

April 27 2006
No. 17A

STATE OF NEW HAMPSHIRE

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Legislative

SENATE CALENDAR ADDENDUM

REPORTS, AMENDMENTS

**THE SENATE WILL MEET IN SESSION ON WEDNESDAY, MAY 3, 2006
AT 10:00 A.M. AND ON THURSDAY, MAY 4, 2006 AT 10:00 A.M.**

REPORTS

FINANCE

HB 627-FN, (New Title) relative to including persons 17 years old in the juvenile justice system.
Ought to Pass, Vote 8-0
Senator Clegg for the committee.

HB 645-FN, (New Title) relative to fire-safer cigarettes.
Ought to pass with amendment, Vote 6-2
Senator Morse for the committee.

HB 689-FN, relative to the jurisdiction of the New Hampshire commission for human rights over housing discrimination cases.
Ought to Pass, Vote 8-0
Senator Larsen for the committee.

HB 1167-FN-A, making an appropriation to the land and community heritage investment program.
Ought to pass with amendment, Vote 5-3
Senator Morse for the committee.

HB 1241-FN-L, (New Title) extending the kindergarten construction aid program.
Ought to pass with amendment, Vote 8-0
Senator Morse for the committee.

HB 1249-FN-A-L, relative to state reimbursement for school breakfasts and making an appropriation therefor.
Ought to Pass, Vote 6-2
Senator Clegg for the committee.

HB 1311-FN-A, (New Title) relative to the electronic filing of reports and applications with the secretary of state.
Inexpedient to Legislate, Vote 8-0
Senator Clegg for the committee.

HB 1315, relative to the definition and classification of dams.
Ought to Pass, Vote 8-0
Senator Odell for the committee.

HB 1337, (New Title) establishing the amusement ride safety advisory board.
Ought to Pass, Vote 8-0
Senator Clegg for the committee.

HB 1407-FN-A, relative to funding exotic aquatic weeds eradication and control.
Ought to pass with amendment, Vote 8-0
Senator Morse for the committee.

HB 1429, relative to municipal exemptions for hazardous waste cleanup liability.
Ought to pass with amendment, Vote 7-1
Senator Green for the committee.

HB 1458-FN, relative to the regulation of landscape architects.
Ought to pass with amendment, Vote 4-3
Senator Morse for the committee.

HB 1459-FN-A, relative to the department of regional community-technical colleges and making an appropriation therefor.
Ought to pass with amendment, Vote 7-0
Senator Odell for the committee

HB 1464-FN-A-L, relative to mosquito control, establishing a mosquito control fund and making an appropriation therefor.
Ought to pass with amendment, Vote 8-0
Senator Larsen for the committee.

HB 1474-FN, relative to unemployment compensation contribution rates and benefits.
Ought to pass with amendment, Vote 7-0
Senator Clegg for the committee.

HB 1590-FN, relative to the pari-mutuel commission.
Ought to pass with amendment, Vote 8-0
Senator Morse for the committee.

HB 1593-FN-L, relative to the construction of high school athletic fields in the town of Bedford.
Ought to Pass, Vote 8-0
Senator Boyce for the committee.

HB 1603-FN, relative to administration and enforcement by the division of forests and lands over forest resources and timber harvesting.
Ought to pass with amendment, Vote 8-0
Senator Clegg for the committee.

HB 1608-FN-A, (New Title) making appropriations to reimburse certain health and human services providers for the increased cost of utilities, heating, and mileage.
Inexpedient to Legislate, Vote 4-3
Senator Morse for the committee.

HB 1611-FN, relative to reimbursement for personal care services.
Ought to Pass, Vote 7-1
Senator Morse for the committee.

HB 1624-FN, relative to boat noise.
Ought to Pass, Vote 8-0
Senator Boyce for the committee.

HB 1626-FN-A, (New Title) relative to appropriations for the expenses of certain departments of the state.
Ought to pass with amendment, Vote 7-0
Senator Morse for the committee.

HB 1648-FN, relative to legal residency and financial liability for children in certain residential placements.
Ought to pass with amendment, Vote 8-0
Senator Larsen for the committee.

HB 1656-FN-A, establishing an electronic toll collection transponder inventory fund.
Ought to pass with amendment, Vote 8-0
Senator Morse for the committee.

HB 1672-FN, (New Title) relative to a registry for substantiated cases of abuse, neglect, or exploitation of incapacitated adults and establishing a task force relative to central registries.
Ought to pass with amendment, Vote 7-1
Senator Morse for the committee.

HB 1683-FN, establishing a homestead food license for residential, non-commercial kitchens.
Ought to Pass, Vote 7-1
Senator Larsen for the committee.

HB 1696-FN, relative to the cremation of human remains.
Ought to Pass, Vote 6-2
Senator Larsen for the committee.

HB 1697-FN, relative to certain state salaries.
Ought to pass with amendment, Vote 8-0
Senator Clegg for the committee.

HB 1710-FN-A, (New Title) relative to appropriations to the department of health and human services for home care providers and community mental centers and making an appropriation to increase the hourly rate of pay for direct care providers for persons with developmental and acquired disabilities and extending the provision of supplemental pharmacy assistance.
Ought to pass with amendment, Vote 7-0
Senator Morse for the committee.

HB 1725-FN, (New Title) extending the pilot project relative to abuse and neglect hearings and relative to confidentiality in pilot project abuse and neglect cases.

Ought to Pass, Vote 8-0

Senator Clegg for the committee.

HB 1735-FN, relative to awarding the state employees' health insurance plan.

Ought to Pass, Vote 7-1

Senator Larsen for the committee.

HB 1741-FN, relative to reporting requirements concerning infections in hospitals.

Ought to Pass, Vote 7-1

Senator Boyce for the committee.

HB 1745-FN, relative to methamphetamine-related crimes involving children and incapacitated adults.

Ought to Pass, Vote 8-0

Senator Clegg for the committee.

HB 1747-FN, (New Title) establishing a New Hampshire healthy tidal waters and shellfish protection program and making an appropriation therefor.

Ought to pass with amendment, Vote 8-0

Senator Green for the committee.

AMENDMENTS

Sen. Morse, Dist. 22

April 24, 2006

2006-1979s

05/04

Amendment to HB 645-FN

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

AN ACT relative to reduced cigarette ignition propensity.

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

339-F:1 Definitions. In this chapter:

I. "Agent" means any person licensed by the department of revenue administration to purchase and affix adhesive or meter stamps on packages of cigarettes.

II. "Cigarette" means any roll for smoking made wholly or in part of tobacco, and wrapped in any material except tobacco.

III. "Commissioner" means the commissioner of safety.

IV. "Manufacturer" means:

(a) Any entity which manufactures or otherwise produces cigarettes or causes cigarettes to be manufactured or produced anywhere that such manufacturer intends to be sold in the state, including cigarettes intended to be sold in the United States through an importer; or

(b) The first purchaser anywhere that intends to resell in the United States cigarettes manufactured anywhere that the original manufacturer or maker does not intend to be sold in the United States; or

(c) Any entity which becomes a successor of an entity described in subparagraph (a) or (b).

V. "Repeatability" means the range of values within which the repeat results of cigarette test trials from a single laboratory will fall 95 percent of the time.

VI. "Retailer" means any person who sells tobacco products to consumers, and any vending machine in which tobacco products are sold.

VII. "Sale" or "sell" means any transfer, whether by bargain, gift, exchange, barter, or otherwise.

VIII. "Quality control and quality assurance program" means the laboratory procedures implemented to ensure that operator bias, systematic and nonsystematic methodological errors, and equipment related problems do not affect the results of the testing. This program ensures that the testing repeatability remains within the required repeatability values stated in RSA 339-F:3, V for all test trials used to certify cigarettes in accordance with this chapter.

IX. "Vending machine operator" means any person operating one or more tobacco vending machines on property or premises other than his or her own.

X. "Wholesaler" means any person doing business in this state who shall purchase all of his or her unstamped tobacco products directly from a licensed manufacturer, and who shall sell all of his or her products to licensed wholesalers, subjobbers, vending machine operators, retailers, and those persons exempt from the tobacco tax under RSA 78:7-b.

339-F:2 General Requirements.

I. On and after October 1, 2007, no cigarettes shall be sold or offered for sale in this state unless:

(a) The cigarettes have been tested in accordance with the test method prescribed in RSA 339-F:3.

(b) The cigarettes meet the performance standard specified in RSA 339-F:4.

(c) A written certification has been filed by the manufacturer with the commissioner and the New Hampshire department of justice in accordance with RSA 339-F:6.

(d) The cigarettes are marked in accordance with RSA 339-F:8.

II. Nothing in this chapter shall prohibit wholesalers or retailers from selling their inventory of cigarettes existing on October 1, 2007, provided that such wholesaler or retailer can establish that tax stamps were affixed to such cigarettes pursuant to RSA 78 prior to October 1, 2007, and provided further that such wholesaler or retailer can establish that such inventory was purchased prior to October 1, 2007 in comparable quantity to the inventory purchased during the same 12-month period of the prior year.

III. Consistent with RSA 78:14-a, nothing in this chapter shall be construed to prohibit any person or entity from selling or offering for sale cigarettes that have not been certified by the manufacturer in accordance with RSA 339-F:6 if such cigarettes are or will be stamped for sale in another state or are packaged for sale outside the United States.

IV. No person shall sell tobacco products through a vending machine in violation of this chapter.

339-F:3 Test Method.

I. Testing of cigarettes shall be conducted in accordance with the American Society of Testing and Materials ("ASTM") standard E2187-04, "Standard Test Method for Measuring the Ignition Strength of Cigarettes." The commissioner may adopt a subsequent ASTM Standard Test Method for Measuring the Ignition Strength of Cigarettes upon a finding that the subsequent method does not result in a change in the percentage of full-length burns exhibited by any tested cigarette when compared to the percentage of full-length burns the same cigarette would exhibit when tested in accordance with ASTM Standard E2187-04 and the performance standard in RSA 339-F:4.

II. Testing shall be conducted on 10 layers of filter paper.

III. Forty replicate tests shall comprise a complete test trial for each cigarette tested.

IV. The performance standard required by RSA 339-F:4 shall only be applied to a complete test trial.

V. Laboratories conducting testing in accordance with this section shall implement a quality control and quality assurance program that includes a procedure that will determine the repeatability of the testing results. The repeatability value shall be no greater than 0.19 pursuant to RSA 339-F:4.

VI. This section does not require additional testing if cigarettes are tested consistent with this chapter for any other purpose.

339-F:4 Performance Standard.

I. When tested in accordance with RSA 339-F:3, no more than 25 percent of the cigarettes tested in a test trial shall exhibit full length burns.

II. Each cigarette listed in a certification submitted pursuant to RSA 339-F:6 that uses lowered permeability bands in the cigarette paper to achieve compliance with the performance standard set forth in paragraph I shall have at least 2 nominally identical bands on the paper surrounding the tobacco column. At least one complete band shall be located at least 15 millimeters from the lighting end of the cigarette. For cigarettes on which the bands are positioned by design, there shall be at least 2 bands fully located at least 15 millimeters from the lighting end and 10 millimeters from the filter end of the tobacco column, or 10 millimeters from the labeled end of the tobacco column for non-filtered cigarettes.

III. The manufacturer of a cigarette that the commissioner determines cannot be tested in accordance with the test method prescribed in RSA 339-F:3 shall propose a test method and performance standard for such cigarette to the commissioner. Upon approval of the proposed test method and a determination by the commissioner that the performance standard proposed by the manufacturer is equivalent to the performance standard prescribed in paragraph I, the manufacturer may employ such test method and performance standard to certify such cigarette pursuant to RSA 339-F:6. If another state has enacted reduced cigarette ignition propensity standards, or similar requirements, that include a test method and performance standard for cigarettes, and if officials responsible for implementing those requirements have approved a manufacturer's proposed alternative test method and performance standard for a particular cigarette under a legal provision comparable to this paragraph, that manufacturer may employ that alternative test method and performance standard to certify that cigarette in this state, provided that the manufacturer obtains the approval of the commissioner, which shall not be unreasonably withheld. All other applicable requirements of this chapter shall apply to such manufacturer.

IV. This chapter shall be implemented in accordance with the substance of the New York Fire Safety Standards for Cigarettes, as amended.

339-F:5 Test Data. In order to ensure compliance with the performance standard specified in RSA 339-F:4, data from testing conducted by manufacturers to comply with this performance standard shall be kept on file by such manufacturers for a period of 3 years and shall be sent to the commissioner upon its request and to the department of justice upon its request.

RSA 339-F:6 Certification.

I. Each manufacturer shall submit a written certification attesting that each cigarette listed in the certification has been tested in accordance with RSA 339-F:3 and meets the performance standard set forth in RSA 339-F:4.

II. Each cigarette listed in the certification shall be described with the following information:

- (a) Brand (i.e., the trade name on the package).
- (b) Style (i.e., light, ultra light).
- (c) Length in millimeters.
- (d) Circumference in millimeters.
- (e) Flavor (i.e., menthol, chocolate), if applicable.
- (f) Filter or non-filter.
- (g) Package description (i.e., soft pack, box).
- (h) Marking approved in accordance with RSA 339-F:8.

III. Each cigarette certified under this section shall be re-certified every 3 years.

339-F:7 Notification of Certification. Manufacturers certifying cigarettes in accordance with RSA 339-F:6 shall provide a copy of such certifications to all wholesalers and agents to which they sell cigarettes and also shall provide sufficient copies of an illustration of the cigarette packaging marking utilized by the manufacturer pursuant to RSA 339-F:8 for each retailer to which the wholesalers and agents sell cigarettes. Wholesalers and agents shall provide a copy of these cigarette packaging markings received from manufacturers to all retailers to which they sell cigarettes. Wholesalers, agents, and retailers shall permit the commissioner, the commissioner's designee, any law enforcement official, any fire chief, or any fire chief's designee to inspect markings of cigarette packaging marked in accordance with RSA 339-F:8.

339-F:8 Marking of Cigarette Packaging.

I. Cigarettes which have been certified by a manufacturer in accordance with RSA 339-F:6 shall be marked to indicate compliance with the requirements of this chapter. Such marking shall be in 8 point type or larger and consist of :

(a) Modification of the UPC to include a visible mark printed at or around the area of the UPC. Such mark may consist of alphanumeric or symbolic character permanently stamped, engraved, embossed, or printed in conjunction with the UPC.

(b) Any visible combination of alphanumeric or symbolic character permanently stamped, engraved, or embossed upon the cigarette package or cellophane wrap; or

(c) Printed, stamped, engraved, or embossed text that indicates that the cigarettes meet the standards of this chapter.

II. A manufacturer shall use only one marking, and shall apply this marking uniformly for all packages, including but not limited to packs, cartons, and cases, and brands marketed by that manufacturer.

III. The manufacturer shall notify the commissioner of the selected marking.

IV. Prior to the certification of any cigarette, a manufacturer shall present its proposed marking to the commissioner for approval. Upon receipt of the request, the commissioner shall approve or disapprove the marking offered. A marking in use and approved for the sale of cigarettes in the state of New York shall be deemed approved. Proposed markings shall be deemed approved if the commissioner fails to act within 10 business days of receiving a request for approval.

V. No manufacturer shall modify its approved marking unless the modification has been approved by the commissioner in accordance with this section.

339-F:9 Penalties.

I. Any wholesaler, agent, or other person or entity who knowingly sells cigarettes wholesale in violation of RSA 339-F:2, I(c) shall be subject to a civil penalty not to exceed \$10,000 for each sale. Any retailer who knowingly sells cigarettes in violation of RSA 339-F:2 shall be subject to the following:

(a) A civil penalty not to exceed \$500 for each sale or offer for sale of such cigarettes if the total number of cigarettes sold or offered for sale in such sale does not exceed 1,000 cigarettes.

(b) A civil penalty not to exceed \$1,000 for each sale or offer for sale of such cigarettes if the total number of cigarettes sold or offered for sale in such sale exceeds 1,000 cigarettes.

II. In addition to any penalty prescribed by law, any corporation, partnership, sole proprietor, limited partnership or association engaged in the manufacture of cigarettes that knowingly makes a false certification pursuant to RSA 339-F:6 shall be subject to a civil penalty not to exceed \$10,000 for each such false certification.

III. Notwithstanding RSA 617, any cigarette sold, offered for sale, or possessed for sale in this state, in violation of RSA 339-F:2 shall be contraband under RSA 78:16 and shall be subject to seizure and forfeiture. All cigarettes seized and forfeited shall be destroyed and not resold.

339-F:10 Enforcement. To enforce the provisions of this chapter, the department of justice may bring an action on behalf of the people of this state to enjoin acts in violation of this chapter and to recover civil penalties authorized under RSA 339-F:9.

339-F:11 Administration. The commissioner shall be responsible for administering the provisions of this chapter.

2 Preemption. This act shall be repealed if federal fire safety standards for cigarettes that preempt this act are enacted and take effect after October 1, 2007 and the commissioner so notifies the secretary of state and director of legislative services.

3 Effective Date. This act shall take effect October 1, 2007.

Senate Finance

April 25, 2006

2006-2012s

10/04

Amendment to HB 1167-FN-A

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

AN ACT relative to the department of transportation pilot program for effective investment of state highway mitigation funds.

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

1 Pilot Program; Authority Expanded. Amend 2005, 177:61 to read as follows:

177:61 Pilot Program; Department of Transportation and Land and Community Heritage Investment Program.

I. The general court hereby establishes a 2-year pilot program to ensure the most cost effective investment of state highway mitigation funds for purposes of natural, cultural, and historical resource conservation, consistent with the ~~[land and community investment program under RSA 227-M]~~ **permanent protection of these resources and their long-term stewardship.**

II. A committee is established to advise on the establishment of ~~[a partnership]~~ **partnerships** between the department of transportation and ~~[the land and community heritage investment program board]~~ **organizations engaged in the acquisition or stewardship of lands, and natural, cultural, and historical resources, or interests therein, of local, regional, and statewide significance**, for the administration of the pilot program. The committee shall consist of the commissioner of transportation, the executive director of the land and community heritage investment authority, 2 senators appointed by the senate president, and 2 house members, appointed by the speaker of the house of representatives.

III. Duties of the committee shall include, but not be limited to, the following:

(a) Recommending a process by which funding decisions shall be made jointly by the commissioner of transportation and the ~~[land and community heritage investment program board]~~ **partner organizations.**

(b) Making recommendations on the establishment of a permanent program for the investment of state mitigation funds using a joint partnership between the department of transportation and the ~~[land and community heritage investment program board]~~ **partner organizations.**

IV. The first meeting of the committee shall be convened within 45 days of the effective date of this act. The first meeting shall be called by the executive director of the land and community investment ~~[program]~~ **authority** board.

V. The committee shall report its recommendations to the president of the senate, the speaker of the house of representatives, and the governor on or before November 1, 2006.

VI. The commissioner of transportation ~~[and the land and community heritage investment program board]~~ shall, for the biennium ending June 30, 2007, use \$3,500,000 of funds **for mitigating highway construction impacts** currently available to the department of transportation for purposes of this pilot program, consistent with federal regulations.

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

2006-2012s

AMENDED ANALYSIS

This bill authorizes the department of transportation to include organizations engaged in the acquisition or stewardship of lands, and natural, cultural, and historical resources, in the pilot program for the effective investment of state highway mitigation funds.

Senate Finance

April 24, 2006

2006-1989s

04/05

Amendment to HB 1241-FN-LOCAL

Amend the bill by deleting sections 1-2 and renumbering the original sections 3-5 to read 1-3, respectively.

Sen. Morse, Dist. 22

April 19, 2006

2006-1894s

06/09

Amendment to HB 1407-FN-A

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

AN ACT relative to funding exotic aquatic weeds eradication and control.

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

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

2006-1894s

AMENDED ANALYSIS

This bill makes permanent the milfoil and other exotic aquatic plants prevention program and the increase in the boat registration fee used to fund the lakes restoration and preservation fund for exotic aquatic weeds prevention and eradication. Currently the increase in the boat registration fee is repealed on January 1, 2008.

Senate Finance

April, 20, 2006

2006-1956s

08/09

Amendment to HB 1429

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

AN ACT relative to municipal exemptions for hazardous waste cleanup liability and preventing the exemption of privately-owned landfills and ancillary facilities from property taxes.

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

1 New Paragraph; Exemptions. Amend RSA 147-A:9 by inserting after paragraph I the following new paragraph:

I-a. Government entities, including their employees, shall not be liable for the release of hazardous waste during the lawful transportation of locally collected household hazardous waste over the byways of the state, to regional hazardous waste collection centers or in-state or out-of-state disposal facilities in the absence of willful, wanton or reckless conduct. In the event of a release during such transport, the department of environmental services shall be liable for containment of household hazardous wastes, removal of the household hazardous wastes, necessary cleanup and restoration of the affected site and the surrounding environment, and any required evaluation, assessment, and monitoring associated with the release.

2 New Paragraph; Exemptions. Amend RSA 147-B:10 by inserting after paragraph I the following new paragraph:

I-a. Government entities, including their employees, shall not be liable for the release of hazardous waste during the lawful transportation of locally collected household hazardous waste over the byways of the state, to regional hazardous waste collection centers or in-state or out-of-state disposal facilities in the absence of willful, wanton or reckless conduct.

3 Statement of Purpose. The general court finds that tax exemptions for private landfills are contrary to public interest. As such, the provision of pollution control tax exemptions to privately-owned landfills and ancillary facilities located at such landfills is contrary to the public interest articulated by the general court in its enactment of RSA 149-M:3. The general court reaffirms that the use of landfills is the least preferential of waste management methods. As the least preferential management method, privately-owned landfills which constitute a unique class of property shall not be entitled to pollution control tax exemptions pursuant to RSA 72:12-a.

4 Water and Air Pollution Control Facilities. Amend RSA 72:12-a, I to read as follows:

I. Any person, firm or corporation which builds, constructs, installs, or places in use in this state any treatment facility, device, appliance, or installation wholly or partly for the purpose of reducing, controlling, or eliminating any source of air or water pollution shall be entitled to have the value of said facility and any real estate necessary therefor, or a percentage thereof determined in accordance with this section, exempted from the taxes levied under this chapter for the period of years in which the facility, device, appliance, or installation is used in accordance with the provisions of this section. ***This paragraph shall not apply to privately-owned landfills or ancillary facilities located at such landfills.***

5 Applicability. This act shall apply with respect to real estate taxes assessed on or after April 1, 2007.

6 Effective Date.

I. Sections 1-2 of this act shall take effect 90 days after passage.

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

2006-1956s**AMENDED ANALYSIS**

This bill creates municipal exemptions for hazardous waste cleanup liability.

This bill also prevents the exemption of privately owned landfills and ancillary facilities from property taxes.

Sen. Morse, Dist. 22**April 24, 2006****2006-2009s****04/03****Amendment to HB 1458-FN**

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

AN ACT establishing a committee to study the licensing and regulating of landscape architects.

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

1 Committee Established. There is established a committee to study the licensing and regulating of landscape architects.

2 Membership and Compensation.

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

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

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

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

3 Duties. The committee shall study the licensing and regulating of landscape architects.

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

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2006.

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

2006-2009s**AMENDED ANALYSIS**

This bill establishes a committee to study the licensing and regulating of landscape architects.

Senate Finance**April 26, 2006****2006-2077s****04/03****Amendment to HB 1459-FN-A**

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

AN ACT making an appropriation to the department of regional community-technical colleges for tuition maintenance; authorizing the temporary use of the department of regional community-technical colleges nonlapsing account for tuition maintenance; and making a bonded capital appropriation to the department of regional community-technical colleges for construction of a health education center nursing wing at the New Hampshire technical institute in Concord.

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

1 Department of Regional Community-Technical Colleges; Appropriation. The sum of \$400,000 for the fiscal year ending June 30, 2007 is hereby appropriated to the department of regional community-technical

colleges to enable the regional community-technical college board of trustees to maintain tuition at its present level for the 2006-2007 academic year. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

2 Regional Community-Technical College System; Use of Nonlapsing Account. The commissioner of the department of regional community-technical colleges, with the prior approval of the fiscal committee of the general court and the governor and council, may use funds in the nonlapsing account established in RSA 188-F:14-c to enable the regional community-technical college board of trustees to maintain tuition at its present level for the 2006-2007 academic year. This authority shall expire on June 30, 2007.

3 Capital Appropriation; New Hampshire Technical Institute; Health Education Center Nursing Wing. The sum of \$600,000 is appropriated to the department of regional community-technical colleges, for the biennium ending June 30, 2007, for the construction of a health education center nursing wing at the New Hampshire technical institute in Concord. This amount shall be in addition to \$2,400,000 in funds available for this purpose from other sources, including the \$250,000 state appropriation in 2005, 259:1, III, E.

4 Bonds Authorized. To provide funds for the appropriations made in section 3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$600,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state.

5 Effective Date.

I. Section 1 of this act shall take effect July 1, 2006.

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

2006-2077s

AMENDED ANALYSIS

This bill:

I. Makes an appropriation to the department of regional community-technical colleges for tuition maintenance and authorizes the temporary use of the department of regional community-technical colleges nonlapsing account for tuition maintenance.

II. Makes a capital appropriation to the department of regional community-technical colleges for construction of a health education center nursing wing at the New Hampshire technical institute in Concord.

Senate Finance

April 24, 2006

2006-1994s

01/09

Amendment to HB 1464-FN-A-LOCAL

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

AN ACT relative to mosquito control, establishing a mosquito control fund, making an appropriation therefor, and relative to a public health response to arbovirus.

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

1 New Sections; Communicable Disease; Mosquito Control Districts; Mosquito Control Fund. Amend RSA 141-C by inserting after section 23 the following new sections:

141-C:24 Mosquito Control Districts; Rulemaking. Contiguous municipalities may establish mosquito control districts for the purposes of applying for moneys from the mosquito control fund established in RSA 141-C:25 and for the purposes of applying for spraying permits. The commissioner, in consultation with the commissioner of the department of agriculture, markets, and food shall adopt rules, pursuant to RSA 541-A, relative to the establishment of such mosquito districts.

141-C:25 Mosquito Control Fund.

I. There is hereby established a nonlapsing and continually appropriated mosquito control fund to assist cities, towns, and mosquito control districts by providing funding for the purpose of offsetting the cost of mosquito control activities including, but not limited to, the purchase and application of chemical pesti-

cides. The purpose of the fund is to provide financial assistance, when needed, to cities, towns, and mosquito control districts engaging in mosquito control and abatement activities in response to a declared threat to the public health. Any balance remaining in the mosquito control fund at the close of the fiscal year ending June 30, 2009 shall lapse to the general fund.

II. In order to be eligible to receive funding, a city, town, or mosquito control district shall have in place a comprehensive mosquito control plan approved by the commissioner. This plan shall include at a minimum:

(a) A list of the pesticides (active ingredient) and methods by which these pesticides will be applied to ensure that the application is done in a safe and proper manner.

(b) Safeguards that will be taken to protect the health of the public, wildlife, and resources within the state including provisions for the measuring and monitoring of residual pesticides in the water and soil.

(c) A comprehensive public awareness campaign geared toward prevention and designed to educate the public about the health risks associated with mosquitoes.

(d) Appropriate abatement measures.

III.(a) The commissioner, in consultation with the Centers for Disease Control and Prevention, and with the concurrence of the governor, may determine that a threat to the public health exists that warrants expedited mosquito control and abatement activities within a city, town, or mosquito control district. Such determination shall be based on local factors which may include:

(1) Historical and current climatic conditions.

(2) Historical and current mosquito population indices.

(3) Historical and current mosquito, veterinary, and human arboviral disease surveillance.

(b) An expedited approval process shall be established for the implementation of mosquito control and abatement activities, including the application of pesticides. The commissioner of the department of agriculture, markets, and food may authorize expedited mosquito control and abatement activities pursuant to this paragraph.

IV. A city, town, or mosquito control district shall be eligible to receive funds if the commissioner determines that:

(a) The city, town, or mosquito control district has a comprehensive mosquito control plan approved by the commissioner in accordance with paragraph II;

(b) The city, town, or mosquito control district has engaged or plans to engage in mosquito control and abatement activities pursuant to paragraph III;

(c) The commissioner, after consultation with the Centers for Disease Control and Prevention, has determined that mosquito control and abatement activities are appropriate to mitigate the public health threat; and

(d) A threat to public health has been determined in accordance with paragraph III.

V. A city, town, or mosquito control district's receipt of funds, as well as the amount of funding, shall be at the discretion of the commissioner. In exercising his or her discretion, the commissioner shall consider the following criteria:

(a) The nature and degree of the declared threat to the public health.

(b) The nature and degree of the city, town, or mosquito control district's mosquito control and abatement activities in response to the declared threat to the public health.

(c) The city, town, or mosquito control district shall show cause why funding assistance from the mosquito control fund is necessary.

(d) Funding from the mosquito control fund shall not exceed 25 percent of the cost of mosquito control and abatement activities pursuant to the declared threat to the public health.

(e) Funding is available.

2 New Paragraph; Rulemaking Added. Amend RSA 141-C:6 by inserting after paragraph XXI the following new paragraph:

XXII. Procedures for administration of and disbursement from the mosquito control fund, established in RSA 141-C:25.

3 Appropriation. There is hereby appropriated the sum of \$218,625 to the department of health and human services for the biennium ending June 30, 2007, for the purposes of this act. Of this amount, \$158,625 shall be used for the purpose of funding the mosquito control fund established by section 1 of this act and \$60,000 shall be used by the department for purposes of funding mosquito surveillance activities. This appropriation shall be reduced by the amount of any federal funds received by the department for these purposes. This appropriation shall be in addition to any other funds appropriated to the department of health and human services for these purposes. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

4 New Paragraph; Exemption Added. Amend RSA 430:46, I by inserting after subparagraph (d) the following new subparagraph:

(e) Expedited mosquito control and abatement activities pursuant to a declared threat to the public health under RSA 141-C:25, III.

5 Task Force Established. There is established a task force to facilitate a coordinated local, regional, and state response to arboviruses in New Hampshire.

6 Membership and Compensation.

I. The members of the task force shall be as follows:

- (a) Two members of the senate, appointed by the senate president.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The state epidemiologist.
- (d) The state veterinarian.
- (e) The commissioner of the department of health and human services, or designee.
- (f) The commissioner of the department of agriculture, markets, and food, or designee.
- (g) The commissioner of the department of resources and economic development, or designee.
- (h) The executive director of the fish and game department, or designee.
- (i) The commissioner of the department of environmental services, or designee.
- (j) A representative from county government, appointed by the governor.
- (k) An entomologist from the university of New Hampshire, appointed by the governor.
- (l) Three locally-elected officials from towns or cities where arbovirus has been detected in animals or humans, at least one of whom shall be a public health officer, appointed by the governor.
- (m) Two private citizens, each a landowner, officer, one of whom shall be nominated by the New Hampshire Farm Bureau Federation, appointed by the governor.
- (n) Two members at-large, appointed by the commissioner of the department of health and human services.

II. The task force shall serve without compensation and may solicit any information from any person or entity the task force deems relevant to its purpose.

7 Duties. The committee shall:

I. Determine the coordination of and planning for mosquito control efforts, including a method to enable communities throughout the state to form mosquito control districts, or to be able to join together informally to file joint applications to engage in larvaecide or adulticide spraying.

II. Determine who should have certain mosquito control responsibilities according to expertise throughout the state.

III. Review and, if necessary, streamline state governmental processes required to implement mosquito control programs.

IV. Plan and coordinate public education and outreach regarding mosquito-borne illness.

V. Apply for funding from private and public sources for the purposes of responding to arbovirus threats.

VI. Determine a method to enable communities to order the removal of standing water hazards on private property and to levy fines on the property owner if necessary.

VII. Establish a mechanism to work with landowners for determining when a pond, marsh land, or wetland on private property is found to be creating a standing water hazard and a method to permit local communities to receive assistance from the fish and game department and the department of environmental services to determine if the standing water hazard can be removed.

VIII. Establish procedures for determining what, if any, mosquito control efforts will be undertaken in state parks.

IX. Establish a mechanism to protect certified organic farms from being treated with products that would void their certification.

8 Chairperson; Quorum. The members of the task force shall elect a chairperson from among the members. The first meeting of the task force shall be called by the first-named senate member. The first meeting of the task force shall be held within 45 days of the effective date of this section. Six members of the task force shall constitute a quorum.

9 Report. The task force shall make an interim report on or before November 1, 2006 with a report of its findings and any recommendations for proposed legislation and a final report on or before November 1, 2007 to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.

10 Effective Date. This act shall take effect July 1, 2006.

2006-1994s

AMENDED ANALYSIS

This bill:

I. Establishes a mosquito control fund in the department of health and human services to assist cities, towns, and mosquito control districts by providing funding to offset mosquito control activities.

II. Makes an appropriation to the department for the purposes of funding the mosquito control fund and mosquito surveillance.

III. Establishes a 2-year task force for the purpose of facilitating a coordinated local, regional, and state response to arboviruses in New Hampshire.

Sen. Clegg, Dist. 14

April 25, 2006

2006-2015s

08/09

Amendment to HB 1474-FN

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

AN ACT relative to unemployment compensation contribution rates and benefits and establishing a commission to investigate the feasibility of merging the department of employment security into the department of labor.

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

2 Minimum Rate. RSA 282-A:82 is repealed and reenacted to read as follows:

282-A:82 Minimum Rate.

I. The commissioner shall compute the amount to be subtracted from every employer's contribution rate for the 4 calendar quarters during a calendar year by determining the available balance in the unemployment compensation fund on September 30 of the preceding calendar year. The amount to be subtracted from every employer's contribution rate for the 4 calendar quarters during a calendar year shall be as follows:

(a) Whenever the unemployment compensation fund equals or exceeds \$225,000,000 on September 30 of the preceding calendar year, the amount to be subtracted shall be .5 percent.

(b) Whenever the unemployment compensation fund equals or exceeds \$250,000,000 on September 30 of the preceding calendar year, the amount to be subtracted shall be one percent.

(c) Whenever the unemployment compensation fund equals or exceeds \$275,000,000 on September 30 of the preceding calendar year, the amount to be subtracted shall be 1.5 percent.

II. The minimum contribution rate under this section shall be not less than .01 percent.

3 Commission Established. There is established a commission to study the feasibility of merging the department of employment security into the department of labor.

4 Membership and Compensation.

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

- (a) One member of the senate, appointed by the president of the senate.
- (b) One member of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The labor commissioner, or designee.
- (d) The commissioner of the department of employment security, or designee.
- (e) A member of the workforce opportunity council, appointed by the council.

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

5 Duties. The commission shall investigate the feasibility of:

- I. Merging the department of employment security into the department of labor;
- II. Eliminating the position of commissioner of the department of employment security;
- III. Increasing the term of the labor commissioner to 5 years from the date of appointment;
- IV. Giving the department of labor 6 to 8 months to adopt appropriate rules to implement the reorganization, including authority to reassign current department of employment security staff as appropriate to effect necessary efficiencies during the reorganization.

6 Chairperson; Quorum. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section.

7 Report. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 15, 2006.

8 New Paragraph; Duties of Commissioner. Amend RSA 282-A:112 by inserting after paragraph V the following new paragraph:

VI. The commissioner shall not close any district office nor reduce services or hours of operation without the prior permission of the fiscal committee.

9 Effective Date.

- I. Section 1 of this act shall take effect July 1, 2007.
- II. Section 2 of this act shall take effect July 1, 2006.
- III. The remainder of this act shall take effect upon its passage.

2006-2015s

AMENDED ANALYSIS

This bill increases the amount of unemployment compensation available to claimants and adjusts the taxable wage base.

This bill changes the employer's contribution to the unemployment compensation fund.

This bill establishes a commission to investigate the feasibility of merging the department of employment security into the department of labor.

This bill prohibits the commissioner of the department of employment security from closing district offices without the permission of the fiscal committee.

Senate Finance
April 24, 2006
2006-1987s
09/01

Amendment to HB 1590-FN

Amend RSA 284:15-b, III as inserted by section 3 of the bill by replacing it with the following:

III. The expenses of the commission and the office of attorney general in conducting any investigation authorized in this section, including the services of consultants, experts, accountants and other assistants, shall be a direct charge against the applicant or holder. Total expenses under this paragraph shall not exceed \$50,000, except with the approval of the fiscal committee of the general court.

Senate Finance
April 25, 2006
2006-2014s
04/05

Amendment to HB 1603-FN

Amend RSA 227-G:2, XVII as inserted by section 2 of the bill by replacing it with the following:

XVII. *“Wood concentration yard” means any site established and used for the purchase and resale of primary forest products from off-site locations and which is not a primary wood processing mill. Any site used primarily to process or store bark mulch shall not be a wood concentration yard.*

Senate Finance
April 27, 2006
2006-2085s
08/09

Amendment to HB 1626-FN-A

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

AN ACT relative to appropriations for the expenses of certain departments of the state and establishing a quality early learning opportunity initiative and making an appropriation therefor.

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

1 Repeal. 2005, 298:5, relative to an appropriation to the office of energy and planning for the fuel assistance program, is repealed.

2 Adjutant General; Supplemental Appropriation; Energy Expense Shortfalls. The sum of \$360,000 for the fiscal year ending June 30, 2006 is hereby appropriated to the adjutant general for anticipated energy expense shortfalls in state-owned buildings. This appropriation is in addition to any other funds appropriated to the adjutant general. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

3 Department of Administrative Services; Supplemental Appropriation; Energy Expense Shortfalls. The sum of \$1,669,525 for the fiscal year ending June 30, 2006 is hereby appropriated to the department of administrative services for anticipated energy expense shortfalls in state-owned buildings. This appropriation is in addition to any other funds appropriated to the department of administrative services. The appropriation shall be a charge against the appropriate funds as follows:

General	Federal	Highway	Other
\$252,134	\$190,789	\$373,124	\$853,478

The governor is authorized to draw a warrant for said sums out of the appropriate fund.

4 Department of Safety; Supplemental Appropriation; Energy Expense Shortfalls. The sum of \$340,587 for the fiscal year ending June 30, 2006 is hereby appropriated to the department of safety for anticipated energy expense shortfalls in state-owned buildings. This appropriation shall be a charge against the highway fund and is in addition to any other funds appropriated to the department of safety.

5 Department of Resources and Economic Development; Supplemental Appropriation; Energy Expense Shortfalls. The sum of \$16,000 for the fiscal year ending June 30, 2006 is hereby appropriated to the department of resources and economic development for anticipated energy expense shortfalls in state-owned buildings. This appropriation is in addition to any other funds appropriated to the department of resources and economic development. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

6 Department of Environmental Services; Supplemental Appropriation; Energy Expense Shortfalls. The sum of \$33,000 for the fiscal year ending June 30, 2006 is hereby appropriated to the department of environmental services for anticipated energy expense shortfalls in state-owned buildings. This appropriation is in addition to any other funds appropriated to the department of environmental services. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

7 Department of Corrections; Supplemental Appropriation; Energy Expense Shortfalls. The sum of \$950,000 for the fiscal year ending June 30, 2006 is hereby appropriated to the department of corrections for anticipated energy expense shortfalls in state-owned buildings. This appropriation is in addition to any other funds appropriated to the department of corrections. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

8 Regional Community Technical College System; Supplemental Appropriation; Energy Expense Shortfalls. The sum of \$700,000 for the fiscal year ending June 30, 2006 is hereby appropriated to the regional community-technical college system for anticipated energy expense shortfalls in state-owned buildings. This appropriation is in addition to any other funds appropriated to the regional community-technical college system. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

9 Liquor Commission; Supplemental Appropriation; Energy Expense Shortfalls. The sum of \$105,000 for the fiscal year ending June 30, 2006 is hereby appropriated to the liquor commission for anticipated energy expense shortfalls in state-owned buildings. This appropriation is in addition to any other funds appropriated to the liquor commission. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

10 Department of Administrative Services; Supplemental Appropriation; New Positions to Administer; State Retiree Health Benefits. The sum of \$163,618 for the fiscal year ending June 30, 2007 is hereby appropriated to the department of administrative services, for the hiring of 3 program specialist II positions with associated costs to administer state retiree benefits. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

11 Appropriation; Adjutant General; Exhibits. There is hereby appropriated the sum of \$15,000 to the adjutant general for the fiscal year ending June 30, 2006 for the purpose of creating permanent photographic exhibits, documenting the New Hampshire national guard's support and deployment during Operation Iraqi Freedom and Operation Enduring Freedom. The exhibits shall be displayed in each of the New Hampshire national guard armories. This appropriation shall be nonlapsing. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

12 General Fund Appropriation Reductions; Administrative Services. Amend 2005, 176:10 to read as follows:

176:10 General Fund Appropriation Reductions. The department of administrative services shall reduce state general fund appropriations by \$500,000 for the fiscal year ending June 30, 2006~~[-and by \$500,000 for the fiscal year ending June 30, 2007]~~. The department shall provide a report of reductions made under this section to the fiscal committee of the general court, the house and senate finance committees, and the governor and council.

13 Supplemental Appropriation; Office of Cost Containment.

I. In addition to any other sums appropriated to PAU 01-04-01-04, the sums of \$17,687 for class 50 and \$1,353 for class 60 are hereby appropriated for the fiscal year ending June 30, 2006 to the department of administrative services, office of cost containment. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

II. In addition to any other sums appropriated to PAU 01-04-01-04, the sums of \$27,535 for class 50 and \$2,106 for class 60 are hereby appropriated for the fiscal year ending June 30, 2007 to the department of administrative services, office of cost containment. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

14 Supplemental Appropriation; Sheriff Custody Reimbursement. In addition to any other sums appropriated to PAU 01-04-07, class 93, the sums of \$64,745 for the fiscal year ending June 30, 2005, \$55,000 for the fiscal year ending June 30, 2006, and \$73,000 for the fiscal year ending June 30, 2007 are hereby appropriated to the department of administrative services for sheriff custody reimbursement. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

15 Supplemental Appropriation; Medicare Retiree Prescription Drug Subsidy Program. The sums of \$100,000 for the fiscal year ending June 30, 2006 and \$200,000 for the fiscal year ending June 30, 2007 are hereby appropriated to the department of administrative services for administrative costs related to the Medicare Retiree Prescription Drug Subsidy Program. These appropriations are in addition to any other funds appropriated to the department of administrative services. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

16 Supplemental Appropriation; Enterprise Resource Planning System.

I. The sum of \$1,500,000 for the fiscal year ending June 30, 2006 is hereby appropriated to the department of administrative services for quality assurance evaluation, monitoring, and reporting related to the implementation of the Enterprise Resource Planning System.

II. To provide funds for the appropriation made in paragraph I of this section, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$1,500,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the general fund of the state.

17 Statement of Purpose. The general court finds that high quality early learning experiences are important to the well-being of children and the state. Children who attend child care programs that provide high quality learning environments are more likely to succeed in school and to become productive, independent adults. The general court recognizes that many low-income working parents are unable to afford the cost of quality, licensed child care. Sections 17-20 of this act are intended to provide enhanced opportunities for these families to access high quality early care and education programs.

18 New Paragraph; Commissioner of Health and Human Services; Quality Early Learning Opportunity Initiative. Amend RSA 126-A:5 by inserting after paragraph XIII the following new paragraph:

XIV. The commissioner shall establish a quality early learning opportunity initiative which shall be available on a first-come, first-served basis to families whose income is between 190 percent and 250 percent of the federal poverty guidelines, and whose children are enrolled in a child care program licensed under RSA 170-E, and who otherwise meet all other eligibility requirements for child care assistance. The amount of support provided to eligible families shall be calculated annually by the department and shall reflect the estimated average difference between the cost of licensed child care and unlicensed child care.

19 Appropriation. The sum of \$500,000 for the fiscal year ending June 30, 2007 is hereby appropriated to the department of health and human services for the purposes of section 18 of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

20 Repeal. RSA 126-A:5, XIV, relative to the high quality early learning opportunity initiative, is repealed.

21 Effective Date.

I. Section 20 of this act shall take effect July 1, 2007.

II. Sections 16-19 of this act shall take effect July 1, 2006.

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

2006-2085s

AMENDED ANALYSIS

This bill modifies certain prior appropriations and makes additional appropriations for the expenses of certain departments of the state.

This bill also establishes a one-year quality early learning opportunity initiative in the department of health and human services and makes an appropriation from the general fund for such initiative.

Senate Finance
April 24, 2006
2006-1997s
04/10

Amendment to HB 1648-FN

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

AN ACT relative to the residency status and financial liability for a child who is a ward of the department of health and human services or who is the subject of a court-ordered placement.

Amend the bill by deleting section 1 and renumbering the original sections 2-3 to read as 1-2, respectively.

2006-1997s

AMENDED ANALYSIS

This bill revises the procedure for resolving disputes between school districts, parents, and the department of health and human services concerning the residency status and financial liability for a child who is a ward of the department of health and human services or who is the subject of a court-ordered placement.

Senate Finance
April 25, 2006
2006-2031s
06/09

Amendment to HB 1656-FN-A

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

AN ACT establishing a turnpike electronic toll collection transponder inventory revolving account.

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

1 New Section; Turnpike Electronic Toll Collection Transponder Inventory Revolving Account. Amend RSA 228 by inserting after section 24-c the following new section:

228:24-d Turnpike Electronic Toll Collection Transponder Inventory Revolving Account. There is hereby established a turnpike electronic toll collection transponder inventory revolving account not to exceed \$1,000,000. The commissioner of transportation may purchase, through the Interagency Group, such electronic toll collection transponders as may be necessary for the operation of the department, which shall be a charge against the account. Any costs to the department above and beyond the cost of the transponders shall be charged to the purchaser. All sales of electronic toll collection transponders from inventory shall be credited to the account and are hereby appropriated to the department of transportation and made available for expenditures from the account.

2 New Subparagraph; Turnpike Electronic Toll Collection Transponder Inventory Revolving Account. Amend RSA 6:12, I(b) by inserting after subparagraph (242) the following new subparagraph:

(243) Moneys received pursuant to RSA 228:24-d which shall be credited to the turnpike electronic toll collection transponder inventory revolving account in RSA 228:24-d.

3 New Section; Use of Tokens. Tokens sold by the department of transportation prior to September 1, 2005, may be used in payment of tolls for 6 months on or after July 1, 2006. The cash value of each token shall be \$.125. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the redemption of such tokens.

4 Effective Date. This act shall take effect July 1, 2006.

2006-2031s

AMENDED ANALYSIS

This bill establishes the turnpike electronic toll collection transponder inventory revolving account in the department of transportation for the purchase and sale of transponders for use in the regional electronic toll collection system.

This bill permits the use of tokens as payment of tolls for 6 months.

This bill is a request of the department of transportation.

Sen. Morse, Dist. 22
April 24, 2006
2006-1975s
05/03

Amendment to HB 1672-FN

Amend the bill by replacing section 9 with the following:

9 Effective Date.

I. Sections 3-7 and 9 shall take effect upon its passage.

II. The remainder of this act shall take effect July 1, 2007.

Senate Finance
April 26 2006
2006-2052s
04/10

Amendment to HB 1697-FN

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

AN ACT relative to certain state salaries; establishing the position of director of homeland security and emergency management in the department of safety; authorizing the commissioner of safety to reorganize certain divisions, responsibilities, and activities of the department; relative to appeals of reclassification of positions; relative to a study of the unclassified salary schedule; and relative to the registration of apprentices by the board of barbering, cosmetology, and esthetics.

Amend the bill by replacing all after section 11 with the following:

12 New Section; Department of Safety; Director of Homeland Security and Emergency Management. Amend RSA 21-P by inserting after section 5 the following new section:

21-P:5-a Director of Homeland Security and Emergency Management.

I. Notwithstanding the provisions of RSA 21-G and RSA 21-P:3, the commissioner, after consultation with the governor, shall nominate for appointment by the governor and council, a director of homeland security and emergency management, who shall serve at the pleasure of the governor. The director of homeland security and emergency management shall be qualified by education and experience and shall receive the salary provided in RSA 94:1-a.

II. The director of homeland security and emergency management, under the supervision of the commissioner and the governor, shall devote full time and attention to overseeing the state level planning, preparation, exercise, response to and mitigation of terrorist threats and incidents and natural and human-caused disasters. He or she shall serve as the state's primary contact with the federal department of homeland security, and shall have authority to oversee and coordinate planning, response, and recovery efforts of all state agencies to terrorist events and natural and human-caused disasters and wide scale threats to the public health and safety. All state agencies shall and are authorized to cooperate with the director in carrying out his or her duties as enumerated in this section.

III. The director of homeland security and emergency management shall be eligible to be a group II member if he or she was a group II retirement beneficiary or member prior to his or her appointment.

IV. The director of homeland security and emergency management shall keep the president of the senate and speaker of the house of representatives or their designees promptly informed of any impending or actual emergencies that require coordinated action with the legislative branch.

13 Department of Safety; Salaries. Amend RSA 94:1-a, I(b) by:

I. Inserting:

II	Department of safety	director of homeland security and emergency management
II	Department of safety	director of emergency communications, service, and management
FF	Department of safety	assistant director, bureau of emergency management

II. Deleting:

EE Department of safety director of emergency medical services

14 Department of Safety; Reorganization Authorized. The commissioner of safety is hereby authorized, with approval of the governor and council, to reorganize the homeland security and emergency management activities of the department of safety by transferring, notwithstanding other laws and rules to the contrary, the responsibility, duties, and authority for supervision of emergency management from the division of emergency communications, services, and management to the director of homeland security and emergency management, and transferring the bureau of emergency management from the division of emergency communications, services, and management to the office of the commissioner under the supervision of the director of homeland security and emergency management, together with the associated personnel, appropriations, funding sources, contracts, rules, and suitable office space and equipment, and providing for necessary support of emergency management efforts during a disaster or terrorist incident from all components of the department, regardless of funding source. The commissioner shall report to the governor, the president of the senate, and the speaker of the house of representatives by December 31, 2006, recommended legislation for any statutory changes deemed necessary to further align other provisions of the law with this act.

15 Appropriation. The sum of \$133,746 is hereby appropriated to the department of safety, for the fiscal year ending June 30, 2007, to support the establishment of the position of director of homeland security and emergency management. The governor is authorized to draw a warrant for such amount out of any money in the treasury not otherwise appropriated. Such amount shall be in addition to any other funds appropriated to the department and shall be expended as follows:

Salary, director of homeland security and emergency management	\$94,584
Current expense	1,500
Equipment	30,000
Benefits	4,162
In-state travel	2,500
Out-of-state travel	1,000

16 New Paragraph; Reclassification of Positions or Increases; Appeal to Commissioner of Administrative Services. Amend RSA 21-I:56 by inserting after paragraph IV the following new paragraph:

V. Notwithstanding any other provision of law, any commissioner of a state agency may appeal a reclassification decision to the commissioner of administrative services who shall have final authority over such decision.

17 Study of Unclassified Salary Schedule. The commissioner of administrative services shall engage a consultant of his choice, after approval of the fiscal committee, to study the unclassified salary schedule in relation to recent changes in the classified pay schedule. The commissioner shall present the results and findings of such study to the chairperson of the senate finance committee and the house finance committee prior to December 1, 2006. The cost of such study shall be a charge against the salary adjustment fund established in RSA 99:4.

18 Apprentice Registration. Amend RSA 313-A:24 to read as follows:

313-A:24 Apprentice Registration.

I. No person shall enter an apprenticeship or enroll in a school under this chapter unless such person has registered with the board as an apprentice. ***The board shall have sole authority to regulate apprentices and apprenticeship under this chapter.***

II. A person applying for registration under this section shall be granted such registration upon:

- (a) Submitting proof sufficient to the board to show that such person is at least 16 years of age;
- (b) Submitting 3 passport-size photographs; ~~and~~
- (c) Paying a fee established by the board~~[-]~~ ; ***and***
- (d) Being deemed by the board to be of good professional character.***

III. No salon or barbershop shall at any one time have more than one apprentice per licensed professional.

IV. Upon completing the number of hours specified in the board's apprentice rules, an apprentice shall be eligible to apply to the board for licensure.

19 Effective Date.

I. Sections 12-15 of this act shall take effect July 1, 2006.

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

2006-2052s

AMENDED ANALYSIS

This bill:

I. Changes the effective date for the 2 percent salary increase for certain state employees from July 7, 2006 to June 16, 2006.

II. Establishes the position of director of homeland security and emergency management and adjusts the salaries of the director of emergency communications, service, and management and the assistant director of the bureau of emergency management.

III. Permits the commissioner of the department of safety to transfer the homeland security and emergency management activities of the department of safety from the division of emergency communications, services, and management to the office of the commissioner and to reorganize the divisions, responsibilities, and activities of the department.

IV. Permits the commissioner of administrative services to make the final decision regarding reclassification of certain state employees and directs the commissioner to retain a consultant to study the unclassified salary schedule.

V. Provides that the board of barbering, cosmetology, and esthetics has sole authority to regulate apprentices registered with the board and allows the board to consider the professional character of an applicant for apprenticeship.

Senate Finance

April 26 2006

2006-2048s

10/03

Amendment to HB 1710-FN-A

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

AN ACT making an appropriation to the department of health and human services for home care providers.

Amend the bill by deleting sections 2-5 and renumbering the original section 6 to read as 2.

2006-2048s

AMENDED ANALYSIS

This bill makes an appropriation to the department of health and human services for the purposes of funding rate increases for home care providers.

Sen. Green, Dist. 6

April 19, 2006

2006-1917s

08/09

Amendment to HB 1747-FN

Amend the bill by replacing section 1 with the following:

1 Purpose. The purpose of this act is to replace federal funds received in past years with state funds in order to keep an existing program fully operational. The state shall fund the program with a \$175, 000 appropriation from the general fund. This act is consistent with and supported by 1993, 251 (HJR 4), approved June 15, 1993; RSA 143:26; RSA 211:63; RSA 143:21; RSA 143:21-a; and RSA 485-A:8, V.

Amend RSA 487:36 as inserted by section 2 of the bill by deleting paragraph IV.

Amend the bill by replacing section 4 with the following:

4 Appropriations. The sum of \$175,000 is hereby appropriated for the fiscal year ending June 30, 2007 to the healthy tidal waters and shellfish protection fund established in RSA 487:36. The governor is authorized to draw a warrant for said sum of any money in the treasury not otherwise appropriated.