

May 19, 2011  
No. 25

# STATE OF NEW HAMPSHIRE

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**First Year of the 162<sup>nd</sup> Session of the  
New Hampshire General Court  
Legislative**

## SENATE CALENDAR

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**THE SENATE WILL MEET IN SESSION ON WEDNESDAY,  
MAY 25, 2011, AT 10:00 A.M.**

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**LAID ON THE TABLE**

**SB 14-FN**, relative to the brandishing of a firearm. 3/16/11, pending motion Re-refer to committee, Judiciary, SJ 9, pg. 136

**SB 24-FN-L**, exempting the Unity school district from the moratorium on school building aid. 3/9/11, pending motion Ought to Pass, Finance, SJ 8, pg. 89

**SB 61**, relative to capital appropriations to the liquor commission. 3/30/11, pending motion OT3rdg, Capital Budget, SJ 11, pg. 195

**SB 103**, requiring the commissioner of administrative services to develop a plan to consolidate the human resource functions within state government. 2/16/11, pending motion OT3rdg, Finance, SJ 6, pg. 56

**SB 114**, prohibiting assessing teacher performance based solely on assessment scores. 3/30/11, pending motion Committee Amendment (1215s), Education, SJ 11, pg. 209

**SB 126-FN**, relative to net operating loss carryovers under the business profits tax. 3/23/11, pending motion OT3rdg, Finance, SJ 10, pg. 176

**SB 136-FN**, relative to games of chance. 3/23/11, pending motion OT3rdg, Finance, SJ 10, pg. 186

**SB 164**, relative to the personal needs allowance of residents of nursing homes. 3/9/11, pending motion OT3rdg, Health and Human Services, SJ 8, pg. 90

**SB 165-FN**, relative to the Medicaid uncompensated care fund and the Medicaid enhancement tax. 3/30/11, pending motion OT3rdg, Finance, SJ 11, pg. 226

**SB 178**, establishing a commission to study long-term sustainable funding for school building aid and the establishment of eligibility criteria for school building aid in order to ensure that all school age children in every part of the state have access to a safe, healthy, and academic environment for learning. 3/9/11, pending motion Inexpedient to Legislate, Education, SJ 8, pg. 87

**HB 36-FN-L**, reducing the fee for copies of birth certificates. 4/13/11, pending motion OT3rdg, Ways and Means, SJ 12, pg. 253

**HB 42**, relative to the appropriate officials with whom to file for a primary. 3/30/11, pending motion Ought to Pass, Public and Municipal Affairs, SJ 11, pg. 232

**HB 89**, requiring the attorney general to join the lawsuit challenging the Patient Protection and Affordable Care Act. 5/4/11, pending motion Committee Amendment (1585s), Commerce, SJ 15, pg. 297

**HB 113**, prohibiting the use of state funds for New Hampshire public television. 5/11/11, pending motion Inexpedient to Legislate, Finance, SJ 16, pg. 328

**HB 136-FN**, repealing the uniform athlete agents act. 4/13/11, pending motion Ought to Pass, Executive Departments and Administration, SJ 12, pg. 249

**HB 156-FN-A**, reducing the rates of the tobacco tax. 4/27/11, pending motion Inexpedient to Legislate, Ways and Means, SJ 14, pg. 281

**HB 187-FN-A**, relative to the carry forward periods for the business enterprise tax credit against the business profits tax. 5/18/11, pending motion OT3rdg, Finance, SJ 17, pg. TBA

**HB 335-FN-A**, establishing multi-use number plates. 5/4/11, pending motion Committee Amendment (1658s), Transportation, SJ 15, pg. 310

**HB 341**, relative to local spending caps. 5/18/11, pending motion Ought to Pass, Public and Municipal Affairs, SJ 17, pg. TBA

**HB 348-FN**, transferring the duties of the racing and charitable gaming commission to the lottery commission and abolishing the racing and charitable gaming commission, and prohibiting new electronic gaming devices without statutory authorization. 4/27/11, pending motion Committee Amendment (1490s), Ways and Means, SJ 14, pg. 287

**HB 369-FN-L**, relative to withdrawal from a school administrative unit or an authorized regional enrollment area school. **4/13/11, pending motion Inexpedient to Legislate, Education, SJ 12, pg. 246**

**HB 442-FN**, relative to the use of marijuana for medicinal purposes. **5/11/11, pending motion Committee Amendment (1778s), Health and Human Services, SJ 16, pg. 331**

**HB 451-FN**, relative to prerecorded political messages. **4/20/11, pending motion Ought to Pass, Public and Municipal Affairs, SJ 13, pg. 267**

**HB 542-FN**, prohibiting a school district from requiring that a parent send his or her child to any school or program to which the parent may be conscientiously opposed. **4/13/11, pending motion Inexpedient to Legislate, Education, SJ 12, pg. 247**

**HB 557-FN-A**, relative to the standards and burden of proof with respect to the business profits tax deduction for reasonable compensation attributable to owners of partnerships, limited liability companies, and sole proprietorships. **5/18/11, pending motion OT3rdg, Finance, SJ 17, pg. TBA**

**HB 590**, expressing the position of the New Hampshire general court that the offering and acceptance of federal grants-in-aid relating to matters not included among the defined powers of the federal government is unconstitutional under the state and federal Constitutions and establishing a committee to review state participation in federal grant-in-aid programs. **5/18/11, pending motion Committee Amendment (1887s), Internal Affairs, SJ 17, pg. TBA**

**HB 614**, requiring a performance audit of the guardian ad litem board and guardian ad litem services. **5/11/11, pending motion Ought to Pass, Judiciary, SJ 16, pg. 334**

**HB 617**, repealing the prohibitions on Sunday business activities. **5/11/11, pending motion Committee Amendment (1723s), Commerce, SJ 16, pg. 321**

**HB 634-FN**, relative to payment of guardian ad litem and mediator fees in marital cases where the parties are indigent. **5/11/11, pending motion Committee Amendment (1784s), Judiciary, SJ 16, pg. 336**

**HB 650-FN-L**, authorizing a school district to call a special meeting in the event of changes in the amount of state education funding. **5/4/11, pending motion Committee Amendment (1607s), Education, SJ 15, pg. 300**

**HCR 6**, requiring the Congress of the United States of America to reaffirm its adherence to the Constitution of the United States regarding international agreements and treaties. **5/18/11, pending motion Committee Amendment (1885s), Internal Affairs, SJ 17, pg. TBA**

**HCR 11**, to urge the Congress of the United States to withdraw the membership of the United States from the United Nations so that the United States may retain its sovereignty and control over its own funds and military forces. **5/18/11, pending motion Committee Amendment (1884s), Internal Affairs, SJ 17, pg. TBA**

**HCR 12**, urging Congress to withdraw the United States from the North American Free Trade Agreement (NAFTA) in accordance with Article 2205 of the agreement. **5/18/11, pending motion Inexpedient to Legislate, Internal Affairs, SJ 17, pg. TBA**

## REPORTS

### CAPITAL BUDGET

**HB 25-FN-A**, making appropriations for capital improvements.  
Ought to Pass with Amendment, Vote 6-0.  
Senator Boutin for the committee.

### COMMERCE

**HB 173**, relative to service of process on commercial tenants.  
Ought to Pass with Amendment, Vote 4-0.  
Senator De Blois for the committee.

**HB 322**, relative to occupancy fees charged by manufactured housing park owners.  
Ought to Pass with Amendment, Vote 4-0.  
Senator Sanborn for the committee.

**HCR 22**, declaring that although a trademarked name may include a New Hampshire geographic location such as “Mount Washington,” no single business, firm, or association shall have sole authority or exclusive use of the name of such geographic location.

Ought to Pass, Vote 3-1.

Senator Sanborn for the committee.

#### **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 119**, relative to agency membership on the information technology council.

Ought to Pass with Amendment, Vote 5-0.

Senator Luther for the committee.

**HB 355**, enabling state and local fire and building officials to issue citations for violations of the fire code, and for fireworks, gas fitting, and electric code violations.

Ought to Pass with Amendment, Vote 5-0.

Senator Groen for the committee.

**HB 392**, clarifying responsibilities of the division of homeland security and emergency management, and expanding responsibilities of the advisory committee on emergency preparedness and security.

Ought to Pass, Vote 5-0.

Senator Luther for the committee.

#### **FINANCE**

**HB 74**, relative to the ticketing and season passes at Cannon Mountain.

Ought to Pass, Vote 7-0.

Senator Barnes for the committee.

**HB 191**, relative to the community mental health system.

Ought to Pass with Amendment, Vote 7-0.

Senator Morse for the committee.

**HB 337-FN-L**, relative to the calculation and distribution of adequate education grants.

Ought to Pass with Amendment, Vote 7-0.

Senator Morse for the committee.

**HB 478-FN-L**, relative to testimony by video teleconference.

Ought to Pass, Vote 7-0.

Senator Odell for the committee.

**HB 508-FN**, establishing a performance measurement system for state agencies.

Re-refer to committee, Vote 7-0.

Senator Forrester for the committee.

**HB 520-FN**, requiring certain bills to have performance standard notes.

Re-refer to committee, Vote 7-0.

Senator Barnes for the committee.

**HB 635-FN-A**, requiring the governor to consolidate certain agency functions and making an appropriation therefor.

Ought to Pass, Vote 7-0.

Senator Morse for the committee.

**HB 642-FN**, requiring the departments of health and human services and administrative services to jointly issue a certain request for information.

Ought to Pass, Vote 7-0.

Senator Morse for the committee.

#### **HEALTH AND HUMAN SERVICES**

**HJR 4**, prohibiting the implementation of certain rules of the board of medicine.

Re-refer to committee, Vote 5-0.

Senator De Blois for the committee.

#### **INTERNAL AFFAIRS**

**HCR 9**, urging Congress to support H.R. 6416 or similar legislation relative to airport security.

Ought to Pass with Amendment, Vote 5-0.

Senator Bradley for the committee.

**HCR 19**, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire.

Re-refer to committee, Vote 5-0.

Senator Bradley for the committee.

### **JUDICIARY**

**HB 254**, relative to offers of judgments.

Inexpedient to Legislate, Vote 4-0.

Senator Houde for the committee.

**HB 305**, relative to the homestead right.

Inexpedient to Legislate, Vote 4-0.

Senator Luther for the committee.

**HB 329-FN**, requiring parental notification before abortions may be performed on unemancipated minors.

Ought to Pass, Vote 3-1.

Senator Groen for the committee.

**HB 510**, requiring marital masters to be New Hampshire residents.

Inexpedient to Legislate, Vote 4-0.

Senator Houde for the committee.

### **TRANSPORTATION**

**HB 540-FN**, relative to motor vehicle inspections.

Inexpedient to Legislate, Vote 4-0.

Senator Rausch for the committee.

## **AMENDMENTS**

### **Capital Budget**

**May 16, 2011**

**2011-1942s**

**10/01**

#### **Amendment to HB 25-FN-A**

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

1 Capital Appropriations. The sums hereinafter detailed are hereby appropriated for the projects specified to the departments, agencies, and branches named:

#### **I. Adjutant General**

A. Statewide Facilities Improvements	\$ 1,000,000
Less Federal Funds	<u>(750,000)</u>
Net state appropriation subparagraph A	250,000
B. Statewide Readiness Center Restoration and Modernization	2,500,000
Less Federal Funds	<u>(1,250,000)</u>
Net state appropriation subparagraph B	<u>1,250,000</u>
Total state appropriation paragraph I	\$1,500,000

#### **II. Department of Administrative Services**

A. Court Facilities	
1. Rockingham Cty. Courthouse-Reseal Parking Lot/Drainage Repair	\$ 300,000
2. Milford-Site and Plan Design – Court Facilities	<u>50,000</u>
Total state appropriation subparagraph A	\$ 350,000
B. Facilities and Asset Management	
1. Gov. Hugh Gallen SOP-Main Bldg FACP Replacement	\$355,000

2. Lakes Region Facility Campus Site Environmental Survey II *	300,000
3. Driveway/Parking and Walkway Paving Phase 2	575,000
4. Main Building Kitchen Roof Repair	500,000
5. Lakes Region Facility Campus Roof Repair-Multiple Bldgs.	300,000
6. Gov. Hugh Gallen SOP-Main Bldg-ADA Restrooms	425,000
7. Philbrook Center Renovation	<u>3,575,000</u>
Total state appropriation subparagraph B	\$6,030,000
C. Financial Data Management	
1. Critical IT Infrastructure	\$1,500,000
2. Enterprise Resource Planning Phase II, Human Resources and Payroll Systems	<u>3,648,998</u>
Total state appropriation subparagraph C	\$5,148,998
D. General Services	
1. All State Owned Facilities -Emergency Repairs	\$ 1,000,000
2. Statewide Energy Efficiency Improvements	500,000
3. Londergan Hall-New Roof	161,000
4. State House/LOB-Tunnel Elevettes	91,000
5. State House Capitol Dome Repair	1
6. Health and Human Services-Window Repairs	730,000
7. State House Annex-Window Repairs	<u>355,000</u>
Total state appropriation subparagraph D	<u>\$2,837,000</u>
Total state appropriation paragraph II	\$14,365,999
* The appropriation in subparagraph B, 2 shall not be expended, obligated, or encumbered without the prior approval of the capital budget overview committee.	
III. Department of Corrections	
A. Critical Safety and Building Maintenance and Repairs to Concord State Prison	<u>\$500,000</u>
Total state appropriation paragraph III	\$500,000
IV. Department of Education	
A. Pre-Engineering Technology Career Pathway	\$100,000
B. Renovation of CTE Center – Pinkerton	7,875,000
C. Renovation of CTE Center – Laconia	<u>7,125,000</u>
Total state appropriation paragraph IV	\$15,100,000
V. Department of Employment Security	
A. Renovation of Tobey Building and Construction of Parking Garage	\$22,500,000
Less Other Funds*	(22,500,000)
Net state appropriation subparagraph A	<u>0</u>
Total state appropriation paragraph V	0

\* To provide funds for the appropriation made in subparagraph V, A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$22,500,000 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 pursuant to subparagraph V, A shall be made from the contingent fund established in RSA 282-A:140. An amount equal to the proceeds derived from the sale of any of the department's currently owned real estate shall be applied to the bonds and notes issued pursuant to subparagraph V.

#### VI. Department of Environmental Services

A. Clean Water State Revolving Fund Loan Program	\$16,225,952
Less Other Funds*	<u>(16,225,952)</u>
Net state appropriation subparagraph A	0
B. Drinking Water State Revolving Fund State Match	<u>6,420,220</u>
Less Other Funds*	(6,420,220)
Net state appropriation subparagraph B	0
C. Dam Repairs and Reconstruction**	3,300,000
D. Great Bay Oil Spill Protection Strategy	545,000
Less Other Funds*	<u>(545,000)</u>
Net state appropriation subparagraph D	0
E. WRBP Infrastructure Capital Improvements	3,950,000
Less Other Funds*	<u>(3,950,000)</u>
Net state appropriation subparagraph E	0
F. Suncook River Infrastructure Protection Project	<u>1,035,000</u>
Total state appropriation subparagraph F	<u>\$1,035,000</u>
Total state appropriation paragraph VI	\$4,335,000

\*To provide funds for the appropriations made in subparagraphs VI, A, B, D, and E the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$27,141,172 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.

(a) Payments of principal and interest on the bonds and notes pursuant to subparagraph VI, A and B shall be made from the state water pollution control and drinking water revolving loan funds established in RSA 486:14.

(b) Payments of principal and interest on the bonds and notes pursuant to subparagraph VI, D shall be made from the oil pollution control fund established in RSA 146-A:11-a.

(c) Payments of principal and interest on the bonds issued under subparagraph VI, E shall be made from the special fund established in RSA 485-A:50, VI.

\*\* The sums appropriated in subparagraph VI, C shall be for the following projects: Bunker Pond Dam, Buck Street Dam, Seaver Reservoir Dam, Northwood Lake Dam, Scotts Bog Dam, Mendums Pond Dam, Cass Pond Dam, Shehan Pond Dam, and Barnstead Parade Dam. The department is authorized to reallocate appropriated funds as necessary to address emergencies or alternate repairs or reconstruction needs at other dams if delays in other projects occur. The department of environmental services shall report quarterly to the capital budget overview committee relative to the status of dam repairs and reconstruction projects funded pursuant to subparagraph VI, C, and, in addition, such reporting shall include the status of any dam repairs, removal and reconstruction projects funded pursuant to 2007, 264:1, VII, F, as extended by 2009, 145:19, 43 and as extended by this act.

#### VII. Department of Health and Human Services

A. Fire Protection Sprinklers	\$1,125,000
B. Administration Building Fire Safety/ADA Compliance	385,000

C. Nurse Call System	265,000
D. APS Repairs/Renovations-Roof, Windows and Curtain Wall	4,050,000
E. New Roof-Boiler House Building	103,000
F. New Roof-Campus Edge Building	110,000
G. Incremental Renewal of New HEIGHTS	7,500,000
Less Federal Funds	<u>(3,196,500)</u>
Net state appropriation subparagraph G	4,303,500
H. Electronic Health Record	335,000
I. Regional Assessments Database II (RAD II)	1,000,000
Less Federal Funds	<u>(400,000)</u>
Net state appropriation subparagraph I	600,000
J. Administrative Appeals Unit-Video Conferencing	268,800
Less Federal Funds	<u>(107,520)</u>
Net state appropriation subparagraph J	161,280
K. Warehousing Infrastructure/Inventory Management Proj.	2,000,000
Less Federal Funds	<u>(1,900,000)</u>
Net state appropriation subparagraph K	100,000
L. Replatform Option Application	722,200
Less Federal Funds	<u>(361,100)</u>
Net state appropriation subparagraph L	361,100
M. Handicap Access and Elevator (ADA) Administration Bldg	175,000
N. DPHS Radiochemistry Laboratory Improvements	50,000
O. Glencliff Window Replacement	390,000
P. Howard Recreation Building Renovations – Roof & Brickwork	480,000
Q. Transformation Initiative-ACCESS Front Door Release 2	15,000,000
Less Federal Funds	<u>(13,500,000)</u>
Net state appropriation subparagraph Q	<u>1,500,000</u>
Total state appropriation paragraph VII	\$14,493,880
VIII. Department of Information Technology	
A. Data Center Upgrade	\$1,606,500
B. Network Operations Infrastructure Upgrade and VOIP	4,851,953
C. Business One Stop Center	<u>2,081,984</u>
Total state appropriation paragraph VIII	\$8,540,437
IX. Judicial Branch	
A. Prisoner Video Conference	\$541,085
B. Call Center *	57,500
C. E-Court Initiative	<u>1,951,000</u>
Total state appropriation paragraph IX	\$2,549,585



\* To the extent necessary, the department of information technology shall assign the highest priority to the completion of the judicial branch call center to ensure completion of the project by September 1, 2011.

#### X. Liquor Commission

A. Hooksett North and South Store Additions	\$8,400,000
Less Other Funds*	<u>(8,400,000)</u>
Net state appropriation subparagraph A	0
B. Portsmouth Store 38 Roof Replacement	115,000
Less Other Funds*	<u>(115,000)</u>
Net state appropriation subparagraph B	<u>0</u>
Total state appropriation paragraph X	0

\*To provide funds for the appropriations made in subparagraph X, A and B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$8,515,000 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 liquor commission fund established in RSA 176:16. The appropriation in subparagraph X, A shall not be expended, obligated, or encumbered without the prior approval of the capital budget overview committee.

#### XI. McAuliffe-Shepard Discovery Center

A. Original Planetarium – Replace Existing Roofing and Seats	\$149,000
Total state appropriation paragraph XI	\$149,000

#### XII. Department of Resources and Economic Development

A. Fire Tower Maintenance	\$170,000
B. State Park Repairs	1,361,500
C. Mt. Washington State Park-Sherman Adams Bldg. Concrete Repair	180,000
D. North Hampton State Beach Redevelopment	450,000
E. Hampton Beach North Seawall Repair	1,000,000
F. Cannon Upgrades/Snowmaking	500,000
Less Other Funds*	<u>(500,000)</u>
Net state appropriation subparagraph F	<u>0</u>
Total state appropriation paragraph XII	\$3,161,500

\*To provide funds for the appropriations made in subparagraph XII, F, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$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 Cannon Mountain capital improvement fund established in RSA 12-A:29-c.

#### XIII. Department of Safety

A. E-911 Next Generation	\$3,702,000
Less Other Funds*	<u>(3,702,000)</u>
Net state appropriation subparagraph A	0
B. Suncook River Property Acquisition and Hazard Mitigation**	<u>2,000,000</u>
Total state appropriation paragraph XIII	\$2,000,000

\*To provide funds for the appropriations made in subparagraph XIII, A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$3,702,000 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 enhanced 911 system fund established in RSA 106-H:9.

\*\*The state funds authorized in subparagraph XIII, B for Suncook River property acquisition and hazard mitigation projects may be used by the department to match federal funds, including but not limited to, grants from the Federal Emergency Management Agency (FEMA).

#### XIV. Department of Transportation

A. 2.5 percent Match for Federal Aviation Administration Projects	\$28,816,866
Less Federal Funds	<u>(28,077,972)</u>
Net state appropriation subparagraph A	738,894
B. Transit Match: Bus Replacement	<u>183, 500</u>
Total state appropriation paragraph XIV	\$922,934

#### XV. Veterans Home

A. Electronic Medical Records	\$840,000
Less Federal Funds	<u>(546,000)</u>
Net state appropriation subparagraph XV	\$294,000

#### XVI. Community College System of New Hampshire

A. Manchester Community College Student Center	\$6,000,000
Less Other Funds*	<u>(6,000,000)</u>
Net state appropriation subparagraph A	0
B. Career and Technical Building Projects	<u>18,815,000</u>
Total state appropriation paragraph XVI	<u>\$18,815,000</u>

\*To provide funds for the appropriations made in subparagraph XVI, A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$6,000,000 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 student fees.

#### XVII. Fish and Game Department

A. Jones Pond Dam Repair/Reconstruction	\$450,000
Less Other Funds*	<u>(450,000)</u>
Total state appropriation paragraph XVII	\$0

\*To provide funds for the appropriations made in subparagraph XVII, A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$450,000 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 fisheries habitat management account established in RSA 214:1-g.

#### XVIII. Pease Development Authority, Division of Ports and Harbors

A. Hampton and Seabrook Harbors Dredging	\$1,379,310
Less Other Funds*	<u>(1,379,310)</u>
Net state appropriation subparagraph A	\$0
B. Hampton Harbor Marine Facility	\$1,500,000
Less Other Funds*	<u>(1,500,000)</u>
Net state appropriation subparagraph B	\$0
Total state appropriation paragraph XVIII	\$0

\*To provide funds for the appropriations made in subparagraphs XVIII, A and B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$2,879,310 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 fees relating to wharfage, dockage, and other marine terminal operations under RSA 12-G:42.

Total state appropriation section 1 \$86,726,795

2 Capital Appropriation; Highway Funds; Department of Administrative Services, Department of Safety, and Department of Transportation. The sums hereinafter detailed are appropriated for the projects specified:

I. Department of Administrative Services

A. Enterprise Resource Planning Phase 2 Highway Funds \$398,187

Total state appropriation paragraph I \$398,187

II. Department of Safety

A. Standby Generator Replacement Hayes Bldg (33 Hazen Dr.) \$775,000

Total state appropriation paragraph II \$775,000

III. Department of Transportation

A. Underground Fuel Tank Replacement-Statewide \$2,000,000

B. Statewide Radio Communication Replacement 1,240,000

C. Statewide Salt Sheds 1,100,000

D. New Patrol Shed and Salt Storage PS514 Salem 3,330,000

E. TMC Equipment Room Upgrade to Data Center 580,000

Total state appropriation paragraph III \$8,250,000

Total state appropriation section 2 \$9,423,187

3 Expenditures; General. The appropriation made for the purposes mentioned in sections 1 and 2 of this act and the sums available for those projects shall be expended by the trustees, commissions, commissioner, or department head of the institutions and departments referred to herein; provided that all contracts and projects and plans and specifications therefor shall be awarded in accordance with the provisions of RSA 21-I and RSA 228.

4 Land Acquisition. Any land acquired under the appropriations made in sections 1 and 2 of this act, if any, as may be acquired under the appropriation except such land if any as may be acquired for the water resources board, shall be purchased by the commissioner of the department of transportation or the commissioner of administrative services, as appropriate, with the approval of governor and council.

5 Bonds Authorized.

I. To provide funds for the total of the appropriations of state funds made in sections 1 and 2 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$96,149,982 and for said purposes may issue bonds and notes in the names and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A. The source of funds shall be as follows: general fund \$86,726,795 and highway funds \$9,423,187; with other funds \$71,687,482.

6 Payments.

I. The payment of principal and interest on bonds and notes issued for the projects in section 1 shall be made when due from the general funds in the state.

II. The payment of principal and interest on bonds issued for the projects in section 2 shall be made from the highway fund.

7 Powers of Governor and Council. The governor and council are hereby authorized and empowered:

I. To cooperate with and enter into such agreements with the federal government, or any agency thereof, as they may deem advisable, to secure federal funds for the purposes hereof.

II. To accept any federal funds which are, or become available for any project under sections 1 and 2 of this act beyond the estimated amounts. The net appropriation of state funds for any project for which such additional federal funds are accepted shall be reduced by the amount of such additional funds, and the amount of bonding authorized by section 5 of this act shall be reduced by the same amount.

8 Transfers. The individual project appropriations provided in sections 1 and 2 of this act shall not be transferred or expended for any other purposes; provided that if there is a balance remaining after an individual project, which is fully funded by state funds, is completed, accepted, and final payment made, said balance or any part thereof may be transferred by Governor and Council, to any other individual project or projects, which are also fully funded by state funds, within the same section and from the same funding source, provided that prior approval of the capital budget overview committee is obtained.

9 Reduction of Appropriation and Bonding Authority. If the net appropriation of state funds for any project provided for by sections 1 and 2 of this act is determined on the basis of an estimate of anticipated federal, local, or other funds, and if the amount of such funds actually received or available is less than said estimate, then the total authorized cost for such projects and the net appropriation of state funds thereof shall be reduced by the same proportion as the proportion by which federal, local, or other funds are reduced. The amount of bonding authorized by section 5 of this act shall be reduced by the amount that the appropriation of state funds is reduced pursuant to this section.

10 Bureau of Public Works Design and Construction Inspection Services; Davis-Bacon Act Compliance. The appropriations for those projects which are managed by the bureau of public works design and construction, department of administrative services, may be expended to fund temporary personnel for the purpose of providing construction inspection services and Davis-Bacon Act Compliance services for projects utilizing federal funds, for those projects included in this act

11 Reports Required; Status of Projects; Department of Corrections.

I. The department of corrections shall report to the capital budget overview committee, in writing, within 60 days of the effective date of this section relative to the status of projects pursuant to the appropriations made to the department of corrections, all of which are extended by this act, in 2009, 145:1, IV, D, for admin. east wing-upgrade electric wiring; 2005, 259:1, IV, A, as extended by 2007, 264:29, XXVII, and as extended by 2009, 145:19, 22, for electronic security upgrades-men's prison; 2007, 264:1, V, A, as extended by 2009, 145:19, 23, for electronic security upgrades-men's prison; and 2007, 264:1,V, G, as extended by 2009, 145:19, 25, for residential treatment unit, phase 1-Concord.

II. The department of corrections shall submit a plan for the project funded in 2009, 145:1, IV, A, for women's prison and transitional housing site/design, as extended by this act, to the capital budget overview committee for approval, and shall provide an update on the status of said project to the committee, within 60 days of the effective date of this section relative to this appropriation.

12 Reporting Required; State Park Projects; Department of Resources and Economic Development. The department of resources and economic development shall report quarterly, in writing, to the capital budget overview committee, relative to all recently completed, current, and planned state park repairs and deferred maintenance projects.

13 Community College System; Plan and Updates; Critical Maintenance;. The community college system of New Hampshire shall provide a plan and quarterly updates to the capital budget overview committee relative to critical maintenance funded pursuant to 2009, 145:1, III, A.

14 Project Appropriation Transferred; Department of Administrative Services. The appropriation made to the department of corrections in 2009, 145:1, IV, E for stormwater/sewer system-EPA order #05-13 project, as extended by this act, is hereby transferred to the department of administrative services. The department of administrative services shall have authority to expend funds from the appropriation and shall assume the responsibility for the project funded by said appropriation.

15 Project Appropriation Amended. Department of Safety; New Hampshire State Police Narcotics and Investigations Unit. Amend 2003, 240:3, I, D to read as follows:

D. [~~Finish Troop D First Floor~~] ***State Police Narcotics***

***and Investigations Unit***

589,000

Less Other

- 111,910

Net state appropriation subparagraph D

477,090

16 Capital Appropriation Match; Department of Transportation. Amend 2007, 264:1, XIV, C to read as follows:

C. Rail - Match\*

500,000

\*The state funds authorized for rail match ***may be used by the state to match federal planning funds or as a local match and, if used as a local match***, shall not be expended until the local match is acquired.

17 Project Funding Amended; Veterans' Home. Amend 2009, 145:1, XIII to read as follows:

XIII. Veterans' Home.

A. Life Safety Infrastructure Upgrades	<del>[\$7,200,000]</del> <b>\$6,800,000</b>
Less Federal	<del>[-4,680,000]</del> <b>-4,420,000</b>
Net state appropriation subparagraph A	<del>[2,520,000]</del> <b>2,380,000</b>
B. Master Plan	100,000
C. Central Shipping and Receiving/Multi-purpose Center*	<del>[1,000,000]</del> <b>1,400,000</b>
Less Federal	<del>[-1650,000]</del> <b>-910,000</b>
Net state appropriation subparagraph C	<del>[350,000]</del> <b>490,000</b>
Total state appropriation paragraph XIII	<b>\$2,970,000</b>

18 Capital Appropriation; Liquor Commission. Amend 2009, 145:1, VIII to read as follows:

VIII. Liquor Commission.\*

A. Hampton North Roof Replacement	\$220,000
B. Build Liquor Store – Nashua	<del>[4,800,000]</del> <b>4,423,000</b>
<b>C. New Manchester Airport Store</b>	<b>80,000</b>
<b>D. Relocate Portsmouth Store</b>	<b>148,000</b>
<b>E. Remodel North Hampton Store</b>	<b>149,000</b>
Total state appropriation paragraph VIII	<b>\$5,020,000</b>

\* If HB 1-A and/or HB 2-FN-A-LOCAL of the 2009 legislative session become law and contain provisions to dedicate liquor commission revenues to a liquor commission fund, then the state appropriation to the liquor commission for the projects authorized in this paragraph shall be reduced to \$0. Upon such reduction, to provide funds for the appropriations made in subparagraphs A ~~and B~~ **through E**, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$5,020,000 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 said liquor commission fund. ***The appropriations made in subparagraphs VIII, B, C, D, and E shall lapse on July 1, 2012.***

19 University System of New Hampshire; Report and Future Appropriation.

I. The Knowledge Economy Education Plan (KEEP NH) was a highly successful program that resulted in renovation and expansion of science, engineering, and technology facilities across the University System of New Hampshire, plus other important infrastructure improvements. The USNH is hereby directed to provide a report outlining the capital appropriation funding needed to support an initial allotment to KEEP-UP, the successor program to KEEP, that will address ongoing deferred maintenance for the biennium ending June 30, 2019.

II. The KEEP-UP report described in paragraph I shall be filed no later than October 1, 2011 with the governor, speaker of the house of representatives, senate president, chairperson of the house public works and highways committee, and chairperson of the senate capital budget committee.

20 Reports Required; Hooksett Projects. The liquor commission and the department of transportation shall work in conjunction to provide quarterly reports to the capital budget overview committee on the status and progress of the liquor commission's Hooksett north and south store additions under subparagraph X, A of section 1 of this act, and the department of transportation's Hooksett service area development project.

21 Appropriation Amended; 2009; Department of Safety. Amend 2009, 145:2, I to read as follows:

I. Department of Safety.

A. DMV VISION Project Continuation	8,305,000
B. Dover Point DMV Substation	<del>[465,000]</del> <b>580,000</b>
Total state appropriation paragraph I	<del>[\$8,770,000]</del> <b>\$8,885,000</b>

22 Total Adjusted; 2009; Highway Funded Projects. Amend 2009, 145:2, total state appropriation section 2 to read as follows:

Total state appropriation section 2 [~~\$14,105,000~~] **\$14,220,000**

23 Total Adjusted; 2009; Bonds Authorized. Amend 2009, 145:6 to read as follows:

145:6 Bonds Authorized. To provide funds for the total of the appropriations of state funds made in sections 1, 2, and 3 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of [~~\$132,904,374~~] **\$133,019,374** and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

24 Appropriation Amended; 2005; Department of Safety. Amend 2005, 259:4, I, A to read as follows:

A. Enhanced Road Toll System [~~\$1,500,000~~] **\$1,385,000**

25 Total Adjusted; 2005; Department of Safety; Highway Funded Projects. Amend 2005, 259:4, I, total state appropriation paragraph I to read as follows:

Total state appropriation paragraph I [~~\$3,378,000~~] **\$3,263,000**

26 Total Adjusted; 2005; Highway Funded Projects. Amend 2009, 259:4, total state appropriation section 4 to read as follows:

Total state appropriation section 4 [~~\$12,383,000~~] **\$12,268,000**

27 Total Adjusted; 2005; Bonds Authorized. Amend 2005, 259:8, I, as amended by 2007, 264:18, to read as follows:

I. To provide funds for the total of the appropriations of state funds made in sections 1, 3, and 4 of this act, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of [~~\$96,402,207~~] **\$96,287,207** and for said purposes may issue bonds and notes in the names and on behalf of the state of New Hampshire in accordance with the provisions of RSA 6-A.

28 Lapse Dates Extended to June 30, 2013. The following appropriations are hereby extended to June 30, 2013:

1. The appropriation made to the adjutant general in 2009, 145:1, I, A for statewide-fire alarm and life safety upgrades.

2. The appropriation made to the adjutant general in 2009, 145:1, I, B, for D and E storage buildings, additional power and lighting.

3. The appropriation made to the adjutant general in 2009, 145:1, I, C, for armory-roof materials and systems replacements.

4. The appropriation made to the adjutant general in 2009, 145:1, I, D, for NHARNG-training site water and sewer.

5. The appropriation made to the adjutant general in 2009, 145:1, I, E, for Manchester-underground storage tank repairs.

6. The appropriation made to the adjutant general in 2003, 240:1, I, A, as extended by 2005, 259:25, II, and as amended by 2006, 272:2, A, as extended by 2007, 264:29, II, as extended by 2009, 145:19, 1, for armory renovations.

7. The appropriation made to the adjutant general in 2003, 240:1, I, D, as extended by 2005, 259:25, V, as extended by 2007, 264:29, III, as extended by 2009, 145:19, 2, for joint service training facility design.

8. The appropriation made to the adjutant general in 2007, 264:1, I, A, as extended by 2009, 145:19, 4, for armory-roofing projects.

9. The appropriation made to the adjutant general in 2007, 264:1, I, B, as extended by 2009, 145:19, 5, for armory-statewide auxiliary power.

10. The appropriation made to the adjutant general in 2007, 264:1, I, C, for armory-alarm fire systems.

11. The appropriation made to the adjutant general in 2007, 264:1, I, F, for regional training institute construction.

12. The appropriation made to the department of administrative services, bureau of court facilities, in 2009, 145:1, II, A, 1, for Hillsborough County north-asbestos abatement.
13. The appropriation made to the department of administrative services, bureau of court facilities, in 2009, 145:1, II, A, 2, for master plan for the courts.
14. The appropriation made to the department of administrative services, bureau of general services, in 2009, 145:1, II, B, 1, for Johnson hall renovations/repairs.
15. The appropriation made to the department of administrative services, bureau of general services, in 2009, 145:1, II, B, 2, for LOB-critical maintenance.
16. The appropriation made to the department of administrative services, bureau of general services, in 2009, 145:1, II, B, 4, for Johnson hall-new roof.
17. The appropriation made to the department of administrative services, bureau of general services, in 2009, 145:1, II, B, 5, for state library-repoint brick, internal repairs.
18. The appropriation made to the department of administrative services, bureau of general services, in 2009, 145:1, II, B, 8, for 4 state buildings-cafeteria fire systems.
19. The appropriation made to the department of administrative services, bureau of facilities asset management, in 2009, 145:1, II, C, 1, for Bow Brook Pond dredging and dam stoplog.
20. The appropriation made to the department of administrative services, bureau of facilities asset management, in 2009, 145:1, II, C, 2, for Dollof building drainage improvements.
21. The appropriation made to the department of administrative services, bureau of facilities asset management, in 2009, 145:1, II, C, 3, for main building bakery roof repair.
22. The appropriation made to the department of administrative services, bureau of facilities asset management, in 2009, 145:1, II, C, 4, for Hugh Gallen office park parking.
23. The appropriation made to the department of administrative services, bureau of facilities asset management, in 2009, 145:1, II, C, 5, for Hugh Gallen office park main building Rumford egress stair and interior stairwell.
24. The appropriation made to the department of administrative services in 2009, 145:1, II, E, 1, for state owned facilities energy and lighting improvements.
25. The appropriation made to the department of administrative services, in 2009, 145:1, II, E, 3, for ERP-information technology phase II.
26. The appropriation made to the department of administrative services, bureau of court facilities, in 2009, 145:15, II, B, for northern Carroll County-new roof.
27. The appropriation made to the department of administrative services, in 2009, 145:16, II, A, for supreme court parking lot.
28. The appropriation made to the department of administrative services, in 2009, 145:16, II, B, for supreme court ADA access.
29. The appropriation made to the department of administrative services, in 2009, 145:16, II, D, for state house ice stop system.
30. The appropriation made to the department of administrative services - bureau of court facilities in 2005, 259:1, II, A, 2, as amended by section 14 of 2007 as extended by 2007, 264:29, IX, as extended by 2009, 145:19, 12, for Cheshire and Merrimack County courthouse design.
31. The appropriation made to the department of administrative services - financial data management in 2003, 240:1, II, C, 2, as extended by 2005, 259:25, XVI, as extended by 2007, 264:29, XIX, as extended by 2009, 145:19, 13, for enterprise resource planning.
32. The appropriation made to the department of administrative services in 2006, 258:16, I, as extended by 2007, 264:29, XXI, as extended by 2009, 145:19, 14, for quality assurance evaluation, monitoring and reporting related to the implementation of the ERP system.
33. The appropriation made to the department of administrative services in 2007, 264:1, II, B, 2, as extended by 2009, 145:19, 17, for state house, state library and LOB maintenance and repointing

34. The appropriation made to the community college system in 2009, 145:1, III, A, for critical maintenance.
35. The appropriation made to the community college system in 2009, 145:1, III, E, for health science and tech building, Nashua.
36. The appropriation made to the department of corrections in 2009, 145:1, IV, A, for women's prison and transitional housing site/design.
37. The appropriation made to the department of corrections in 2009, 145:1, IV, B, for MSU, dorms, CCU, SPU, MCS, MCN, repair bathrooms.
38. The appropriation made to the department of corrections in 2009, 145:1, IV, C, for residential treatment unit phase 2.
39. The appropriation made to the department of corrections in 2009, 145:1, IV, D, for admin east wing-upgrade electric wiring.
40. The appropriation made to the department of corrections in 2009, 145:1, IV, E, for MSU and admin buildings-replace sprinkler system.
41. The appropriation made to the department of corrections in 2009, 145:1, IV, F, and transferred to the department of administrative services by section 14 of this act, for stormwater/sewer system-EPA order #05-13.
42. The appropriation made to the department of corrections in 2005, 259:1, IV, A, as extended by 2007, 264:29, XXVII, as extended by 2009, 145:19, 22, for electronic security upgrades-men's prison.
43. The appropriation made to the department of corrections in 2007, 264:1, V, A, as extended by 2009, 145:19, 23, for electronic security upgrades-men's prison.
44. The appropriation made to the department of corrections in 2007, 264:1, V, C, as extended by 2009, 145:19, 24, for structural wall and beam repair-men's prison.
45. The appropriation made to the department of corrections in 2007, 264:1, V, G, as extended by 2009, 145:19, 25, for residential treatment unit, phase 1-Concord.
46. The appropriation made to the department of education in 2009, 145:1, V, A, for pre-engineering technology.
47. The appropriation made to the department of education in 2009, 145:1, V, B, for regional career and technical education-Wolfeboro.
48. The appropriation made to the department of education in 2009, 145:1, V, C, for regional career and technical education center.
49. The appropriation made to the department of education in 2007, 264:1, VI, B, as extended by 2009, 145:19, 29, for renovation regional career and tech ed center-Manchester.
50. The appropriation made to the department of environmental services in 2009, 145:1, VI, A, for WRBP wastewater treatment plant improvements.
51. The appropriation made to the department of environmental services in 2009, 145:1, VI, B, for drinking water SRF matching funds.
52. The appropriation made to the department of environmental services in 2009, 29:4, I, for renovation and repair, Dorrs pond dam, Manchester.
53. The appropriation made to the department of environmental services in 2003, 240:1, V, A, as extended by 2005, 259:25, XXVIII, as extended by 2007, 264:29, XXXVII, as extended by 2009, 145:19, 31, for hazardous waste superfund match.
54. The appropriation made to the department of environmental services in 2005, 259:1, VI, A, as extended by 2007, 264:29, XXXVIII, as extended by 2009, 145:19, 33, for dam repairs, removal and reconstruction.
55. The appropriation made to the department of environmental services in 2005, 259:1, VI, BI, as extended by 2007, 264:29, XXXIX, as extended by 2009, 145:19, 34, for drinking water SRF matching funds.
56. The appropriation made to the department of environmental services in 2005, 259:1, VI, C, as extended by 2007, 264:29, XL, as extended by 2009, 145:19, 35, for wastewater SRF matching funds.



57. The appropriation made to the department of environmental services in 2005, 259:1, VI, D, as extended by 2007, 264:29, XLI, as extended by 2009, 145:19, 36, for bedrock aquifer monitoring.

58. The appropriation made to the department of environmental services in 2007, 264:1, VII, A, as extended by 2009, 145:19, 38, for the drinking water state revolving fund matching funds.

59. The appropriation made to the department of environmental services in 2007, 264:1, VII, B, as extended by 2009, 145:19, 39, for the wastewater state revolving fund matching funds.

60. The appropriation made to the department of environmental services in 2007, 264:1, VII, C, as extended by 2009, 145:19, 40, for the hazardous waste superfund match.

61. The appropriation made to the department of environmental services in 2007, 264:1, VII, F, as extended by 2009, 145:19, 43, for dam repairs, removal and reconstruction.

62. The appropriation made to the department of environmental services in 2007, 264:1, VII, G, as extended by 2009, 145:19, 44, for Gorham office repairs and renovations.

63. The appropriation made to the fish and game department in 2009, 145:3, III, for point of service for registration.

64. The appropriation made to the fish and game department in 2005, 259:3, II, as extended by 2007, 264:29, XLVI, as extended by 2009, 145:19, 45, for hatchery system modernization.

65. The appropriation made to the department of health and human services in 2009, 145:1, VII, B, for incremental renewal of HEIGHTS phase II.

66. The appropriation made to the department of health and human services in 2009, 145:17, IV, B, for above ground oil storage compliance.

67. The appropriation made to the department of health and human services in 2009, 145:17, IV, C, for strategic plan for legacy systems, 50-50 federal match.

68. The appropriation made to the department of health and human services in 2005, 259:1, VII, C, as extended by 2007, 264:29, LIV, as extended by 2009, 145:19, 48, for state office park south – electrical system upgrade.

69. The appropriation made to the department of health and human services in 2007, 264:1, IX, E, as extended by 2009, 145:19, 52, as amended by 2009, 145:18, as extended by 2009, 145:19, 50, for Glencliff-Brown building patient room floor abatement, tunnel repair admin building roof replacement.

70. The appropriation made to the liquor commission in 2009, 145:1, VIII, A, for Hampton north roof replacement.

71. The appropriation made to the McAuliffe-Shepard discovery center in 2007, 264:1, IV, L, as extended by 2009, 145:19, 20, for Christa McAuliffe planetarium-Alan Shepard memorial wing.

72. The appropriation made to the McAuliffe-Shepard discovery center in 2003, 240:1, III, H, as extended by 2005, 259:25, XVII, as extended by 2007, 264:21, as extended by 2007, 264:29, XXII, as extended by 2009, 145:19, 21, for Christa McAuliffe planetarium-Alan Shepard memorial wing.

73. The appropriation made to the Pease development authority by 2007, 264:1, XII, A, as amended by 2008, 5:1, as extended by 2009, 145:19, 53, for Market street marine terminal pier.

74. The appropriation made to the Pease development authority by 2007, 264:1, XII, B, as amended by 2008, 5:1, as extended by 2009, 145:19, 54, for Rye harbor commercial fish pier.

75. The appropriation made to the department of resources and economic development in 2009, 145:1, X, A, for statewide roof and park repairs.

76. The appropriation made to the department of resources and economic development in 2009, 145:1, X, B, for Mount Washington tip top house repairs.

77. The appropriation made to the department of resources and economic development in 2009, 145:1, X, C, for Mittersill expansion.

78. The appropriation made to the department of resources and economic development in 2009, 145:1, X, D, for Hampton seashell and 2 bathhouses.

79. The appropriation made to the department of resources and economic development in 2003, 240:1, VIII, D, as extended by 2005, 259:25, XXXVIII, as extended by 2007, 264:29, LXII, as extended by 2009, 145:19, 55, for Mount Washington electrification.

80. The appropriation made to the department of resources and economic development in 2005, 259:1, IX, E, as extended by 2007, 264:29, LXIII, as extended by 2009, 145:19, 56, for Mount Washington electrification.

81. The appropriation made to the department of resources and economic development in 2007, 264:1, XIII, F, as extended by 2009, 145:19, 57, for statewide radio system.

82. The appropriation made to the department of revenue administration in 2009, 145:1, XI, A, for tax system 2010.

83. The appropriation made to the department of safety in 2009, 145:2, I, A, for DMV VISION project continuation.

84. The appropriation made to the department of safety in 2009, 145:2, I, B, as amended by section 21 of this act, for Dover point DMV substation.

85. The appropriation made to the department of safety in 2003, 240:3, I, D, as extended by 2005, 259:25, XLI, as extended by 2007, 264:29, LXVI, as extended by 2009, 145:19, 59, and as amended by section 15 of this act, for state police narcotics and investigations unit.

86. The appropriation made to the department of safety in 2005, 259:4, I, A, as extended by 2007, 264:29, LXVII, as extended by 2009, 145:19, 60, and as amended by section 24 of this act, for enhanced road toll system.

87. The appropriation made to the department of safety in 2007, 264:2, I, D, as extended by 2009, 145:19, 63, for OIT projects for DMV.

88. The appropriation made to the department of transportation in 2009, 145:1, XII, A, for FAA projects.

89. The appropriation made to the department of transportation in 2009, 145:1, XII, B, for public transit bus matching funds.

90. The appropriation made to the department of transportation in 2009, 145:1, XII, C, for airport navigation equipment.

91. The appropriation made to the department of transportation in 2009, 145:1, XII, D, for Coos County rail improvements.

92. The appropriation made to the department of transportation in 2009, 145:1, XII, E, for state owned rail bridge repair.

93. The appropriation made to the department of transportation in 2009, 145:2, II, A, for underground fuel tank replacement statewide.

94. The appropriation made to the department of transportation in 2009, 145:2, II, C, for replacement of automated fueling system-phase 2.

95. The appropriation made to the department of transportation in 2009, 145:2, II, D, for TMC equipment room fire suppression.

96. The appropriation made to the department of transportation in 2009, 145:2, II, F, for Nashua DMV EZ pass customer service.

97. The appropriation made to the department of transportation in 2009, 145:2, II, G, for energy/environmental renovations statewide.

98. The appropriation made to the department of transportation in 1999, 226:1, XIII, C, as extended by 2001, 202.28 XXXIII, 2003, 240:34, LXXVI, and 2005, 259:25, LVI, as extended by 2007, 264:29, LXXIV, as extended by 2009, 145:19, 64, for acquisition of railroad and airport properties.

99. The appropriation made to the department of transportation in 2007, 264:1, XIV, A, as extended by 2009, 145:19, 65, for 5-10 percent match for FAA projects.

100. The appropriation made to the department of transportation in 2007, 264:1, XIV, C, as extended by 2009, 145:19, 67, and as amended by section 16 of this act, for rail match.

101. The appropriation made to the department of transportation in 2007, 264:1, XIV, D, as extended by 2009, 145:19, 68, for repair state rail lines.

102. The appropriation made to the department of transportation in 2007, 264:2, II, D, as extended by 2009, 145:19, 73, for the Chesterfield welcome center.

103. The appropriation made to the department of transportation in 2007, 264:2, II, E, as extended by 2009, 145:19, 74, for a fuel center computer system.

104. The appropriation made to the department of transportation in 2007, 264:1, XIV, B, as extended by 2009, 145:19, 66, for public transit bus replacement.

105. The appropriation made to the department of transportation in 2005, 259:1, XIII, F, as amended by 2007, 264:20, and as extended by 2007, 264:29, as extended by 2009, 145:19, 81, for railroad acquisition, right of first refusal, rail match.

106. The appropriation made to the department of transportation in 2005, 259:4, II, I, as extended by 2007, 264:29, LXXXVII, as extended by 2009, 145:19, 83, for Chesterfield welcome center and Antrim rest area.

107. The appropriation made to the New Hampshire veterans home in 2009, 145:1, XIII, A, as amended by section 17 of this act, for life safety infrastructure upgrades.

108. The appropriation made to the New Hampshire veterans home in 2009, 145:1, XIII, C, as amended by section 17 of this act, for central shipping and receiving/multi-purpose center.

29 Effective Date.

I. Section 18 of this act shall take effect upon its passage.

I. Section 28 of this act shall take effect June 30, 2011.

II. The remainder of this act shall take effect July 1, 2011.

#### **Senate Executive Departments and Administration**

**May 19, 2011**

**2011-2038s**

**05/09**

#### **Amendment to HB 119**

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

AN ACT relative to agency membership on the information technology council and relative to the duties of the chief information officer.

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

2 New Subparagraphs; Information Technology Council. Amend RSA 21-R:6, II by inserting after subparagraph (k) the following new subparagraphs:

(l) One representative of academia, appointed by the governor for a 3-year term.

(m) Three representatives of the business community, appointed by the governor for 3-year terms.

3 New Paragraph; Department of Information Technology; Duties of the Commissioner. Amend RSA 21-R:4 by inserting after paragraph XV the following new paragraph:

XVI. Developing and implementing a strategy to address cyber security risks to the state's data, information, and technology resources.

4 New Section; Department of Information Technology; Rulemaking. Amend RSA 21-R by inserting after section 4 the following new section:

21-R:4-a Rulemaking. The chief information officer may adopt rules, pursuant to RSA 541-A, relative to:

I. Computer system consolidations, implementation, and operation.

II. Implementation and operation of centralized services.

III. Implementation and operation of technology security.

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

2011-2038s

## AMENDED ANALYSIS

This bill permits agency heads to appoint designees to the information technology council and adds public members to the council. The bill also requires the chief information officer to develop a cyber security strategy and authorizes the chief information officer to adopt related administrative rules.

Commerce

May 17, 2011

2011-1979s

06/01

## Amendment to HB 173

Amend the bill by replacing section 1 with the following:

1 Service of Demand and Eviction Notice. Amend RSA 540:5, I to read as follows:

I. Any notice of a demand for rent or an eviction notice may be served by any person and may be served upon the tenant personally or left at his or her last and usual place of abode. ***In the case of commercial rental property, service of process may be made at such property provided that a copy of the demand for rent or eviction notice shall be sent by certified mail to the commercial tenant at his or her last known legal address or, for non-residents, pursuant to RSA 510:4.*** Proof of service must be shown by a true and attested copy of the notice accompanied by an affidavit of service, but the affidavit need not be sworn under oath. A notice of a demand for rent shall be sufficient if served upon the tenant at any time after the rent becomes due and prior to or simultaneously with the service of an eviction notice.

Senate Finance

May 19, 2011

2011-2042s

01/10

## Amendment to HB 191

Amend RSA 135-C:13 as inserted by section 4 of the bill by replacing it with the following:

4 Discrimination Prohibited; Eligibility for Services. Amend RSA 135-C:13 to read as follows:

135-C:13 Discrimination Prohibited; Eligibility for Services. Every severely mentally disabled person shall be eligible for admission to the state mental health services system, and no such person shall be denied services because of race, color or religion, sex, or inability to pay. ***Admission to the state mental health services system and access to treatment and other services within the system shall be contingent upon the availability of appropriations. The community mental health program responsible for providing services shall conduct a clinical assessment of every applicant for services. The community mental health program shall prioritize delivery of services based on the severity of the individual's clinical needs. Emergency services shall be provided as needed. Services shall not be denied to persons who are conditionally discharged from a receiving facility under RSA 135-C:50, or who are ordered to submit to treatment at a community mental health program under RSA 135-C:45.*** Eligible persons shall include formerly severely mentally disabled persons who without continued services would probably become severely mentally disabled again. Each client has a right to adequate and humane treatment provided in accordance with generally accepted clinical and professional standards. The treatment shall include such psychological, psychiatric, habilitative, rehabilitative, vocational and case management services which are necessary and appropriate to bring about an improvement, when possible, in the client's condition and which are available within the state mental health services system. If necessary services are not available, ~~[such service shall be documented through individual service plans. When services have been documented to be necessary but unavailable,]~~ each agency responsible for provision of such services shall notify the department of the need for them, and the department shall utilize such information for budgetary planning purposes. The treatment may include housing and such other services as the department may elect to provide to severely mentally disabled persons. Eligibility for services in the mental health system for persons under 21 years of age shall be determined after consideration of the services provided under RSA 186-C, RSA 169-B, RSA 169-C, RSA 169-D, or any other law. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the eligibility of severely mentally disabled persons to receive state services and the service guarantees for clients in the state system.

Amend the bill by replacing section 6 with the following:

6 Effective Date.

I. Section 5 of this act shall take effect July 1, 2013.

II. The remainder of this act shall take effect July 1, 2011.

**Commerce**  
**May 17, 2011**  
**2011-1980s**  
**06/01**

**Amendment to HB 322**

Amend the bill by replacing section 1 with the following:

1 Regulation of Manufactured Housing Parks; Fee for Increasing Occupancy Limit. Amend RSA 205-A:2, VIII(a) to read as follows:

(a) Establishes an additional charge or increased rental payments, directly or indirectly, for persons under the age of 18 residing in manufactured housing. The park owner or operator may make reasonable rules governing the number of adults or total number of persons permitted to reside in manufactured housing and may ~~[charge an amount not to exceed \$10]~~ **establish an additional charge not to exceed 10 percent of gross monthly rent** per adult per month where the number of adults residing in manufactured housing exceeds the limit established by such rules.

**2011-1980s**

**AMENDED ANALYSIS**

This bill modifies the statutory cap on the fee that a manufactured housing park owner may charge if a tenant exceeds the park's adult occupancy rate.

**Senate Finance**  
**May 18, 2011**  
**2011-2023s**  
**04/10**

**Amendment to HB 337-FN-LOCAL**

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

AN ACT amending the calculation and distribution of adequate education grants, repealing fiscal capacity disparity aid, and providing stabilization grants to certain municipalities.

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

1 Chartered Public Schools; Funding. Amend RSA 194-B:11, I(b) to read as follows:

(b) For any chartered public school authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition pursuant to RSA 198:40-a ~~[and RSA 198:40-c]~~ **plus an additional grant of \$2,000** directly to the chartered public school for each pupil who is a resident of this state in attendance at such chartered public school.

2 School Money; Cost of an Opportunity for an Adequate Education. Amend RSA 198:40-a to read as follows:

198:40-a Cost of an Opportunity for an Adequate Education.

I. Beginning July 1, 2009, and for every biennium thereafter, the annual cost of providing the opportunity for an adequate education as defined in RSA 193-E:2-a shall be \$3,450 per pupil attending a public school, plus any applicable differentiated aid for which a pupil is eligible. Differentiated aid shall be ~~[calculated as follows:~~

~~(a) An additional \$431 per pupil in kindergarten through grade 12 eligible for the federal free and reduced-price meal program who attends a public school in which less than 12 percent of the pupils reported in the school's ADMA in the determination year are eligible for the federal free and reduced-price meal program.~~

~~(b) An additional \$863 per pupil in a public school in which at least 12 percent but less than 24 percent of pupils reported in the school's ADMA in the determination year, are eligible for the federal free or reduced-price meal program.~~

(c) ~~An additional \$1,725 per pupil in a public school in which at least 24 percent but less than 36 percent of pupils reported in the school's ADMA in the determination year, are eligible for the federal free or reduced-price meal program.~~

(d) ~~An additional \$2,588 per pupil in a public school in which at least 36 percent but less than 48 percent of the pupils reported in the school's ADMA in the determination year, are eligible for the federal free or reduced-price meal program.~~

(e) ~~An additional \$3,450 per pupil in a public school in which 48 percent or more of the pupils reported in the school's ADMA in the determination year, are eligible for the federal free or reduced-price meal program]~~ ***in the amount of \$1,725 for each pupil in the public school's ADMA in the determination year who is in kindergarten through grade 12 and who is eligible for the federal free and reduced-price meal program.***

II. In addition to the amount in paragraph I, an additional \$675 for each pupil reported in the public school's ADMA in the determination year who is an English language learner and who is receiving English language instruction.

***II-a. An additional \$675 for each third grade pupil in the public school's ADMA in the determination year who has not tested at the proficient level or above in the reading component of the state assessment and who is not eligible to receive special education, English as a second language, or free or reduced-price meal program funds in the determination year.***

III. In addition to the amounts in paragraphs I ~~[and]~~, II, ***and II-a***, an additional \$1,856 for each pupil reported in the public school's ADMA in the determination year who is receiving special education.

IV.(a) The sum total calculated under paragraphs I-III of this section shall be used to determine the cost of an adequate education which shall be used in each year of the biennium.

(b) The department shall allocate the cost of an adequate education for each municipality by totaling the cost of an adequate education as determined in RSA 198:40-a, I-III for all children who reside in that municipality.

(c) Prior to or coinciding with the first disbursement of each fiscal year under RSA 198:42, the department shall notify a school district of the cost of an adequate education for the pupils in each school within its jurisdiction sorted by the pupil's municipality of residence. In addition, the department shall furnish to each school district a report showing the cost of an adequate education for pupils who are residents of that school district sorted by a pupil's school of attendance.

V. The department shall notify school districts of the estimated amounts of grants by the November 15 preceding the fiscal year for which aid is determined. The commissioner shall provide to the general court all data or reports requested by the general court in a form which the general court determines will facilitate the calculations required in this section.

3 School Money; Determination of Grants. Amend RSA 198:41 to read as follows:

198:41 Determination of ***Education*** Grants ~~[and Excess Tax]~~.

I. Except for municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the department of education shall determine the ~~[amount of the]~~ ***total*** education grant for the municipality as follows:

(a) Add the per pupil cost of providing the opportunity for an adequate education for which each pupil is eligible pursuant to RSA 198:40-a, I-III, and from such amount;

(b) Subtract the amount of the education ~~[property]~~ tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:9 for the next tax year~~[-and from such amount; and~~

(c) ~~Add the fiscal capacity disparity aid pursuant to RSA 198:40-c]~~.

II. For municipalities where all school districts therein provide education to all of their pupils by paying tuition to other institutions, the department of education shall determine the ~~[amount of the adequate]~~ ***total*** education grant for each municipality as the lesser of the 2 following calculations:

(a) The amount calculated in accordance with paragraph I of this section; or

(b) The total amount paid for items of current education expense as determined by the department of education minus the amount of the education [property] tax warrant to be issued by the commissioner of revenue administration for such municipality reported pursuant to RSA 76:9 for the next tax year.

III.(a) For the [fiscal years beginning July 1, 2009 and July 1, 2010] **biennium ending June 30, 2013**, the department of education shall not[:

(a)] distribute a total education grant on behalf of all pupils who reside in a municipality that exceeds that municipality's total education grant [for the 2009 fiscal year] **in the second year of the previous biennium** [by more than 15 percent; or

(b) Reduce the total state aid for an adequate education provided on behalf of all pupils who reside in a municipality to an amount less than that municipality's total state aid for an adequate education received in the 2009 fiscal year]

**(b) Beginning July 1, 2013, and each fiscal year thereafter, the department of education shall not distribute a total education grant on behalf of all pupils who reside in a municipality that exceeds 105.5 percent of the total education grant distributed to such municipality in the previous fiscal year.**

IV.(a) **For fiscal year 2012, the department of education shall identify all municipalities in which the fiscal year 2012 total education grant will be less than the fiscal year 2011 total education grant. The department shall distribute a stabilization grant to each of those municipalities equal to 100 percent of the decrease.**

**(b) For fiscal year 2013, and each fiscal year thereafter, the department of education shall distribute a total education grant to each municipality in an amount equal to the total education grant for the fiscal year in which the grant is calculated plus the amount of the fiscal year 2012 stabilization grant, if any, distributed to the municipality.**

4 New Section; School Money; Severability. Amend RSA 198 by inserting after section 43 the following new section:

198:43-a Severability. If any provision of RSA 198:38 through RSA 198:43 or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of RSA 198:38 through RSA 198:43 which can be given effect without the invalid provision or application, and to this end, such provisions are declared to be severable.

5 Excess Education Property Tax Payment; Subdivision Heading Amended. Amend the subdivision heading preceding RSA 198:46 to read as follows:

[Excess Education Property Tax Payment]

### **Local Control and Alternative Kindergarten Programs**

6 Application of Receipts. Amend RSA 6:12, I(b)(65) to read as follows:

(65) Money received under RSA 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B, RSA 83-F, [RSA 198:46,] and from the sweepstakes fund, which shall be credited to the education trust fund under RSA 198:39.

7 Commissioner's Warrant. Amend RSA 76:8, II to read as follows:

II. The commissioner shall issue a warrant under the commissioner's hand and official seal for the amount computed in paragraph I to the selectmen or assessors of each municipality by December 15 directing them to assess such sum and pay it to the municipality for the use of the school district or districts [and, if there is an excess education tax payment due pursuant to RSA 198:46, directing them to assess the amount of the excess payment and pay it to the department of revenue administration for deposit in the education trust fund]. Such sums shall be assessed at such times as may be prescribed for other taxes assessed by such selectmen or assessors of the municipality.

8 School Money; Consumer Price Index Adjustment. Amend RSA 198:40-d to read as follows:

198:40-d Consumer Price Index Adjustment. Beginning July 1, [2011] **2013** and every biennium thereafter, the department of education shall adjust the sum of the amounts determined under RSA 198:40-a based on the average change in the Consumer Price Index for All Urban Consumers, Northeast Region, using the "services less medical care services" special aggregate index, as published by the Bureau of Labor Statistics, United States Department of Labor. The average change shall be calculated using the 3 calendar years ending 18 months before the beginning of the biennium for which the calculation is to be performed.

9 Repeal. The following are hereby repealed:

- I. RSA 198:40-c, relative to fiscal capacity disparity aid.
- II. RSA 198:46, relative to excess education tax payments.
- III. RSA 198:47, relative to forms used for the reporting and remitting of excess education tax payments.
- IV. RSA 198:39, I(g), relative to excess education tax payments deposited into the education trust fund.

10 Effective Date.

- I. Section 8 of this act shall take effect July 1, 2011 at 12:01 a.m.
- II. The remainder of this act shall take effect July 1, 2011.

**2011-2023s**

#### AMENDED ANALYSIS

This bill:

- I. Sets the amount of differentiated aid at \$1,725 for each pupil eligible for the free or reduced-price meal program.
- II. Repeals the calculation and distribution of fiscal capacity disparity aid.
- III. Provides a grant in the amount of \$2,000 for chartered public school pupils.
- IV. Provides \$675 for each third grade pupil who has not tested at the proficient level or above in the reading component of the state assessment and who is not eligible to receive special education, English as a second language, or free or reduced-price meal program funds.
- V. Beginning July 1, 2013, provides that a municipality's total education grant shall not exceed 105.5 percent of the total education grant received in the previous fiscal year.
- VI. Provides a stabilization grant to certain municipalities in fiscal year 2012 equal to the decrease from the municipality's fiscal year 2011 total education grant, and provides that a municipality shall continue to receive this stabilization grant in fiscal year 2013 and each fiscal year thereafter.
- VII. Repeals the statutory provisions requiring that excess education tax payments be remitted to the department of revenue administration thereby permitting municipalities to retain any excess education tax revenues.

**Senate Executive Departments and Administration**

**May 19, 2011**

**2011-2040s**

**05/04**

#### Amendment to HB 355

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

AN ACT enabling state and local fire and building officials to issue citations for violations of certain fire safety rules and licensing violations for gas fitters, electricians, and plumbers.

Amend RSA 21-P:4, VII as inserted by section 1 of the bill by replacing it with the following:

VII. Have the discretion to grant authority to issue a citation for violations of fire safety rules adopted under RSA 153:4-a [and], RSA 153:5, **and RSA 160-C and to unlicensed persons who perform actions that require a license under RSA 153:28, RSA 153:29-a, RSA 319-C, or RSA 329-A** to the state fire marshal or his **or her** designee, or to any fire chief, fire investigator, fire inspector or fire prevention officer who meets the qualifications established pursuant to RSA 21-P:14, II(s). A citation for violations under this paragraph shall carry the penalty set forth under RSA 153:24. **A building official or code enforcement officer may also be granted authority under RSA 21-P:14, II(s) to issue a citation to any unlicensed person who performs actions requiring a license under RSA 153:28, RSA 153:29-a, RSA 319-C, or RSA 329-A.**

**2011-2040s**

#### AMENDED ANALYSIS

This bill enables state and local fire and building officials to issue citations for violations of fire safety rules adopted under RSA 153 and RSA 160-C, the permissible fireworks law. The bill also allows building officials



and code enforcement officers to issue citations for violations of licensing requirements for fuel gas fitters, electricians, and plumbers.

This bill is a request of the department of safety.

#### **Internal Affairs**

**May 18, 2011**

**2011-2021s**

**05/03**

#### **Amendment to HCR 9**

Amend the resolution by replacing the title of the resolution with the following:

A RESOLUTION urging the President and Congress to address the privacy, constitutional, safety, and religious freedom concerns presented by advanced imaging technology employed by the Transportation Security Agency at the nation's airports.

Amend the resolution by replacing all after the third paragraph after the title with the following:

Whereas, many travelers have found the pat-down searches conducted by employees of the TSA to be a humiliating experience bordering on physical and emotional abuse; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring:

That the general court of New Hampshire respectfully urges the President and Congress of the United States to immediately address the serious privacy, constitutional, safety, and religious freedom concerns presented by advanced imaging technology employed by Transportation Security Agency employees at the nation's airports; and if these concerns cannot be satisfactorily addressed, urges the discontinuation of their use; and

That copies of this resolution, signed by the speaker of the house of representatives and the senate present, be forwarded by the house clerk to the Speaker of the United States House of Representatives, the President of the United States Senate, and to each member of the New Hampshire congressional delegation.

**2011-2021s**

#### **AMENDED ANALYSIS**

This resolution urges the President and Congress of the United States to immediately address the serious constitutional and safety concerns presented by advanced imaging technology employed by Transportation Security Agency employees at the nation's airports and, if these concerns cannot be satisfactorily addressed, urges the discontinuation of their use.

## **COMMITTEE OF CONFERENCE**

**SB 3-FN-A-L**, making comprehensive changes to the state retirement system.

Senate Conferees: (C) Senators Bradley, Carson, Larsen.

House Conferees: Representatives Hawkins, Kurk, W. Smith, Sedensky.

## **HEARINGS**

***FRIDAY, MAY 20, 2011***

**FINANCE**, Room 103, SH

Sen. Morse (C), Sen. Odell (VC), Sen. Barnes, Sen. Bragdon, Sen. D'Allesandro, Sen. Forrester, Sen. Gallus

Cancelled

**EXECUTIVE SESSION ON PENDING LEGISLATION INCLUDING HB 1-A  
AND HB 2-FN-A-L**

Cancelled

**EXECUTIVE SESSION ON PENDING LEGISLATION INCLUDING HB 1-A  
AND HB 2-FN-A-L**

## ***MONDAY, MAY 23, 2011***

### **FINANCE**, Room 103, SH

Sen. Morse (C), Sen. Odell (VC), Sen. Barnes, Sen. Bragdon, Sen. D'Allesandro, Sen. Forrester, Sen. Gallus

9:00 a.m. – 12:00 p.m.      **EXECUTIVE SESSION ON PENDING LEGISLATION INCLUDING HB 1-A AND HB 2-FN-A-L**

1:00 p.m. – 4:00 p.m.      **EXECUTIVE SESSION ON PENDING LEGISLATION INCLUDING HB 1-A AND HB 2-FN-A-L**

## ***TUESDAY, MAY 24, 2011***

### **COMMERCE**, Room 102, LOB

Sen. Prescott (C), Sen. White (VC), Sen. De Blois, Sen. Houde, Sen. Sanborn

10:00 a.m.                      **EXECUTIVE SESSION ON PENDING LEGISLATION**

### **EDUCATION**, Room 103, LOB

Sen. Stiles (C), Sen. Forsythe (VC), Sen. Carson, Sen. Kelly, Sen. Prescott

1:00 p.m.                      **EXECUTIVE SESSION ON PENDING LEGISLATION**

### **FINANCE**, Room 103, SH

Sen. Morse (C), Sen. Odell (VC), Sen. Barnes, Sen. Bragdon, Sen. D'Allesandro, Sen. Forrester, Sen. Gallus

1:00 p.m. – 3:00 p.m.      **EXECUTIVE SESSION ON PENDING LEGISLATION INCLUDING HB 1-A AND HB 2-FN-A-L**

## ***WEDNESDAY, MAY 25, 2011***

### **FINANCE**, Room 103, SH

Sen. Morse (C), Sen. Odell (VC), Sen. Barnes, Sen. Bragdon, Sen. D'Allesandro, Sen. Forrester, Sen. Gallus

Immediately Following      **EXECUTIVE SESSION ON PENDING LEGISLATION**

Senate Session                **INCLUDING HB 1-A AND HB 2-FN-A-L**

### **INTERNAL AFFAIRS**, Room 100, SH

Sen. Prescott (C), Sen. Lambert (VC), Sen. Bradley, Sen. Bragdon, Sen. Larsen

1:00 p.m.                      **EXECUTIVE SESSION ON PENDING LEGISLATION**

### **JUDICIARY**, Room 101, LOB

Sen. Houde (C), Sen. Carson (VC), Sen. Groen, Sen. Luther

2:00 p.m.                      **EXECUTIVE SESSION ON PENDING LEGISLATION**

## ***THURSDAY, MAY 26, 2011***

### **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**, Room 100, SH

Sen. Carson (C), Sen. Groen (VC), Sen. Larsen, Sen. Luther, Sen. White

9:30 a.m.                      **HB 390**, relative to the reinstatement and repeal of certain boards, commissions, councils, advisory committees, and task forces, and relative to the commission on the status of women.

**EXECUTIVE SESSION MAY FOLLOW**

### **JUDICIARY**, Room 101, LOB

Sen. Houde (C), Sen. Carson (VC), Sen. Groen, Sen. Luther

1:00 p.m.                      **HB 110**, requiring professional safety and security services personnel to report certain criminal offenses.

1:15 p.m.                      **HB 145**, permitting the audio and video recording of a law enforcement officer while in the course of his or her official duties.

**EXECUTIVE SESSION MAY FOLLOW**

# MEETINGS

## ***FRIDAY, MAY 20, 2011***

### **ADVISORY COUNCIL ON UNEMPLOYMENT COMPENSATION (RSA 282-A:128)**

9:00 a.m.	NH Employment Security 32 South Main Street Concord, NH	Special Meeting
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### **CHILD CARE ADVISORY COMMITTEE (RSA 126-A:17)**

9:00 a.m.	Dolloff Building 107 Pleasant Street Concord, NH	Regular Meeting
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### **JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m.	Rooms 205-207, LOB	Regular Meeting
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### **GUARDIAN AD LITEM BOARD (RSA 490-C:1)**

10:00 a.m.	Room 102, LOB	Non-Public session of the Complaint Review Committee
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### **NEW HAMPSHIRE RAIL TRANSIT AUTHORITY (RSA 238-A:2)**

10:00 a.m.	Room 201, LOB	Regular Meeting
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### **GUARDIAN AD LITEM BOARD (RSA 490-C:1)**

12:00 p.m.	Room 102, LOB	Regular Meeting
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### **NH-CANADIAN TRADE COUNCIL (RSA 12-A:2-g)**

2:00 p.m.	Upham-Walker House 18 Park Street Concord, NH	Topic: Overview of US Trade/Travel Policies – Presenter: Staff of Congressman Charles Bass
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## ***MONDAY, MAY 23, 2011***

### **INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c)**

9:00 a.m.	Room 101, LOB	Regular Meeting
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### **OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)**

9:00 a.m.	Room 305, LOB	Regular Meeting
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### **JOINT LEGISLATIVE HISTORICAL COMMITTEE (RSA 17-I:1)**

9:30 a.m.	Room 208, LOB	Regular Meeting
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### **HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)**

1:00 p.m.	Room 205, LOB	Regular Meeting
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### **ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21)**

3:00 p.m.	Room 101, LOB	Regular Meeting
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## ***TUESDAY, MAY 24, 2011***

### **HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)**

2:00 p.m.	Room 205, LOB	Mental Health & Substance Abuse Prevention & Treatment Subcommittee Meeting
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## ***THURSDAY, MAY 26, 2011***

### **HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)**

1:30 p.m.	Room 205, LOB	Medical Sharps Subcommittee Meeting
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### ***FRIDAY, MAY 27, 2011***

#### **ASSESSING STANDARDS BOARD (RSA 21-J:14-a)**

9:30 a.m.	New Hampshire Department of Revenue Administration 109 Pleasant Street Concord, NH	Regular Meeting
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#### **JOINT COMMITTEE ON LEGISLATIVE FACILITIES (RSA 17-E:1)**

11:00 a.m.	Room 100, SH	Regular Meeting
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### ***WEDNESDAY, JUNE 1, 2011***

#### **ADVISORY COMMITTEE ON THE EDUCATION OF CHILDREN/STUDENTS WITH DISABILITIES (RSA 186-C:3-b)**

4:30 p.m.	NH Department of Education Londergan Hall, Room 15 101 Pleasant Street Concord, NH	Regular Board Meeting
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### ***FRIDAY, JUNE 3, 2011***

#### **JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m.	Rooms 305-307, LOB	Continued Meeting
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#### **OSTEOPOROSIS ADVISORY COUNCIL (RSA 126-I:3)**

9:00 a.m.	Room 205, LOB	Regular Meeting
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#### **LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)**

1:00 p.m.	Room 104, LOB	Regular Meeting
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### ***MONDAY, JUNE 6, 2011***

#### **JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1)**

1:00 p.m.	Room 212, LOB	Regular Meeting
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### ***FRIDAY, JUNE 10, 2011***

#### **STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I)**

9:30 a.m.	Room 101, LOB	Regular Meeting
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### ***TUESDAY, JUNE 14, 2011***

#### **COMMITTEE TO STUDY THE 2009 NEW HAMPSHIRE CHILD SUPPORT GUIDELINES REVIEW AND RECOMMENDATIONS (HB 1193, Chapter 26:2, Laws of 2010)**

10:00 a.m.	Room 206, LOB	Work Session with UNH Team
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### ***FRIDAY, JUNE 17, 2011***

#### **JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)**

9:00 a.m.	Rooms 305-307, LOB	Regular Meeting
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#### **FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)**

10:00 a.m.	Rooms 210-211, LOB	Regular Business
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#### **GUARDIAN AD LITEM BOARD (RSA 490-C:1)**

1:00 p.m.	Room 102, LOB	Regular Meeting
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### ***MONDAY, JUNE 20, 2011***

#### **INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c)**

9:00 a.m.	Room 101, LOB	Regular Meeting
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**BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)**

1:00 p.m.                      Room 201, LOB                      Regular Meeting

***TUESDAY, JUNE 21, 2011*****LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1)**

3:00 p.m.                      Room 201, LOB                      Regular Business

***THURSDAY, JUNE 23, 2011*****HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)**

2:00 p.m.                      Division of Public Health Services                      Public Health Improvement Services  
    Room 312                      Subcommittee Meeting  
    29 Hazen Drive  
    Concord, NH

***FRIDAY, JUNE 24, 2011*****ASSESSING STANDARDS BOARD (RSA 21-J:14-a)**

9:30 a.m.                      New Hampshire Department                      Regular Meeting  
    of Revenue Administration  
    109 Pleasant Street  
    Concord, NH

**NEW HAMPSHIRE RAIL TRANSIT AUTHORITY (RSA 238-A:2)**

10:00 a.m.                      Room 201, LOB                      Regular Meeting

**WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62)**

10:00 a.m.                      Rooms 305-307, LOB                      Regular Meeting

***MONDAY, JUNE 27, 2011*****OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)**

9:00 a.m.                      Room 305, LOB                      Regular Meeting

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**SENATE BILLS AMENDED BY THE HOUSE**

**SB 21**, relative to exemptions from excavating and drainage permits.

**SB 33-FN**, relative to retired state employee contributions for medical benefits costs.

**SB 37**, relative to the determination of residency for certain pupils.

**SB 42**, relative to the declaration of consideration for purposes of the real estate transfer tax.

**SB 45**, relative to criteria for designation as a Granite State scholar.

**SB 53-FN**, relative to the definition of nursing and establishing a nursing assistant registry fund administered by the board of nursing.

**SB 56-FN**, authorizing the department of revenue administration to accept credit card and debit card payments of taxes.

**SB 58-FN-A**, adding qualified community development entities to the definition of "qualified investment company" under the business profits tax and the business enterprise tax.

**SB 64**, removing the oath requirement for criminal complaints filed by police officers.

**SB 78-FN-A-L**, relative to motor vehicle registration fees.

**SB 89**, establishing a study committee on the procurement of health insurance by employee leasing companies.

**SB 90**, directing the legislative oversight committee to study the consolidation of school administrative units.

**SB 91**, relative to automatic fire suppression sprinklers.

**SB 92**, establishing an economic strategic commission to review the relationship between business and government.

**SB 98**, revising the international registration plan.

**SB 99**, relative to trailer brakes.

**SB 100**, relative to the size limitations on OHRVs operating in Jericho Mountain state park, and the definition of utility terrain vehicle.

**SB 116**, relative to the manufactured housing installation standards board.

**SB 123**, relative to notification if a person found incompetent to stand trial and civilly committed is released into the community.

**SB 125-FN-A**, relative to the business profits tax deduction for reasonable compensation.

**SB 146-FN**, relative to requiring submission of a reduced spending alternative as part of the biennial budget process.

**SB 148-FN**, relative to health insurance coverage and declaring that the attorney general should join the lawsuit challenging the Patient Protection and Affordable Care Act.

**SB 156-FN-L**, authorizing retail vehicle dealers to act as agents of the division of motor vehicles for vehicle registrations and title applications.

**SB 161-FN**, relative to procedures for adoption of agency rules under the administrative procedures act.

**SB 196**, relative to the renomination or reelection of teachers and prohibiting assessing teacher performance based solely on assessment scores.

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## **ENROLLED BILL AMENDMENTS ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR 2011 BILLS:**

**SENATE BILLS:** 26, 35, 81, 147, 174

**HOUSE BILLS:** 35, 44, 55, 86, 132, 142, 246, 262, 284, 288, 339, 426, 571, 609, 621

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## **FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEB SITE AND ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR THE FOLLOWING 2011 BILLS:**

**SENATE BILLS:** 1, 3, 12, 20, 21, 22, 35, 53, 56, 58, 66, 70, 71, 72, 74, 75, 76, 81, 82, 83, 128, 129, 130, 131, 132, 133, 136, 138, 139, 142, 145, 147, 148, 151, 152, 154, 155, 156, 157, 159, 160, 161, 162, 163, 165, 168, 170, 183, 185, 186, 188

**HOUSE BILLS:** 26, 35, 72, 186, 205, 206, 210, 229, 231, 284, 289, 299, 330, 337, 411, 419, 444, 468, 488, 489, 528, 542, 557, 571, 601, 609, 621

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## **NOTICES**

In an effort to help Senate committee hearings run more efficiently, please note that if you have materials for distribution at a hearing bring with you enough copies for each of the Senators on the committee as well as two additional copies for the committee staff. If you wish to have copies available for members of the public please provide those as well. Thank you for your help and assistance.

Senator Peter Bragdon, Senate President

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Topics Needed for Performance Audit: The Joint Legislative Performance Audit and Oversight Committee (RSA 17-N) seeks input from House and Senate members for potential performance audit topics. LBA audit division is currently completing audits of the Division of State Police Forensic Laboratory and the self-funded State Employees Health Benefit Program. House and Senate members are encouraged to submit potential audit topics to Committee Chairman Senator Peter Bragdon or Committee Clerk Representative John Reagan. Subjects for performance audit should be focused on the member's perception of the problem they wish audited. Performance audits determine the degree with which the program fulfills the intent of the enabling legislation. For more information visit <http://www.gencourt.state.nh.us/lba>.

Senator Peter Bragdon, Senate President

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#### **FRIDAY, MAY 20, 2011**

In recognition of your support, the New Hampshire Law Enforcement Officers Memorial Committee cordially invites you to the 19<sup>th</sup> Annual New Hampshire Law Enforcement Officers Memorial Ceremony. The Ceremony will be held on Friday, May 20, 2011, beginning promptly at 10:00 a.m., on the memorial site in front of the Legislative Office Building. The Ceremony will proceed rain or shine. Refreshments will be served immediately following the event. Please do not hesitate to contact either Timothy J. Acerno of Fish and Game at 603-271-3128 or Chief Michael Greeley of the Deerfield Department at 603-464-7258 if you have any questions.

Senator Peter Bragdon, Senate President

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#### **TUESDAY, MAY 24, 2011**

All Legislators are cordially invited to join the New Hampshire Association of Regional Planning Commissions for breakfast on Tuesday, May 24<sup>th</sup>, from 8:00 a.m. to 10:00 a.m. in the State House cafeteria. Come and meet the staff and learn about the Regional Planning Commission in your district.

Senator Jeb Bradley, Senate Majority Leader

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#### **WEDNESDAY, MAY 25, 2011**

The New Hampshire Snowmobile Association would like to invite all Senate members to a reception to be held in the State House cafeteria on Wednesday, May 25, 2011 from 7:30 a.m. to 9:30 a.m. Please come by and have a cup of coffee and a quick snack prior to session.

Senator Jeb Bradley, Senate Majority Leader  
Senator Sylvia B. Larsen, Senate Minority Leader

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#### **SUNDAY, JUNE 5, 2011**

Members of the House and Senate are invited to the Johnson Bay Ribbon-Cutting Ceremony to be held on Sunday, June 5, 2011 at 2:00 p.m. in Meredith. SB 85 was an act naming a bay in the Town of Meredith after Senator Johnson and his wife, Jeanette. Johnson Bay was signed into law by the Governor on April 28, 2011.

Directions to 42 Dale Road, Meredith, NH:

From points north and south: Take exit 23 on I-93. Head east on NH Route 104 towards Meredith. Follow for about 8 miles to the end. Turn left onto US Route 3 North. Follow for 1 mile to the lights and bear right onto NH Route 25 East. Follow for 0.1 miles and turn right onto Pleasant Street/Meredith Neck Road. Follow for a total of 2.5 miles and turn right onto Old Hubbard Road. Follow for 1 mile (keeping left at the first fork) to a three-way intersection. Take the middle road, which is Dale Road. #42 will be on the left at 0.3 miles.

Senator Jeanie L. Forrester

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## SENATE SCHEDULE

Monday, May 30, 2011	Memorial Day (State Holiday)
Thursday, June 02, 2011	Last Day to ACT on all House bills.
Wednesday, June 08, 2011	Last Day to FORM Committees of Conference.
Thursday, June 16, 2011 at 12:00 p.m.	Last Day to SIGN Committee of Conference Reports.
Thursday, June 23, 2011	Last Day to ACT on Committee of Conference Reports.
Monday, July 4, 2011	Fourth of July (State Holiday)
Monday, September 5, 2011	Labor Day (State Holiday)
Friday, November 11, 2011	Veterans' Day (State Holiday)
Thursday, November 24, 2011	Thanksgiving Day (State Holiday)
Friday, November 25, 2011	Day after Thanksgiving (State Holiday)
Monday, December 26, 2011	Christmas Day (State Holiday)

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### VISITORS' CENTER SCHEDULE – MAY & JUNE

#### State House Visitation Schedule

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in 2011. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule is tightly booked for the school year and subject to changes.

Please contact the Visitors' Center concerning school tour booking information. Legislators planning to meet with students should notify the Visitors' Center. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director  
Deborah Rivers, Public Information Administrator

<i><b>DATE</b></i>	<i><b>TIME</b></i>	<i><b>GROUP</b></i>	<i><b>Group#/Grade</b></i>
May 20	9:45	Ray School – Hanover	45/4
May 20	10:30/12:00 SH/SC	Memorial School – Newton	60/4
May 23	10:00	Maple Ave School – Claremont	55/4
May 23	11:30	Sacred Heart School – Hampton	28/4
May 23	12:30	Conway Elementary School	35/4
May 23	2:00	Villa Crest Nursing Home – Manchester	14/Srs
May 24	9:00	Merrimack Middle School	50/8
May 24	10:30	Open World Program/NHCADSV – Russians	10
May 24	9:00	Florence Ride Out School	45/4
May 24	1:00	Camp Allen – Bedford	20
May 25	10:00/11:30	Wm. Barron School – Salem	82/4
May 25	12:30	Russell Elementary School – Rumney	25/4
May 26	9:00	Merrimack Middle School	50/8
May 26	10:00	Newfields Elementary School	32/4
May 26	11:00	Bakersville Elementary School – Manchester	43/4
May 26	12:00	St. Elizabeth Seton School – Rochester	22/4
May 27	9:15	St. Thomas School of Derry	45/3&4
May 27	10:00	Lin-Wood School – Lincoln	32/4
May 27	11:00	New Hampton School	26/4
May 27	12:30	Holderness Central School	22/4
May 31	9:00	Hollis Brookline High School	46/HS
May 31	9:45/11:00 SH/HM	Richards School – Newport	80/4



<b>DATE</b>	<b>TIME</b>	<b>GROUP</b>	<b>Group#/Grade</b>
May 31	11:30	Northwood Elementary School	60/4
June 1	9:30	Mountain Shadows School – Dublin	10/6
June 1	10:00	Kensington Elementary School	40/4
June 1	11:00	Dunbarton Elementary School	31/4
June 2	10:00	Salisbury/Webster Elementary Schools	30/4
June 2	10:00	Cornerstone Christian Academy – Ossipee	10/4
June 2	11:00	Birch Hill Elementary School – Nashua	77/4
June 3	9:00/10:30 SH/SC	Riddle Brook Elementary School – Bedford	80/4
June 3	11:30	William E. Lancaster School – Salem	
June 6	9:00	John Fuller School – No. Conway	28/4
June 6	10:15/11:30 SH/Giftshop	Pelham Elementary School	100/4
June 7	9:00	Andover Elementary Middle School	54/3&4
June 7	10:00/11:30 SH/HM	Interlakes Elementary School – Meredith	80/4
June 7	12:30	Conant Rumford School – Concord	45/4
June 8	10:15/11:30 SH/Giftshop	Pelham Elementary School	75/4
June 8	12:30	Conant Rumford School – Concord	45/4
June 9	10:15	Winchester School	60/4
June 9	12:30	Milton Elementary School	44/4
June 10	9:00/10:30 SH/SC	Riddle Brook Elementary School – Bedford	80/4
June 10	11:30	Jonathan Daniels School – Keene	29/4
June 10	1:30	Home School from Chesterfield	
June 13	9:00	Ben Franklin Elementary School – Keene	35/4
June 13	10:00	Plymouth Elementary School	43/4
June 13	11:30	Lakeway Elementary School – Littleton	60/4
June 14	9:15/10:30 SH/HM	Smyth Road School – Manchester	96/4
June 15	9:00/10:30 SH/HM	Maple St. School – Hopkinton	64/4
June 15	11:00/12:00	Northwest Elementary School – Manchester	100/4
June 16	9:45	Lincoln-Akerman School – Hampton Falls	44/4
June 17	12:30	Boscawen Elementary School – Gettysburg	
		Recitation Group	12/5