Grants	General Funds	(\$5,000)
06-56		Department of Education		
06-56-56-5605-2022		Governance and Standards		
06-56-56-5605-2022	010	Personal Services- Permanent Classified	General Funds	(\$72,852)
06-56-56-5605-2022	046	Consultants (Non-Benefited)	General Funds	(\$7,810)
06-56-56-5605-2022	060	Benefits	General Funds	(\$21,412)
06-56-56-5605-2022	067	Training & Providers	General Funds	(\$5,000)
06-56-56-5605-2022	235	Transcription Services	General Funds	(\$1,203)
06-56-56-5610-6019		Other State Aid		
06-56-56-5610-6019	078	Cat Aid - Education	General Funds	(\$3,946,405)
06-56-56-5610-6019	600	Tuition and Transportation Aid	General Funds	(\$607,993)
06-56-56-5610-6019	606	Dropout Prevention	General Funds	(\$128,065)
06-56-56-5610-6019	607	Statewide Special Education	General Funds	(\$23,942)
06-56-56-5610-6019	609	Local Education Improvement	General Funds	(\$39,903)
06-56-56-5610-6019	610	Career Tech Student Orgs	General Funds	(\$9,178)
06-56-56-5615-4101		Court Ordered Placements		
06-56-56-5615-4101	602	State Fund Non-Match	General Funds	(\$122,710)
06-56-56-5620-6401		Instruction - State		
06-56-56-5620-6401	010	Personal Services- Permanent Classified	General Funds	(\$137,710)
06-56-56-5620-6401	060	Benefits	General Funds	(\$62,529)

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
06-56-56-5620-3260		Curriculum and Assessment		
06-56-56-5620-3260	010	Personal Services- Permanent Classified	General Funds	(\$63,180)
06-56-56-5620-3260	060	Benefits	General Funds	(\$27,613)
06-56-56-5620-3260	067	Training & Providers	General Funds	(\$1,836)
06-56-56-5620-3260	102	Contracts for Program Services	General Funds	(\$4,589)
06-56-56-5620-3260	103	Contracts for Operational Services	General Funds	(\$120)
06-56-56-5620-3260	612	State Testing	General Funds	(\$240,420)
06-56-56-5620-5406		Parent As Teacher		
06-56-56-5620-5406	602	State Fund Non-Match	General Funds	(\$65,000)
06-56-56-5635-4000		Program Support - State		
06-56-56-5635-4000	010	Personal Services- Permanent Classified	General Funds	(\$73,682)
06-56-56-5635-4000	060	Benefits	General Funds	(\$30,926)
06-56-56-5635-4000	614	Data/Info Processing	General Funds	(\$2,190)
06-56-56-5640-3004		School Nutrition - Section IV		
06-56-56-5640-3004	602	State Fund Non-Match	General Funds	(\$15,961)
06-56-56-5650-4082		Career Tech - Adult Learn - ADM		
06-56-56-5650-4082	011	Personal Services-Unclassified	General Funds	(\$92,106)
06-56-56-5650-4082	060	Benefits	General Funds	(\$25,218)
06-56-56-5650-6030		Vocational Education - State		
06-56-56-5650-6030	010	Personal Services- Permanent Classified	General Funds	(\$30,888)
06-56-56-5650-6030	060	Benefits	General Funds	(\$13,235)
06-56-56-5660-7004		Adult Education		
06-56-56-5660-7004	602	State Fund Non-Match	General Funds	(\$102,920)
06-83		Lottery Commission		
06-83-83-8300-1029		Lottery Division		
06-83-83-8300-1029	022	Rents & Leases Other than State	Other Funds	(\$650,000)
06-61		McAuliffe-Shepard Discovery Center		
06-61-61-6100-3432		Administration		

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<u>Accounting Unit</u>	<u>Class</u>	<u>Department/Agency</u>	<u>Source of Funds</u>	<u>FY 2011</u>
06-61-61-6100-3432	018	Overtime	General Funds	(\$1,500)
06-61-61-6100-3432	020	Current Expenses	General Funds	(\$12,700)
06-61-61-6100-3432	023	Heat, Electricity & Water	General Funds	(\$21,100)
06-61-61-6100-3432	024	Maintenance Other Than Building & Grounds	General Funds	(\$1,500)
06-61-61-6100-3432	048	Contractual Maintenance - Building & Grounds	General Funds	(\$8,200)

Total appropriations and charges as included in category 01 thru and including 06

General fund	(\$33,759,257)
Federal funds	(\$7,474,655)
Other funds	(\$1,165,845)
Total funds	(\$42,399,757)

- 1 103 Effective Date.
- 2 I. Sections 10-12, 41-44, 48, 50, 62-67, 69, 70, and 90-93 shall take effect July 1, 2010.
- 3 II. Section 45 and 46 of this act shall take effect June 15, 2010.
- 4 III. Section 68 of this act shall take effect November 1, 2012.
- 5 IV. Sections 75 and 77 of this act shall take effect July 1, 2011.
- 6 V. Sections 96-98 of this act shall take effect January 1, 2011.
- 7 VI. The remainder of this act shall take effect upon its passage.

LBAO
10-2705
Revised 01/21/10

SB 450 FISCAL NOTE

AN ACT relative to costs and expenditures at the department of health and human services.

FISCAL IMPACT:

The Department of Health and Human Services states this bill would have an indeterminable fiscal impact on state revenue and expenditures, and county revenue in FY 2010 and FY 2011. This bill will have no fiscal impact on county and local expenditures, or local revenue.

METHODOLOGY:

Section 1 - The Department of Health and Human Services (DHHS) states Chapter 143:9, Laws of 2009 (HB 1) requires the Department to reduce state general fund appropriations by \$7,359,331 in FY 2010 and \$12,199,900 in FY 2011. The proposed bill would remove the annual amounts, and require a reduction of \$19,559,231 over the FY 2010-2011 biennium. This would allow the Department flexibility in determining how much to reduce each year. State expenditures would be impacted to the extent annual reduction amounts differ from the amounts contained in Chapter 143.

Sections 2 and 3 – The Department states these sections would exempt publication of the rates for services placements and programs under RSA 169-B, C & D from the provisions of RSA 541-A and should have no fiscal impact on the Department.

Section 4 – The Department states RSA 167:83, V currently requires the commissioner of DHHS to enter into a contract with the Department of Employment Security (DES) to carry out the New Hampshire Employment Program (NHEP). This section would amend RSA 167:83, V to make such contracting optional at the discretion of the Commissioner of DHHS. The change, in and of itself, has no fiscal impact as it does not actually change the way NHEP is administered. If DHHS were to actually exercise the option to no longer contract with DES to carry out the NHEP, there could potentially be a fiscal impact at that time.

Section 5 – The Department states this section would make the Non-TANF Funded Program for 2-Parent Families with Dependent Children permissive rather than mandatory. This section may decrease state general fund expenditures to the extent the Department decides not to

continue the program. The FY 2010-FY 2011 operating budget includes state general fund appropriations of \$5,889,537 in each fiscal year for this program.

Section 6 – The Department states RSA 167:4, IV(c) currently requires recipients of medical assistance to name the state of New Hampshire as the beneficiary of any life insurance policy that has a cash surrender value greater than \$1,500 as a condition of eligibility. The proposed legislative change would amend RSA 167:4, IV(c) to require recipients of medical assistance to name the state of New Hampshire as primary beneficiary of any life insurance policy that has a cash surrender value, benefit or face value in excess of \$1,500 unless the recipient has a spouse who remains living in the community as the only beneficiary. Policies must ensure payment to the state of New Hampshire of all the proceeds of the policy in excess of amounts spent on burial up to the total of Medicaid expenditures made on behalf of the individual. There are currently 1,919 Medicaid recipients who own life insurance policies that currently have a cash surrender value, benefit or face value in excess of \$1,500 and who are not currently required to name the state of New Hampshire as primary beneficiary. It is assumed that approximately 4% of the 1,919 or 77 Medicaid recipients with life insurance have spouses that live in the community. These individuals will not be required to name the State of New Hampshire as primary beneficiary. As a result, the approximate number of recipients that will be affected by the change is 1,842 (1,919 - 77). The average face value of life insurance policies owned by the 1,919 Medicaid recipients is \$16,000. The Department estimates the average cost for a funeral would be \$6,000 which would result in \$10,000 in insurance available for recovery. The DHHS Office of Recoveries handled a total of 352 estates in FY 2009. Almost all of these estates were State Supplement Program Medicaid (Old Age Assistance, Aid to the Needy Blind, or Aid to the Permanently and Totally Disabled) recipients. The 352 estates represent 1.5% of the adult category caseload in any given state fiscal year. As a result, it is assumed that 1.5% of the 1,842 Medicaid recipients with life insurance (28) will be subject to recovery in any given state fiscal year. The Department estimates recovery revenue will increase by \$280,000 annually (28 recipients X \$10,000 average available insurance). In FY 2009, the Office of Recoveries recovered a total of \$4.9 million. Of the \$4.9 million, \$3.8 million (78%) represented long-term care cases and \$1.1 million (22%) represented recoveries from other Medicaid cases. Using these percentages, the Department estimates the additional recovery revenue will be distributed as follows -

- 78% of the additional revenue will be for long-term care cases:
 - Total revenue: \$218,400
 - Federal share: (50%): \$109,200
 - County share: (38.41%): \$83,887

- State share (11.59%): \$25,313

- 22% of the additional revenue will be for other Medicaid cases:
 - Total revenue: \$61,600
 - Federal share (50%): \$30,800
 - State share (50%): \$30,800

- Total additional revenue:
 - Federal share: \$140,000
 - County share: \$83,887
 - State share: \$56,113

Sections 7 and 9 – The Department believes that Treatment Authorization for Program Services (TAPS) will reduce costs related to Children in Need of Services (CHINS) and delinquents rehabilitative services. Currently Judges vary from Division of Juvenile Justice Service (DJJS) recommended treatment plan for a significant number of youths served. Some of these variances could result in high, medium, and/or low cost savings if the original DJJS treatment plan was followed to begin with. Using calculations based on the FY 2010 average monthly expenditures of placements and other services currently provided by DJJS, the Department estimates the maximum monthly cost reduction for all levels of cost savings at \$69,588. Assuming that the proposed changes will be effective for only 2 months in FY 2010, and inflation of 2% annually, the Department estimates the fiscal impact as follows –

	Total Funds	General Funds (53%)	Federal Funds (42%)	Other Funds (5%)
FY 2010	\$139,117	\$73,732	\$58,429	\$6,956
FY 2011	\$851,395	\$451,239	\$357,586	\$42,570
FY 2012	\$868,089	\$460,087	\$364,597	\$43,405
FY 2013	\$884,783	\$468,935	\$371,609	\$44,239
FY 2014	\$901,477	\$477,783	\$378,620	\$45,074

Section 8 – The Department states this section provides that the court shall adopt, in the first instance, the Department’s recommendations for services placements and programs at the dispositional hearing in cases under RSA 169-C. The fiscal impact of this change is difficult to estimate, as the type, number and cost of these services can vary significantly with any given case, and the difference between the services recommended by the Department and those that would otherwise have been ordered by the court is somewhat speculative. The Department,

however, assumes that the change will result in an indeterminate decrease in the costs for court ordered services.

Section 10 - The Department states this section requires the Department to file a report on the efficacy of the process established elsewhere in the bill for the timely and cost effective delivery of services placements and programs under RSA 169-B, C & D. The Department estimates that preparation of the report can be done with existing resources.

Sections 11 and 12 – The Department states these sections will make certain changes to RSA 471-C:26 relative to claims for abandoned property to allow the state to claim against abandoned property where the state has paid medical or financial assistance for the benefit of the deceased owner of the property. This change in the law would result in an increase in revenue of an indeterminable amount.

Section 13 – The Department states this section would repeal the Chapter 144:211, Laws of 2009 that requires the Commissioner of DHHS to provide a report to the HHS Oversight Committee detailing administrative and reporting requirements for community mental health centers that could be suspended without jeopardizing public health and safety. The report was to be submitted by September 30, 2009. The Commissioner submitted a report to the HHS Oversight Committee on September 29, 2009 that described an ongoing review of administrative requirements on the mental health centers. There will no fiscal impact as a result of this repeal.