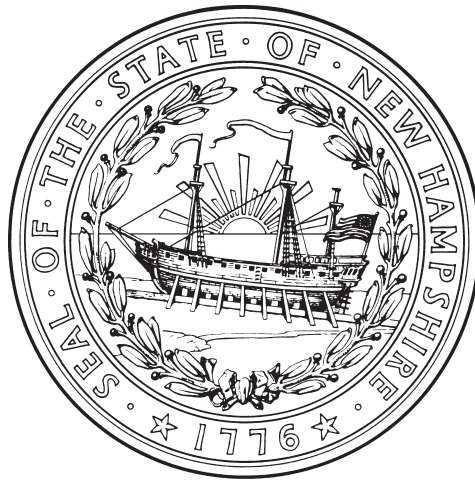


June 27, 2007
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STATE OF NEW HAMPSHIRE

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Legislative

SENATE JOURNAL

ADJOURNMENT – JUNE 14, 2007 SESSION
COMMENCEMENT – JUNE 27, 2007 SESSION

SENATE JOURNAL 23 (*Cont.*)

June 14, 2007

HOUSE MESSAGE

The House of Representatives concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 87, relative to the exceptions to compulsory school attendance.

HB 94, relative to overpayments of child support.

HB 194, relative to laboratories conducting alcohol concentration tests and relative to the alcohol ignition interlock program.

HB 205, relative to procedures for certain court ordered out-of-district placements.

HB 305, establishing a task force to develop legislation for expanding access to affordable health insurance for the 2008 and 2009 legislative session.

HB 661-FN-A, establishing an executive planning commission on special education.

HB 707, relative to the time frames for hearings in domestic violence cases.

HB 822, relative to enrollment of students in regional vocational schools.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 140, establishing the New Hampshire commission on deafness and hearing loss.

HB 148, establishing a commission to study pharmaceutical costs and the 340B Drug Pricing Program.

HB 319, relative to permits for projects funded through the Emergency Watershed Protection Program.

HB 337, relative to penalties for failure to have workers' compensation coverage and continually appropriating a special fund.

HB 383, relative to waterfront buffer and woodland buffer requirements in the comprehensive shoreland protection act.

HB 471-FN-A, relative to workers' compensation compliance in the construction sector and continually appropriating a special fund.

HB 517, establishing a commission to investigate cost drivers in providing health care and establishing the New Hampshire Rx advantage program and continually appropriating a special fund and making an appropriation therefor.

HB 731, relative to the use of vehicle information or location tracked by an electronic toll collection system.

HB 797, regulating mandatory overtime for nurses and assistants.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 143, relative to the apportionment of damages in civil actions.

HB 511, increasing the total prize value of a bingo game or series of games.

HB 663-FN-A, relative to the protected shoreland permitting process and establishing and funding positions within the department of environmental services.

HB 664-FN, relative to annual dam registration and permit application fees and authorizing the city of Manchester to establish a stormwater utility.

HB 710, establishing a commission to study issues relative to the practice of leasing state-owned real estate on the shores of public waters.

HOUSE MESSAGE

The House of Representatives concurs with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 206, relative to the disclosure of certain livestock health information.

HB 407-FN-A, relative to assistance for milk producers.

HB 416, relative to mercury reduction and establishing a committee to study methods of improving the recycling rate in New Hampshire for mercury-added thermostats.

HB 672, establishing a commission to study requirements for safe and secure landfills.

HB 699, establishing a commission to study methods and costs of sewage, sludge, and septage disposal.

HB 812, relative to certain exceptions to limits on land application of septage and sludge.

HB 914-L, establishing a committee to study issues related to cooperative school districts.

HOUSE MESSAGE

The House of Representatives refuses to concur with the Senate in its amendments to the following entitled House Bills sent down from the Senate:

HB 597-FN, relative to expenditure caps for institutional health facilities under the certificate of need law.

HB 833, establishing a committee to study the outsourcing of jobs involving state contracts.

CONFEREE CHANGES

HB 429, relative to nominations by multiple parties.

CONFEREE CHANGE: SENATOR FOSTER REPLACED SENATOR LETOURNEAU.

SB 35-FN-A, making an appropriation for disaster relief assistance in response to the May 2006 floods and establishing a committee to study the distribution of financial disaster assistance.

CONFEREE CHANGE: SENATOR BURLING REPLACED SENATOR ODELL.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 35-FN-A, making an appropriation for disaster relief assistance in response to the May 2006 floods and establishing a committee to study the distribution of financial disaster assistance.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: King, David Smith, Stepanek and Foster.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 52, relative to authorizing the attorney general to bring actions for violations of New Hampshire combination and monopolies law.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: DeStefano, Butler, Houde and Marshall Quandt.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 67-FN-A, relative to implementation of the recommendations of the YDC master plan and making an appropriation therefor.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Rausch, Long, Cloutier and Emerton.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 91, relative to political contributions by corporations, partnerships, and labor unions.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Clemons, Weed, Claudia Chase and Jasper.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 106, allowing lobbyists and those connected with lobbyists to sit on committees established by the judicial branch.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Michael Rollo, Lee Hammond, Hager and Clemons.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 143, naming Jericho Mountain state park and establishing ATV and trail bike trails in such park.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Brueggemann, Gottling, Kepner and David Russell.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 161-FN, relative to the registration fees for mortgage servicing companies.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Reardon, Hunt, DeStefano and Nord.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 170-FN, establishing an office of mediation and arbitration within the judicial branch.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Lasky, Baxley, Shurtleff and Mooney.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 176-FN, relative to lead paint poisoning and establishing a commission to study the current childhood lead poisoning prevention law, policies, and standards.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Rosenwald, Bridgham, Carolyn Brown and Emerton.

CONFEREE CHANGE

CONFEREE CHANGE: Senator Barnes replaces Senator Roberge.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 187, relative to motor vehicles operated in parades.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Ryan, Cunningham, Nedeau and C. Pennington Brown.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 188, relative to unfair claim settlement practices by insurers.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Houde, Butler, Martin and Reardon.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 204-FN-A, relative to collection of debts owed the state.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Harding, Hawkins, Beck and Eric Anderson.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 215-FN-A, making an appropriation for AIDS services.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Donovan, Daler, MacKay and Mitchell.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 217-FN-A, establishing the New Hampshire housing and conservation planning program.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Osborne, Cooney, Butterworth and Baroody.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 233-FN, relative to sales by beverage manufacturers and relative to the definition of specialty beer.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Reardon, Hunt, Butler and DeStefano.

HOUSE MESSAGE

The House of Representatives accedes to the request of the Senate for a Committee of Conference on the following entitled Bill:

SB 235-FN-A, relative to milk support for dairy farmers.

and the Speaker, on the part of the House of Representatives, has appointed as members of said Committee of Conference:

REPRESENTATIVES: Phinizy, O'Connell, Sad and Hamm.

June 21, 2007
2007-2313-EBA
03/01

Enrolled Bill Amendment to HB 517

The Committee on Enrolled Bills to which was referred HB 517

AN ACT establishing a commission to investigate cost drivers in providing health care and establishing the New Hampshire Rx advantage program and continually appropriating a special fund and making an appropriation therefor.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 517

This bill makes a technical correction and corrects certain references in the bill.

Enrolled Bill Amendment to HB 517

Amend RSA 161-L:4, II as inserted by section 7 of the bill by replacing line 5 with the following:
the federal Social Security Act, Title XIX.

Amend RSA 318:5-a, XVIII as inserted by section 9 of the bill by replacing line 1 with the following:

XVIII. Disclosure and confidentiality relative to the New Hampshire Rx advantage

Amend section 10 of the bill by replacing line 1 with the following:

10 New Subparagraph; New Hampshire Rx Advantage Program Fund. Amend RSA 6:12, I(b) by

Adopted.

June 8, 2007
2007-2129-EBA
05/10

Enrolled Bill Amendment to HB 590-FN

The Committee on Enrolled Bills to which was referred HB 590-FN

AN ACT changing the state migratory waterfowl stamp into a license issued by the fish and game department.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 590-FN

This enrolled bill amendment inserts a contingency to provide for changes to an RSA section also amended by HB 623-FN.

Enrolled Bill Amendment to HB 590-FN

Amend the bill by replacing all after section 3 with the following:

4 State Migratory Waterfowl License. RSA 214:1-d is repealed and reenacted to read as follows:

214:1-d State Migratory Waterfowl License Required.

I. No person shall at any time hunt, shoot, pursue, kill, or take migratory waterfowl without first procuring, in addition to the applicable hunting license required by RSA 214 and the federal duck stamp required by RSA 209:6, a license to do so under RSA 214:9, XII, for the same period. A person under the age of 16 years may hunt, shoot, pursue, kill, or take migratory waterfowl without such a license, provided that, while so doing, he or she is accompanied by an adult who has procured such a license. For the purpose of this section "migratory waterfowl" shall mean ducks, mergansers, coots, geese, and brant.

II. Any person who violates any provision of this section or RSA 214:9, XII shall be guilty of a violation and shall be guilty of a separate offense for each migratory waterfowl bird taken.

5 Contingency. If HB 623-FN of the 2007 legislative session becomes law, section 2 of this act shall not take effect and section 4 of this act shall take effect on January 1, 2008 at 12:01 a.m. If HB 623-FN of the 2007 legislative session does not become law, section 2 of this act shall take effect on January 1, 2008 and section 4 of this act shall not take effect.

6 Effective Date.

I. Sections 2 and 4 shall effect as provided in section 5 of this act.

II. The remainder of this act shall take effect January 1, 2008.

Adopted.

**June 19, 2008
2007-2230-EBA
03/01**

Enrolled Bill Amendment to HB 611

The Committee on Enrolled Bills to which was referred HB 611

AN ACT relative to payment of wages by automated pay card.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 611

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 611

Amend RSA 275:43, I(b) as inserted by section 2 of the bill by replacing it with the following:

(b) By electronic fund transfer [~~at no cost to the employee,~~];

Amend RSA 275:43, I as inserted by section 2 of the bill by replacing lines 17-19 with the following:

the full amount of the wages due;

provided, however, that if an employer elects to pay employees as specified in subparagraphs (b) [~~or~~], (c), **or (d)**, the employer shall offer employees the option of being paid as specified in subparagraph [~~(d)~~] (**e**), and further provided that all wages in the nature of

Amend RSA 275:43, VII(e) as inserted by section 2 of the bill by replacing line 2 with the following:
compensatory time off including the Fair Labor Standards Act of 1938, 29 [USE] **U.S.C.** section 207. The
Adopted.

June 12, 2007
2007-2141-EBA
03/01

Enrolled Bill Amendment to HB 689

The Committee on Enrolled Bills to which was referred HB 689

AN ACT establishing a commission to study production and distribution of biodiesel fuel in New Hampshire.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 689

This enrolled bill amendment corrects a reference in the bill.

Enrolled Bill Amendment to HB 689

Amend section 2 of the bill by replacing subparagraph I(d) with the following:

(d) The director of the office of energy and planning, or designee.

Adopted.

June 12, 2007
2007-2142-EBA
03/01

Enrolled Bill Amendment to HB 722

The Committee on Enrolled Bills to which was referred HB 722

AN ACT relative to the rivers management protection program.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 722

This enrolled bill amendment makes a grammatical correction and corrects references in the bill.

Enrolled Bill Amendment to HB 722

Amend the bill by replacing section 3 with the following:

3 New Subparagraph; Rivers Management Advisory Committee. Amend RSA 483:8, I by inserting after subparagraph (j) the following new subparagraph:

(k) A representative of local river management advisory committees from a list of 3 nominees submitted by the commissioner.

Amend RSA 483:10, III as inserted by section 6 of the bill by replacing line 1 with the following:

III. River corridor management plans developed according to this section may include

IV.

Adopted.

June 12, 2007
2007-2136-EBA
05/01

Enrolled Bill Amendment to HB 790-FN

The Committee on Enrolled Bills to which was referred HB 790-FN

AN ACT relative to dependent coverage for health insurance and establishing the joint legislative oversight committee on insurance expansion initiatives.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 790-FN

This enrolled bill amendment makes certain technical corrections to the bill and inserts a contingency to renumber an RSA section if HB 636-FN of the 2007 legislative session becomes law.

Enrolled Bill Amendment to HB 790-FN

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

AN ACT relative to dependent coverage for health insurance.

Amend RSA 420-C:4-a, I(d) as inserted by section 4 of the bill by replacing line 1 with the following:

(d) Is not provided coverage as a named subscriber, insured, enrollee, or covered person

Amend RSA 420-F:5-a, I(d) as inserted by section 5 of the bill by replacing line 1 with the following:

(d) Is not provided coverage as a named subscriber, insured, enrollee, or covered person

Amend RSA 420-F:5-a, VI(a) as inserted by section 5 of the bill by replacing line 2 with the following:
be provided to a subscriber:

Amend the bill by inserting after section 8 the following and renumbering the original section 9 to read as 10:

9 Contingency. If HB 636-FN of the 2007 legislative session becomes law, RSA 420-J:8-c as inserted by section 6 of this act and the reference to RSA 420-J:8-c in section 7 of this act shall be renumbered to read as RSA 420-J:8-d.

Adopted.

June 12, 2007
2007-2140-EBA
08/09

Enrolled Bill Amendment to HB 826-FN

The Committee on Enrolled Bills to which was referred HB 826-FN

AN ACT relative to coverage of services and items under the medical assistance program.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 826-FN

This enrolled bill amendment makes grammatical corrections.

Enrolled Bill Amendment to HB 826-FN

Amend RSA 167:3-h, I as inserted by section 1 of the bill by replacing lines 2-3 with the following:

disabilities with coverage of medically necessary services and items under the medical assistance program so that they may live in their homes and communities as independently as possible and with

Adopted.

June 14, 2007
2007-2148-EBA
04/10

Enrolled Bill Amendment to HB 895-FN

The Committee on Enrolled Bills to which was referred HB 895-FN

AN ACT relative to licensure of court reporters.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 895-FN

This enrolled bill amendment inserts a subdivision heading and makes technical corrections to the bill.

Enrolled Bill Amendment to HB 895-FN

Amend section 1 of the bill by inserting after line 2 the following subdivision heading immediately preceding RSA 310-A:161:

Court Reporters

Amend RSA 310-A:165 as inserted by section 1 of the bill by replacing line 1 with the following:

310-A:165 Designation as Licensed Court Reporter. Any person holding a valid license as a

Amend RSA 310-A:173 as inserted by section 1 of the bill by replacing line 1 with the following:

310-A:173 Term of License; Renewal. The term of licensure under this subdivision shall be every

Amend RSA 310-A:177 as inserted by section 1 of the bill by replacing line 11 with the following:

remedies given by this subdivision shall not be exclusive of any other remedy which would otherwise

Adopted.

June 12, 2007

2007-2139-EBA

04/10

Enrolled Bill Amendment to HB 921-FN

The Committee on Enrolled Bills to which was referred HB 921-FN

AN ACT making technical changes in the insurance laws.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 921-FN

This enrolled bill amendment contingently renumbers an RSA section to avoid a conflict with HB 790-FN of the 2007 legislative session.

Enrolled Bill Amendment to HB 921-FN

Amend the bill by inserting after section 39 the following and renumbering the original sections 40 and 41 to read as 41 and 42, respectively:

40 Contingent Renumbering. If HB 790-FN of the 2007 legislative session becomes law, then RSA 420-C:4-a and RSA 420-C:4-b, as inserted by section 18 of this act, shall be renumbered as RSA 420-C:4-b and RSA 420-C:4-c, respectively.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

SB 18-FN, raising the age of required attendance of children in school.

SB 60-FN, relative to compensations for injuries and illnesses suffered by national guard members on state active duty.

SB 97, relative to unemployment administrative contributions and the training fund, and transferring the job training program administered by the department of regional community-technical colleges to the department of resources and economic development.

SB 101, relative to payment of costs for certain students attending alternative education programs.

SB 111, permitting a dam to be constructed on Lake Ivanhoe in the town of Wakefield.

SB 133-FN, relative to the escrow fund for court facility improvements.

SB 154, relative to the worker's compensation compliance statement.

SB 219-FN, establishing a committee to study the effectiveness of current preservation planning tools designed to prevent unnecessary demolitions of significant historic properties and recommend new incentives to aid communities, improvements to existing methods, or creation of new programs.

SB 229, relative to restitution ordered against an inmate.

SB 231, exempting certain department of corrections practices and procedures from the provisions of RSA 541-A.

Senator D'Allesandro moved adoption.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

HB 43, relative to the procedure for establishing Medicaid reimbursement rates; relative to reimbursement rates for hospital-based physician and outpatient services; and establishing a committee to study Medicaid payments for hospital-based physician and outpatient services.

HB 119, relative to the sunset provision of the system benefits charge and the use of funds to pay administrative costs.

HB 184, repealing the parental notification law.

HB 236, relative to the use of "farmer's markets" in trade names.

HB 272, relative to presidential primary elections and relative to election affidavits.

HB 316, relative to the 5-year assessment review by the department of revenue administration, and ratifying certain actions of the 2007 Kearsarge regional school district meeting.

HB 345, relative to certification of death certificates.

HB 365, regulating the practice of foreclosure consultants and pre-foreclosure conveyances.

HB 393, relative to information filed by utilities paying the utility property tax.

HB 397, relative to restricted drivers' licenses.

HB 457, allowing local governing bodies to restrict lawn watering during declared droughts.

HB 649, relative to the disposition of real estate given, devised, or bequeathed to a town for charitable or community purposes.

HB 685, prohibiting New Hampshire from participating in a national identification card system, and establishing a death benefit to be paid to the family of a police officer or firefighter killed in the line of duty and establishing a committee to study the eligibility for and award of the benefit.

HB 694, establishing a commission to study the feasibility of tidal power generation under the Little Bay and General Sullivan Bridges, in Dover.

HB 718-FN, establishing a committee to study the cost, quality, accountability and oversight standards used by the state when contracting with private entities for delivery of public services.

HB 768, relative to voluntary registration with the Eastern Climate Registry.

HB 898, relative to the use of sled dogs and the training of sled dogs on state trails.

HB 917, relative to the duties of the oversight committee on telecommunications.

Senator D'Allesandro moved adoption.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

HB 54, establishing a commission to study automobile recycling issues.

HB 94, relative to overpayments of child support.

HB 143, relative to the apportionment of damages in civil actions.

HB 194, relative to laboratories conducting alcohol concentration tests and relative to the alcohol ignition interlock program.

HB 206, relative to the disclosure of certain livestock health information.

HB 319, relative to permits for projects funded through the Emergency Watershed Protection Program.

HB 416, relative to mercury reduction and establishing a committee to study methods of improving the recycling rate in New Hampshire for mercury-added thermostats.

HB 511, increasing the total prize value of a bingo game or series of games.

HB 689, establishing a commission to study production and distribution of biodiesel fuel in New Hampshire.

HB 707, relative to the time frames for hearings in domestic violence cases.

HB 722, relative to the rivers management protection program.

HB 731, relative to the use of vehicle information or location tracked by an electronic toll collection system.

HB 790-FN, relative to dependent coverage for health insurance.

HB 797, regulating mandatory overtime for nurses and assistants.

HB 812, relative to certain exceptions to limits on land application of septage and sludge.

HB 826-FN, relative to coverage of services and items under the medical assistance program.

HB 921-FN, making technical changes in the insurance laws.

SB 260-FN, relative to the location and budget practices of the lottery commission.

Senator D'Allesandro moved adoption.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

HB 44, relative to the authority of authorized persons to take custody of nuisance dogs.

HB 46-FN-A-L, making an appropriation to fund kindergarten programs in the Merrimack, Hampstead, Goffstown, Fremont, and Timberlane regional school districts.

HB 148, establishing a commission to study pharmaceutical costs and the 340B Drug Pricing Program.

HB 256, relative to the duties and powers of town treasurers.

HB 286-FN, relative to a Medicaid waiver for family planning services.

HB 305, establishing a task force to develop legislation for expanding access to affordable health insurance for the 2008 and 2009 legislative session.

HB 406, relative to access to state child support enforcement records.

HB 491, establishing a public health improvement services council.

HB 499, relative to the innovation research center.

HB 536, relative to the regulation of martial arts schools.

HB 583-FN, relative to funding for HIV/AIDS services.

HB 672, establishing a commission to study requirements for safe and secure landfills.

HB 699, establishing a commission to study methods and costs of sewage, sludge, and septage disposal.

HB 710, establishing a commission to study issues relative to the practice of leasing state-owned real estate on the shores of public waters.

HB 782-FN, relative to reinsurance intermediaries, conduct of examinations, and certain business transfer tax credits.

HB 862-FN, establishing an incapacitated adult fatality review committee.

HB 914-L, establishing a committee to study issues related to cooperative school districts.

SB 47-FN-A, making a supplemental appropriation for school building aid.

SB 55-FN, establishing a committee to study the efficacy of the Master Settlement Agreement and strategies for addressing the financial burden imposed on the state by cigarette smoking and the use of tobacco products.

SB 59, establishing a committee to study the effect on the unemployment compensation trust fund of employers with negative balance separate accounts.

SB 68-FN-A, making an appropriation to the department of environmental services to implement the New Hampshire estuaries project's comprehensive conservation and management plan.

SB 76-FN-L, establishing a commission to study the proper allocation of costs for transporting convicted persons and methods for minimizing the costs of transporting convicted persons.

SB 153, establishing a commission to study changing statutory references to "mental retardation."

Senator D'Allesandro moved adoption.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

HB 49, relative to eligibility for admittance to the New Hampshire veterans' home.

HB 102, defining "food" for purposes of the alcoholic beverages laws.

HB 180-FN, relative to pay and allowances for officers and enlisted members of the national guard.

HB 221, removing the requirement that the department of transportation report certain information relative to highway activity to the department of administrative services.

HB 248, eliminating separate dedicated accounts in the fish and game department and transferring the sums into the fish and game fund.

HB 336, requiring notice of the classifications of employee and independent contractor.

HB 344, relative to conduct of recounts.

HB 395-FN, relative to penalties for computer crime.

HB 439, relative to certain rulemaking authority of the commissioner of environmental services.

HB 446, relative to criminal threatening in a safe school zone.

HB 448-L, relative to early renewals of vehicle registrations.

HB 480, relative to party columns listing names on ballots.

HB 534, relative to political committees of political parties.

HB 543, establishing a committee to study the licensing process for licensed alcohol and drug counselors.

HB 554, requiring that funds in the civil legal services fund be distributed to New Hampshire Legal Assistance to establish an office in Concord.

HB 598-FN-A, repealing certain foreign dividend deductions under the business profits tax and repealing an exemption to the real estate transfer tax.

HB 599-FN, relative to fees for meals and rentals licenses.

HB 602-FN, relative to child support enforcement.

HB 703, relative to day reporting programs in the county department of corrections.

HB 733-FN, relative to certain authority and procedures of the department of revenue administration.

HB 813-FN, expanding the definition of income of the land conservation investment program monitoring endowment.

HB 844-FN, authorizing the commissioner of revenue administration to issue demands for records for purposes of interest and dividends tax audits and to seize and destroy unstamped and invalidly stamped tobacco products.

HB 849, relative to rent payments by voucher issued by a state or municipal agency.

HB 866, relative to the right-to-know law application to public utilities commission matters.

SB 56, relative to Old Drewsville Road in the town of Walpole.

Senator D'Allesandro moved adoption.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

HB 64-FN, relative to driving a commercial motor vehicle while violating an out-of-service order.

HB 103, establishing a commission to study the state highway trust fund and relative to the classification of certain roads in the town of Hooksett.

HB 219, relative to the membership of the wetlands council.

HB 252-FN, relative to exemptions from the permitting process for excavating and dredging.

HB 292, relative to consideration of the preference of a mature minor in the modification of parental rights and responsibilities.

HB 472-FN, increasing fees for hazardous waste management and contaminated site cleanup and changing reporting requirements.

HB 623-FN, establishing a game management account in the fish and game fund and transferring certain other fish and game accounts into the game management account.

HB 727-FN, establishing a commission to study health insurance coverage in the construction industry.

HB 743, relative to the rights of crime victims while making a victim impact statement.

HB 918-FN, relative to motor vehicle registrations for manufacturers.

SB 136, relative to the attorney general's authority to appoint, organize, and assign investigatory personnel at the department of justice.

SB 152, relative to permanency planning for delinquent children, abused and neglected children, and children in need of services.

SB 265-FN, relative to the state apprenticeship council and the regulation of apprenticeship programs.

Senator D'Allesandro moved adoption.

Adopted.

Out of Recess.

LATE SESSION

Senator Foster moved that the Senate adjourn from the late session.

Adopted.

Adjournment.

SENATE JOURNAL 24

June 27, 2007

The Senate met at 10:00 a.m.

A quorum was present.

The Reverend David P. Jones, chaplain to the Senate, offered the prayer.

God, You are the author of the Great Story but we are each invited to write our own subplot. Lead us, as You led the children of Israel from Egypt, toward a kind of freedom that enables us to know not only what to do but keeps us closely connected to why we do it. Amen

Senator Fuller Clark led the Pledge of Allegiance.

INTRODUCTION OF GUESTS COMMITTEE OF CONFERENCE REPORTS

CLERK'S NOTE

A complete version of the Committee of Conference Report on House Bill 1, (Senate Journal 24, pages 721-1275) can either be viewed online or at the following locations: Senate Clerk's Office, House Clerk's Office, Senate President's Office, House Speaker's Office, Senate Minority Office, the House Minority Office, or the State Library.

June 21, 2007
2007-2349CofC
04/10

Committee of Conference Report on HB 1-A, an act making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

1.08 Budget Footnotes; General.

A. Data Processing Services. The department of administrative services and the department of health and human services shall, prior to performing data processing services for any department, board, commission, institution or other agency, enter into a written agreement specifying in detail the services to be performed and the cost to the agency. Said agreement shall be binding on both agencies. Any change or modification in the services to be performed shall likewise be agreed to in writing and shall specify the change and the adjustment to the cost. Any dispute relative to such agreements shall be resolved by the department of justice. The provisions of this paragraph shall not permit any state department, board, commission, institution or other agency to contract for data processing services without the approval of the department of administrative services.

B. Revenue shall be deposited with the state treasurer as unrestricted revenue.

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

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

E. The funds in this appropriation are for general overhead state charges and such sums shall be transferred by the agency to the general fund of the state consistent with federal requirements.

F. This appropriation shall not lapse until June 30, 2009.

G. The funds in this appropriation shall not be transferred or expended for any other purpose and shall not lapse until June 30, 2009.

H. The funds in this appropriation shall not be transferred or used for any other purpose and shall not lapse until June 30, 2009. No additions or deletions may be made from those projects authorized for funding from the original maintenance survey except in an emergency situation and then only after consultation with the administrator of the department of transportation and approval by the commissioner of the department of administrative services.

I. In the event that estimated revenue is less than budgeted, the total appropriation shall be reduced by the amount of the shortfall in either actual or projected budgeted revenue. The agency head shall notify the bureau of accounting services forthwith, in writing, as to precisely which line item appropriation and in what specific amounts reductions are to be made in order to fully compensate for the total revenue deficits. The provisions of this footnote do not apply to federal funds covered by RSA 124:14.

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

K. The funds in this appropriation are for the lease of state-owned equipment from the department of transportation operations division, mechanical services bureau, and shall not be transferred or expended for any other purpose. Transfers may be made between funds appropriated in class 25 in other PAU's with prior approval of the capital budget overview committee and thereafter the fiscal committee and governor and council.

GENERAL SECTIONS

2 General Fund and Total Appropriation Limits. The amount included in PAU 06-06 (higher education fund) under estimated source of funds from general funds shall be the total appropriation from general funds for such PAU that may be expended for the purpose of section 1 of this act. Any funds received by said agency from other than general funds are hereby appropriated for the use of the agency and may be expended by said agency whether or not this will result in an appropriation and expenditure by the agency in excess of the total appropriation therefore.

3 Assignment of Office Space. If, during the biennium ending June 30, 2009, because of program reductions, consolidations, or any other reason, office space becomes available in the health and human services complex, the Hayes building, or any other state building, except office space under the control of the legislature pursuant to RSA 14:14-b, the commissioner of administrative services shall, with the prior approval of the fiscal committee, and with the approval of the governor and council, require that any agency renting private space be required to occupy such available space in said building or buildings forthwith. Such funds as have been allocated or committed by any agency affected by this section for outside rental shall be transferred by the director of the division of accounting services to the bureau of general services, PAU 01-04-04-05-01 for maintenance of state buildings.

4 Lottery Commission; Authority Granted. For the biennium ending June 30, 2009, in order to provide sufficient funding to the lottery commission to carry out lottery programs that will provide funds for distribution in accordance with RSA 284:21-J, the commission shall apply to the fiscal committee of the general court for approval of any new lottery programs or for the purchase of any tickets for new or continuing games.

Additionally, no expenditures for consultants shall be made without prior approval by the fiscal committee. If approved, the commission may then apply to the governor and council to transfer funds from the sweepstakes revenue special account. The total of such transfers shall not exceed \$5,000,000 for the biennium ending June 30, 2009.

5 Appropriation of Unrestricted Motor Vehicle Revenue. All sums received by the division of motor vehicles or the division of state police, department of safety, from any source, which are not derived from registration fees, drivers licenses, gasoline road tolls, or any other special charges or taxes with respect to the operation of motor vehicles or the sale or consumption of motor vehicle fuel, including revenue received from fines and forfeitures assessed against any violator of any law of the state, other than RSA 266:18 through 266:26, or of any political subdivision thereof relative to the use and operation of motor vehicles, whether the violator is apprehended or prosecuted by an employee of the state or any political subdivision thereof, shall be paid to the state treasurer and shall, for the biennium ending June 30, 2009, be available for expenditure as unrestricted general fund revenues of the state. Fines and forfeitures assessed against any violator of RSA 266:18 through 266:26 shall be available as unrestricted highway fund revenue.

6 Positions Abolished. The following positions are hereby abolished forthwith effective at the close of business on June 30, 2007, or later, as specifically indicated:

Office of Information Technology

01-03-06-01-00	9U387, 9U462
01-03-06-03-00	9U511, 9U514, 9U515,
01-03-06-05-00	11334, 12314, 14252

Department of Administrative Services

01-04-04-02-01	10073, 42530, 41873
01-04-04-05-03	41301

Secretary of State

01-05-04-00-00	11356
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Department of Cultural Resources

01-06-02-01-00	11420
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Department of Revenue Administration

01-07-03-02-01	14456, 9U510
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Treasury Department

01-08-01-00-00	11590
01-08-02-00-00	11592

Adjutant General

02-02-01-05-01	41826, 42517, 42518, 42522
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Department of Justice

02-04-04-02-00	41887
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Department of Safety

02-15-01-04-00	41940
02-15-01-05-00	42566, 42567, 42568
02-15-04-11-03	9U481
02-15-05-01-00	41991
02-15-06-02-01	9U519
02-15-08-03	9U498

Department of Corrections

02-16-02-02-00	16920, 16925
02-16-03-01-05	12799
02-16-03-02-01	16870
02-16-03-04-01	16919
02-16-04-01-00	12867, 18564, 19936, 30355
02-16-04-03-02	42239

02-16-05-02-01	19919
02-16-05-02-02	30835, 9U493
02-16-07-01-00	40759
02-16-08-01-00	41381
Department of Employment Security	
02-17-01-00-00	11012, 11028, 11070, 11071, 11085, 11091, 11126, 11191, 11199, 11224, 11225, 11231, 11241, 11272, 11298, 11310, 11322, 30098, 30137, 40980, 41001, 41002, 41605, 42008, 42015, 42020, 42023, 42024, 42588, 11301, 40594, 42021, 30110, 11016
Fish and Game Department	
03-01-05-01-00	42423
03-01-01-03-04	13864, 13932
03-01-01-02-02	13927, 19854
03-01-01-03-06	43028
Community Development Finance Authority	
03-02-01-00-00	10018, 10021, 16674, 18497, 18498, 18499, 40470
Department of Resources and Economic Development	
03-03-01-02-00	42032, 42064
03-03-02-05-00	42591
03-03-02-09-00	42053
03-03-04-04-00	11531, 30192, 40057, 11546
Department of Environmental Services	
03-04-01-01-00	18560
03-04-01-02-00	12125
03-04-01-19-01	42221
03-04-02-03-05	42168
03-04-02-04-01	30246, 19811, 19502, 18764, 16772
03-04-02-06-14	42176
03-04-02-06-21	42154, 40504
03-04-02-06-23	42718
03-04-02-08-03	42188, 40159, 19734
03-04-03-02-07	42729
03-04-04-01-01	14757
03-04-04-01-03	18160
03-04-04-01-13	42180
03-04-04-02-01	18651
03-04-04-03-01	18158
03-04-04-03-04	19138
03-04-04-04-01	40502, 19520
03-04-04-04-03	19132
Department of Transportation	
04-01-02-01-01	21434, 21438, 21855, 20206, 20221
04-01-02-03-01	20424, 20432, 21804
04-01-02-04-01	20276
04-01-03-01-00	20207, 20215, 20511, 21807
04-01-03-06-00	21297
04-01-03-07-00	19824, 20117, 20134, 21201, 21508
04-01-03-08-00	17186, 17196

Department of Health and Human Services

05-01-01-01-01	16574, 43073, 9U399
05-01-01-01-03	12301, 12334, 12347, 12358, 12423, 40457
05-01-01-02-02	18605, 19454
05-01-01-05-02	14652, 40326
05-01-01-05-03	43011, 43014
05-01-02-01-02	12462, 30815, 14643, 16588, 19155, 43009, 43013
05-01-03-02-02	30551
05-01-03-03-00	12416
05-01-03-04-00	17121
05-01-04-01-00	19786
05-01-05-01-01	42867
05-01-05-01-02	17376
05-01-05-01-04	42929, 42960
05-01-05-02-07	42949
05-01-05-03-01	19186
05-01-05-03-06	30553
05-01-05-03-07	16595, 42930
05-01-05-03-11	19040
05-01-05-04-05	42962
05-01-05-04-09	42889, 42932
05-01-05-05-01	42914, 42915
05-01-07-02-02	19755
05-01-08-04-03	9U476
05-01-09-02-01	14966
05-01-09-04-01	16373, 41108
05-01-10-01-00	14983, 15433, 17164, 15572, 30696
05-01-10-02-00	15185, 15196, 15314
05-01-11-03-03	42631, 11688
05-01-11-03-04	16540
05-01-11-04-01	30949
05-01-12-02-00	16427
05-01-12-03-00	15821
05-01-13-03-00	15281

Veterans Home

05-02-01-00-00	42652
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HHS Administratively Attached Boards

05-05-06-03-00	42834
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Department of Education

06-03-02-01-02	13156, 13172
06-03-03-01-27	18580
06-03-04-01-05	13313
06-03-05-01-04	40577
06-03-05-01-06	30382
06-03-05-02-01	18182
06-03-05-02-02	13111, 13129, 19794
06-03-05-02-03	13221, 13234, 13246, 13249, 13251, 13262, 13274
06-03-05-02-10	13112
06-03-05-02-16	13067

Lottery Commission

06-05-01-00-00

14394, 18352, 40460

7 Department of Health and Human Services; Reduction in Appropriation. The department of health and human services is hereby directed to reduce state general fund appropriations for salary and benefits, administrative expenses, office of information technology direct expenses, and consultants by \$2,200,000 for the fiscal year ending June 30, 2008, and \$2,500,000 for the fiscal year ending June 30, 2009. Any direct services to New Hampshire citizens shall be excluded from these reductions. Direct care positions shall be exempt from any internal hiring freeze imposed by the commissioner in order to meet these reductions. The department shall provide a bimonthly report of reductions made under this section to the fiscal committee of the general court and the governor and council.

8 Department of Health and Human Services; Reduction in Appropriation. In the event that estimated revenues in the aggregate are less than budgeted, during the biennium ending June 30, 2009, the total appropriations to the department of health and human services shall be reduced by the amount of the shortfall in either actual or projected revenue. The commissioner of the department of health and human services shall notify the bureau of accounting, forthwith, in writing, as to precisely which line item appropriation and in what specific amount reductions are to be made in order to fully compensate for the total revenue deficits.

9 Department of Health and Human Services; Division of Child Support Services; Payments to the Administrative Office of the Courts. The appropriation in PAU 05-01-04-01, class 49, includes funds for payment to the administrative office of the courts in accordance with the cooperative agreement between the division of child support services and the administrative office of the courts. The division of child support services and the administrative office of the courts shall, prior to payment of such funds, enter into a cooperative agreement specifying in detail the services to be performed by the administrative office of the courts and the estimated costs of such services. Any change or modification in the services to be performed shall likewise be agreed to in writing and specify the change and the adjustment to the costs. Funds appropriated for these purposes shall be paid only after demonstration by the administrative office of the courts that it consistently transmits court orders to the division of child support services in accordance with the cooperative agreement.

10 Department of Health and Human Services; Direct Care Training Initiative. The department shall, after consultation with the area agencies and their subcontractors, develop a plan to implement a system wide training program and a process to insure that direct care workers who have completed the approved training receive an enhanced hourly rate. To qualify for the wage enhancement, employees must be employed for a minimum of 30 hours per week and must have satisfactorily completed all of the training modules and received a certificate from the college of direct support or any other training program approved by the department. Funds appropriated in the operating budget in PAU 05-01-10-01-00, bureau of developmental services shall be used, in part, to implement this direct care training initiative. The commissioner shall submit the direct care training initiative plan to the legislative fiscal committee for approval before implementation.

11 Liquor Commission; Authority Granted. For the biennium ending June 30, 2009, the fiscal committee of the general court and governor and council may authorize additional funds necessary for the opening of new retail and wine stores if a cost benefit analysis supports such efforts, the most recent surplus estimated by the legislative budget assistant is not less than \$3,000,000, and the liquor commission budget is not sufficiently funded to do so. If approved, the governor is authorized to draw a warrant from funds not otherwise appropriated.

12 Department of Transportation; Highway Fund Reporting. For the biennium ending June 30, 2009, the commissioner of the department of transportation shall submit a report detailing the status of the highway fund balance to the joint fiscal committee of the general court and governor and council on a quarterly basis.

13 Office of Information Technology; General Fund Appropriation Reductions; Vacant Positions.

I. The office of information technology, in consultation with the department of administrative services, shall reduce personnel, benefit, overtime, contractors, new or replacement equipment, and personal computer replacement lines of the office by an amount that will result in a reduction of state general fund appropriations for class 27 by \$1,000,000 for the fiscal year ending June 30, 2008 and \$1,000,000 for the fiscal year ending June 30, 2009. Any personnel and benefit reductions shall be attributable to vacant positions at the office of information technology.

II. The office of information technology, in consultation with the department of administrative services, shall allocate \$366,103 for the fiscal year ending June 30, 2008 and \$432,702 for the fiscal year ending June 30, 2009, recognized as agency income, to the appropriate state agencies as required to main-

tain the integrity of their cost allocation plan. The department of administrative services is authorized to distribute the additional expenses within each budget of the state agencies affected by the allocation, and increase expenditure class 27, along with the associated revenue classes, for each impacted PAU. The commissioner of administrative services is hereby authorized to draw a warrant from any funds not otherwise appropriated to support this increase in appropriations.

III. The office of information technology shall reduce its operating budget by \$366,103 for the fiscal year ending June 30, 2008 and by \$432,702 for the fiscal year ending June 30, 2009. The general funds reduced shall be equal to or exceed the general funds allocated in paragraph II.

IV. The office shall provide a bimonthly report of position, benefit, and other reductions made under this section to the fiscal committee of the general court.

14 Department of Corrections; General Fund Appropriation Reductions; Vacant Positions. The department of corrections shall reduce state general fund appropriations to personnel lines by \$367,500 for the fiscal year ending June 30, 2008, and by \$367,500 for the fiscal year ending June 30, 2009. Such reductions shall be attributable to vacant positions at the department. The department shall provide a bimonthly report of position reductions made under this section to the fiscal committee of the general court and the house and senate finance committees.

15 Department of Revenue Administration; General Fund Appropriation Reductions; Vacant Positions. The department of revenue administration shall reduce state general fund appropriations to personnel and benefit lines by \$300,000 for the fiscal year ending June 30, 2008. Such reductions shall be attributable to vacant positions at the department. The department shall provide a bimonthly report of position and benefit reductions made under this section to the fiscal committee of the general court.

16 Department of Transportation; Highway Fund Appropriation Reductions; Vacant Positions. The department of transportation shall reduce state highway fund appropriations to personnel and benefit lines by \$1,290,500 for the fiscal year ending June 30, 2008, and by \$1,347,300 for the fiscal year ending June 30, 2009. Such reductions shall be attributable to vacant positions at the department. The department shall provide a bimonthly report of position and benefit reductions made under this section to the fiscal committee of the general court and the house and senate finance committees.

17 Department of Safety; Appropriation. For the biennium ending June 30, 2009, the commissioner of the department of safety may request, with prior approval of the joint legislative fiscal committee, that the governor and council authorize funds of up to \$250,000 for the fiscal year ending June 30, 2008, and \$250,000 for the fiscal year ending June 30, 2009 for deposit into the New Hampshire emergency response and recovery fund under RSA 21-P:46 for the purpose of paying individual assistance match to the federal emergency management agency. Of funds requested and approved, the governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

18 Department of Health and Human Services; Appropriation. The sum of \$2,002,785 is hereby appropriated for the fiscal year ending June 30, 2007 to the department of health and human services for the purpose of purchasing 135,305 federally subsidized antiviral treatment courses to prevent the outbreak of a potential epidemic or pandemic of avian influenza. Such amount shall be nonlapsing. The governor is authorized to draw a warrant for such amount out of any money in the treasury not otherwise appropriated.

19 Department of Health and Human Services; Specialty Hospitals; Pediatric Care. By November 1, 2007, the department of health and human services shall submit to the fiscal committee of the general court various options for a new rate structure for intensive neonatal care, pediatric cardiac care, and other specialty care for Children's Hospital Boston, Dartmouth-Hitchcock Medical Center, and other providers of specialty care. The fiscal committee of the general court shall approve one of the options submitted by the department prior to the implementation of a new rate structure. The new rate structure shall become effective no later than January 1, 2008.

20 Department of Administrative Services; General Fund Appropriation Reductions. The department of administrative services shall reduce state general fund appropriations by \$742,685 for the fiscal year ending June 30, 2008 and by \$806,490 for the fiscal year ending June 30, 2009. The department shall provide a bimonthly report of reductions made under this section to the fiscal committee of the general court.

21 Fish and Game Department; Wildlife Program; Additional Appropriation. The sum of \$87,395 in fiscal year 2008 and the sum of \$87,395 in fiscal year 2009 are hereby appropriated for nongame species management within PAU 03-01-02-08, fish and game department, wildlife program. Said sums are to match the

moneys donated or federal grants obtained for the nongame species management act. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

22 Department of Transportation; Appropriation. The sum of \$1,500,000 for the biennium ending June 30, 2009, is hereby appropriated from the highway fund to the department of transportation for the purpose of retaining an independent third party auditor to conduct an environmental compliance audit of its division of operations, retaining an independent third party consultant to assist the department in the development and implementation of environmental management systems for each of the bureaus in the division of operations, payment of civil penalties assessed to the hazardous waste cleanup fund, and to provide payment for the department to investigate and fully remediate all sites described in the Administrative Order by Consent (No. 07-004).

23 Department of Justice; Appropriation. The sum of \$50,000 for the fiscal year ending June 30, 2008, and the sum of \$120,000 for the fiscal year ending June 30, 2009, are hereby appropriated to the department of justice for the purpose of funding merit-based salary adjustments for attorneys in the department. These appropriations are in addition to any other funds appropriated to the department of justice. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

24 Fish and Game Department; Results of Performance Audit. After the performance audit of the fish and game department has been completed, the legislature shall review the results of the performance audit and may make changes to the fish and game department's fiscal year 2009 operating budget.

25 Department of Labor; Field Auditor Position; Appropriation. An additional position of field auditor is hereby established in the department of labor, PAU 02-12-03, at labor grade 22. In addition to any other sums appropriated to the department, there is appropriated to the department of labor the sum of \$77,964, for the fiscal year ending June 30, 2008, and the sum of \$63,401, for the fiscal year ending June 30, 2009, for the purpose of funding the salary, benefits, expenses, equipment, and in-state travel costs of the field auditor position. The sums so appropriated shall be a charge against the workers' compensation administration fund, established in RSA 281-A:58.

26 General Fund; Transfer to Highway Fund. The commissioner of administrative services shall cause to have transferred \$6,750,000 from the general fund to the highway fund on January 1, 2008 and January 1, 2009.

27 Appropriation; Pari-Mutuel Commission; Positions Established. If HB 229 of the 2007 regular legislative session becomes law, the sum of \$108,000 for the fiscal year ending June 30, 2008 and the sum of \$111,000 for the fiscal year ending June 30, 2009 are hereby appropriated to the pari-mutuel commission to fund one internal auditor III position at labor grade 23 and one supervisor II position at labor grade 21 within the pari-mutuel commission. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

28 Estimates of Unrestricted Revenue.

<u>GENERAL FUND</u>	<u>FY 2008</u>	<u>FY 2009</u>
Business Profits Tax	\$ 301,100,000	\$ 320,000,000
Business Enterprise Tax	90,800,000	95,100,000
Subtotal for the Business Taxes	\$ 391,900,000	\$ 415,100,000
Meals and Rooms Tax	212,200,000	221,800,000
Tobacco Tax	62,800,000	60,300,000
Real Estate Transfer Tax	93,300,000	97,100,000
Liquor Sales & Distribution	137,000,000	146,100,000
Interest and Dividends	117,000,000	126,000,000
Insurance Tax	99,500,000	98,300,000
Communications Tax	79,900,000	82,900,000
Other	70,650,000	75,050,000
Tobacco Settlement	7,700,000	9,300,000
Securities Revenue	33,000,000	34,000,000
Court Fines and Fees	32,100,000	32,900,000
Board and Care	16,000,000	16,400,000
Beer Tax	12,800,000	12,900,000
Utility Consumption Tax	6,400,000	6,600,000
Racing	3,000,000	3,000,000
Subtotal	\$ 1,375,250,000	\$ 1,437,750,000

Medicaid Enhancement Revenue	91,000,000	91,800,000
Medicaid Recoveries	14,100,000	14,600,000
Total	<u>\$ 1,480,350,000</u>	<u>\$ 1,544,150,000</u>
<u>HIGHWAY FUND</u>	<u>FY 2008</u>	<u>FY 2009</u>
Gasoline Road Toll	\$ 137,900,000	\$ 139,900,000
Motor Vehicle Fees	102,300,000	103,900,000
Miscellaneous	13,600,000	13,700,000
Total	<u>\$ 253,800,000</u>	<u>\$ 257,500,000</u>
<u>FISH AND GAME FUND</u>	<u>FY 2008</u>	<u>FY 2009</u>
Fish and Game Licenses	\$ 8,300,000	\$ 8,300,000
Fines and Penalties	144,500	144,500
Miscellaneous	1,180,500	880,500
Indirect Costs	875,000	875,000
Total	<u>\$ 10,500,000</u>	<u>\$ 10,200,000</u>
<u>EDUCATION TRUST FUND</u>	<u>FY 2008</u>	<u>FY 2009</u>
Business Profits Tax	64,500,000	68,600,000
Business Enterprise Tax	181,600,000	190,300,000
Meals and Rooms Tax	7,800,000	8,200,000
Real Estate Transfer Tax	46,700,000	48,500,000
Tobacco Tax 120,600,000	115,600,000	
Tobacco Settlement	40,000,000	40,000,000
Utility Property Tax	22,900,000	23,600,000
Lottery Revenue	85,800,000	87,800,000
Bingo/Lucky 7	1,500,000	1,500,000
State Property Tax	363,000,000	363,000,000
Total	<u>\$ 934,400,000</u>	<u>\$ 947,100,000</u>

29 Effective Date.

I. Section 18 of this act shall take effect June 30, 2007.

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

The signatures below attest to the authenticity of this Report on HB 1-A, an act making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009.

Conferees on the Part of the Senate

Sen. D'Allesandro, Dist. 20

Sen. Hassan, Dist. 23

Sen. Sgambati, Dist. 4

Sen. Odell, Dist. 8

Conferees on the Part of the House

Rep. M. Smith, Straf. 7

Rep. Eaton, Ches. 2

Rep. Nordgren, Graf. 9

Rep. Almy, Graf. 11

Rep. Wallner, Merr. 12

The question is on the adoption of the Committee of Conference Report.

A roll call was requested by Senator Barnes.

Seconded by Senator Letourneau.

The following Senators voted Yes: Gallus, Reynolds, Sgambati, Burling, Cilley, Janeway, Odell, Kelly, Gottesman, Foster, Larsen, DeVries, D'Allesandro, Estabrook, Hassan, Fuller Clark.

The following Senators voted No: Kenney, Roberge, Bragdon, Clegg, Gatsas, Barnes, Letourneau, Downing.

Yeas: 16 - Nays: 8

Adopted.

June 21, 2007
2007-2348CofC
10/04

Committee of Conference Report on HB 2-FN-A, an act relative to state fees, funds, revenues, and expenditures.
 Recommendation:

That the House recede from its position of nonconcurrency with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

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

1 Office of Information Technology; Increase Purchase Amount Requiring Approval of Chief Information Officer. Amend RSA 21-I:11, XI and XII to read as follows:

XI. Requiring, prior to an agency's submission of a request for proposal for state data processing equipment, software, or services exceeding [~~\$250~~] **\$500** in total cost, that the agency obtain approval of the proposal by the chief information officer to ensure that the procurement is consistent with the state information technology plan.

XII. Requiring agencies to submit the approval from the chief information officer in support of requests for purchases of information technology equipment or software in excess of [~~\$250~~] **\$500**.

2 Department of Safety; Motor Vehicle Registration Fees Increased. Amend RSA 261:141, III(g) and (h) to read as follows:

(g) For all motor vehicles other than those in RSA 261:141, I:

0-3000 lbs.	[\$25.20] \$31.20 [\$2.10] \$2.60 per month)
3001-5000 lbs.	[\$37.20] \$43.20 [\$3.10] \$3.60 per month)
5001-8000 lbs.	[\$49.20] \$55.20 [\$4.10] \$4.60 per month)
8001-73,280 lbs.	[\$84] \$96 per hundred lbs. gross weight.

(h) Truck-tractors to be used in conjunction with a semi-trailer, gross weight shall include the weight of such tractors, the weight of the heaviest semi-trailer to be used therewith, and the weight of the maximum load to be carried thereby: up to 73,280 pounds [~~\$84~~] **\$96** per 100 pounds gross weight, over 73,280 pounds - \$1.44 shall be charged for each 100 pounds gross weight or portion thereof in excess of 73,280 pounds.

3 Department of Safety; Motor Vehicle Registration Fees Increased. Amend RSA 261:141, III(o) to read as follows:

(o) For each motorcycle—[~~\$12~~] **\$15**.

4 Sweepstakes Commission; Maximum Ticket Price Prior to July 1, 2009. Amend RSA 284:21-i, II(c)(1) to read as follows:

(1) The price for which tickets for drawings and sweepstakes races shall be sold; not to exceed [~~\$20~~] **\$30** per ticket.

5 Sweepstakes Commission; Maximum Ticket Price; July 1, 2009 Version. RSA 284:21-i, II(c)(1) is repealed and reenacted to read as follows:

(1) The price for which tickets for drawings shall be sold; not to exceed \$30 per ticket.

6 Tobacco Tax; Rate Increase. Amend RSA 78:7 to read as follows:

78:7 Tax Imposed. A tax upon the retail consumer is hereby imposed at the rate of [~~\$80~~] **\$1.08** for each package containing 20 cigarettes or at a rate proportional to such rate for packages containing more or less than 20 cigarettes, on all cigarettes sold at retail in this state. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the cigarettes in which such products usually are sold at retail. The word "package" as used in this section shall not include individual cigarettes. No tax is imposed on any transactions, the taxation of which by this state is prohibited by the Constitution of the United States.

7 Tobacco Tax; Applicability. Section 6 of this act shall apply to all persons licensed under RSA 78:2. Such persons shall inventory all taxable tobacco products in their possession and file a report of such inventory with the department of revenue administration on a form prescribed by the commissioner within 20 days after the effective date of this act. The tax rate effective July 1, 2007 shall apply to such inventory. The inventory form shall be treated as a tax return for the purpose of computing penalties under RSA 21-J.

8 New Section; Health and Human Services; Homeless Housing and Access Fund Established. Amend RSA 126-A by inserting after section 62 the following new section:

126-A:63 Homeless Housing and Access Revolving Loan Fund. There is hereby established a non-lapsing and continually appropriated homeless housing and access revolving loan fund. The fund shall be administered by the department of health and human services with advice and recommendations from the governor's interagency council on homelessness. To be eligible, an applicant shall have no permanent address and shall be residing temporarily in a shelter for the homeless, a hotel, a motel, the home of another household designed for occupancy by only one household, or entirely without shelter. Funds shall be used solely to provide loans for the first month of rent and security deposit for homeless individuals and families. Repayment terms of the loans shall be determined by the department in consultation with the interagency council and shall be based on need. Such repayments shall commence no later than 120 days after the loan is disbursed.

9 New Subparagraph; Special Accounts. Amend RSA 6:12, I(b) by inserting after subparagraph (252) the following new subparagraph:

(253) Moneys deposited in the homeless housing and access revolving loan fund, established in RSA 126-A:63.

10 Long-Term Care Assistance Fund; ServiceLink New Hampshire. Notwithstanding RSA 167:94, III, the balance of funds in the long-term care assistance fund, established in RSA 167:94, on June 30, 2007 is hereby transferred and appropriated to the department of health and human services to support operation of the ServiceLink New Hampshire program in the fiscal year ending June 30, 2008.

11 Liquor Commission; Revenue. Notwithstanding RSA 176:16, II, for the biennium ending June 30, 2009, all gross revenue derived by the liquor commission from the sale of liquor, or from license fees, shall be deposited into the general funds of the state.

12 Name Change from Glencliff Home for the Elderly to Glencliff Home. Amend the following RSA provisions by replacing "Glencliff home for the elderly" with "Glencliff home": RSA 10:1; 94:1-a, I(b); 94:5, I(c); 94:8; 99:2-a; 99:11, I; 99:12; 99:13; 126-A:5, V and VI; 126-A:34, I(a); 135:21-b; 135-C:4, I; 135-C:6, I; 318:58, III(c); and 611:5-a.

13 County Payments of Funds for Persons Eligible to Receive Nursing Facility Services; Limitation on County Payment; FY 2008. Amend RSA 167:18-b, IV to read as follows:

IV. The total billings by all counties made pursuant to this section for persons who have been determined eligible to receive nursing facility services shall not exceed 50 percent of the non-federal share of the combined long-term care Medicaid spending for which the counties are obligated and in no instance shall the billings for the 12-month period of the state fiscal year, dated between July 1, 2004 and June 30, ~~[2007]~~ **2008** exceed:

- (a) State fiscal year 2004 — \$60,000,000.
- (b) State fiscal year 2005 — \$64,000,000.
- (c) State fiscal year 2006 — \$68,000,000.
- (d) State fiscal year 2007 — \$70,000,000.
- (e) State fiscal year 2008 — \$71,500,000.**

14 County State Finance Commission; Reference Changed. Amend RSA 28-B:3, V to read as follows:

V. Develop a process for managing individual county payment limits under RSA ~~[167:18-b, IV]~~ **167:18-a**. In no event shall the individual county payment limit reduce or alter the total county obligation under RSA~~[167:18-b, IV]~~ **167:18-a**.

15 Long-Term Care; Reference Changed. Amend RSA 151-E:6-b to read as follows:

151-E:6-b Memorandum of Agreement. The department of health and human services shall establish, by means of a memorandum of agreement with the New Hampshire Association of Counties, a mechanism for the receipt

of input from the Association of Counties regarding the type, cost, utilization, and procedures relative to payments which the counties are obligated to make pursuant to RSA ~~[167:18-b]~~ **167:18-a**. The memorandum of agreement shall be reviewed annually and amended as may be determined to be necessary by the parties.

16 Long-Term Care; Reference Changed. Amend RSA 151-E:15, IV to read as follows:

IV. Notwithstanding the provisions of RSA ~~[167:18-b, I]~~ **167:18-a**, no county shall be required to make any contribution to the distribution under this section.

17 County Reimbursements; Limitation on Payments. RSA 167:18-a is repealed and reenacted to read as follows:

167:18-a County Reimbursement of Funds; Limitations on Payments.

I. These expenditures shall in the first instance be made by the state, but each county shall make monthly payments to the state for the amounts due under this section within 45 days from notice thereof.

(a) Counties shall reimburse the state for expenditures for recipients for whom such county is liable who are eligible for nursing home care and are receiving services from a licensed nursing home, or in another New Hampshire setting as an alternative to a licensed nursing home placement and are supported under the Medicaid home and community-based care waiver for the elderly and chronically ill, as such waiver may be amended from time to time, to the extent of 100 percent of the non-federal share of such expenditures. Expenditures shall not include payments made for skilled care.

(b) Counties shall not be liable for Medicaid recipients in state institutions, the Crotched Mountain Rehabilitation Center, and intermediate care facilities for the mentally retarded (ICF-MR) approved by the department of health and human services and servicing developmentally impaired persons.

II.(a) The total billings to all counties made pursuant to this section shall not exceed the amounts set forth below for state fiscal years 2009-2010:

(1) State fiscal year 2009, \$103,000,000.

(2) State fiscal year 2010, \$105,000,000.

(b) The caps on total billings for fiscal years after fiscal year 2010 shall be established by the legislature on a biennial basis.

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

(1) For fiscal year 2009, \$4,000,000 shall be allocated among the counties based upon the proportion each paid for such expenditures in the prior fiscal year, and \$1,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.

(2) For fiscal year 2010, \$2,000,000 shall be allocated among the counties based upon the proportion each paid for such expenditures in the prior fiscal year, and \$3,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.

(3) For fiscal year 2011 and for each fiscal year thereafter, \$5,000,000 shall be allocated among the counties based upon their relative proportions of residents age 65 or older who are Medicaid recipients.

(b) The credit shall be made available as soon as possible after the start of the fiscal year. The department shall adopt county credit criteria in consultation with the county-state finance commission and in accordance with the provisions of RSA 541-A. The credit under this paragraph shall not reduce total reimbursements due under paragraph II.

IV. Notwithstanding the procedures of paragraphs I-III of this section, no county shall be liable for total billings in fiscal year 2009 or fiscal year 2010 in an amount which would be greater than the amount of liability projected for that fiscal year using the methodology for determining county payments in former RSA 167:18-b prior to its repeal.

V.(a) Any shortfall between the state audited Medicaid allowances incurred by the state's county operated nursing homes and amounts otherwise reimbursed by federal 50 percent Medicaid matching funds or other income, shall be certified as a public expenditure and be eligible for additional federal funding match.

(b) The department of health and human services shall seek federal Medicaid assistance match for any state audited county nursing home Medicaid expense which is not fully reimbursed through rates. Any revenue realized through such a match shall be paid to the nursing homes which incurred the unreimbursed expense.

18 Delinquent Payments. Amend RSA 167:18-e to read as follows:

167:18-e Delinquent Payments. Delinquent payments due under RSA 167:18-a[, 167:18-b and 167:18-f,] with interest at the rate of 12 per centum per annum, may be recovered by action in a court of competent jurisdiction against the political subdivision liable therefor or may, at the request of the state agency, be deducted from any other moneys payable to such subdivision by any department or agency of the state.

19 Medical Parole. Amend RSA 651-A:10-a, VII to read as follows:

VII. Notwithstanding RSA [167:18-b] **167:18-a**, the state shall be responsible for all medicaid costs incurred, net of federal reimbursement, for any inmate granted medical parole under this section, until the earliest date on which parole could have been granted had the inmate not been granted medical parole.

20 Delinquent Children Orders; County Liability Removed. Amend RSA 169-B:40 to read as follows:

169-B:40 Liability of Expenses and Hearing on Liability.

I.(a) Whenever an order creating liability for expenses is issued by the court under this chapter or whenever a voluntary service plan is developed and provided for the minor and the minor's family by the department, any expenses incurred for services, placements, and programs the providers of which are certified pursuant to RSA 170-G:4, XVIII, shall be payable by the department of health and human services.

(b) Subparagraph (a) shall not apply to expenses incurred for special education and educationally related services, or to expenses incurred for evaluation, care, and treatment of the minor at the Philbrook center.

(c) The state shall have a right of action over for such expenses against the parents or the people chargeable by law for the minor's support and necessities and the right to require parents or other people chargeable by law for the minor's support and necessities to assign to the state any insurance benefits that may be available to pay for all or a portion of the services provided. The department shall request reimbursement for such expenses from parents or other people chargeable by law for the minor's support and shall request assignment to the state of any insurance benefits that may be available to pay for all or a portion of the services provided. The court shall require the individual chargeable by law for the minor's support and necessities to submit a financial statement annually to the court upon which the court shall make an order as to reimbursement to the state as may be reasonable and just, based on the person's ability to pay. Such financial statement shall include, but not be limited to, any benefits received from the Social Security Administration or insurance benefits available to the individual. The court shall include disposition of these benefits in its order as to reimbursement. Such reimbursement shall be established on a per month or per week basis and shall continue from the time the services begin until 4 years beyond the time such services end, unless such reimbursement is fully paid prior to the end of the 4-year period. The court's jurisdiction to order reimbursement shall continue until the court-ordered obligation to reimburse has been fulfilled. If the court does not issue a reimbursement order, the court shall issue written findings explaining why such reimbursement is not ordered.

(d) Liability for placement expenses for any court ordered placement of any minor mother under this chapter shall include liability for placement expenses for the child or children of such minor mother if the minor mother and child or children are placed at the same facility.

(e) Payments due under this section for the care of children in foster homes shall commence within 60 days of the child's placement in the foster home and shall be made every 30 days thereafter.

II. Upon the issuance of the order in paragraph I, the court shall send notice to the state [~~and relevant county~~]. The state [~~and relevant county~~] may, within 30 days from the receipt of notice, request a hearing on the issues of the cost or appropriateness of services, or recovery. At such hearing, the court shall provide all financial information, including names and addresses of persons chargeable by law for the minor's support and necessities, to the state[~~and relevant county~~].

III. The office of reimbursements acting on behalf of Laconia developmental services and the New Hampshire hospital is authorized to compromise or reduce any expense to be charged to the state.

IV. [~~Notwithstanding paragraph I, the county in which the court is located which issued the order creating liability for expenses for the child shall be responsible for reimbursing the state for up to 25 percent of the costs incurred under this chapter. If the court's jurisdiction crosses county lines, then the county from which the child was referred to the court shall be responsible for such reimbursement. When determining the amount of reimbursement, all services for which the county would be liable if it were the legally liable unit shall be included, except services which are already the responsibility of the appropriate school district under RSA 186-C.~~]

~~V.] The **department may enter into an agreement with a** county [which is responsible for reimbursing the state under paragraph IV is authorized] to collect, on behalf of the department, payments from persons or entities which are ordered to reimburse the [department] **state** under paragraph I, or which are chargeable by law for the minor's support and necessities. **An agreement may authorize the county to deduct reasonable administrative costs from the amounts collected. The balance of** any amount collected by the county pursuant to this paragraph shall be forwarded to the department[, which, in turn, shall apply 25 percent of the amounts collected to reduce the county's liability under paragraph IV. The county may deduct reasonable administrative expenses directly associated with collections under this paragraph, subject to the approval of the commissioner of the department of health and human services. The commissioner may adopt rules, pursuant to RSA 541-A, relative to this paragraph.~~

~~VI. Notwithstanding any subsequent acts of delinquency or other acts committed by the minor which bring the minor to the attention of a district court, the county having liability for the minor pursuant to paragraph IV shall remain the county liable for the minor until the person reaches 18 years of age or the court's jurisdiction is ended, whichever comes first].~~

[VH] V. If the person responsible for paying reimbursements to the [county] **department** under paragraph [V] **IV** is financially able to pay such reimbursements but fails to make such payments, the [county] **department** may apply to the district court for a lien on such person's real or personal property for the amount of reimbursements due.

[VHH] VI.(a) For the adoptive parent or prospective adoptive parent of a child in the custody of the state whose birth parents have consented to the adoption, relinquished their parental rights to the department, or the parental rights of whose birth parents were terminated pursuant to a petition brought by the department, authorized agency, or foster parent, pursuant to RSA 170-C:4, the state shall have no right of action against such adoptive parent or prospective adoptive parent for the expenses of services, placements, and programs provided pursuant to RSA 169-B, 169-C, or 169-D after the adoption.

(b) If the department determines that the adoptive parent has been convicted of sexual or physical abuse of the adopted child pursuant to RSA 631 or 632-A, or the adoptive parent has misappropriated adoption subsidy moneys, the adoptive parent shall be responsible for payment for subsequent services, placements, and programs provided pursuant to RSA 169-B, 169-C, or 169-D after the adoption. A determination of misappropriation is subject to the provisions of RSA 126-A:5, VIII.

~~[IX. Notwithstanding any provision of law to the contrary, no county government shall be charged per diem rates for its portion of costs of placement of juveniles at the youth development center, the youth detention services unit, and, when applicable, the Tobey School, which are based upon an annual average daily census at each unit which is less than 80 percent of the unit's capacity.]~~

21 Abuse and Neglect Orders; County Liability Removed. Amend RSA 169-C:27 to read as follows:

169-C:27 Liability of Expenses and Hearing on Liability.

I.(a) Whenever an order creating liability for expenses is issued by the court under this chapter or whenever a voluntary service plan is developed and provided for a minor and the minor's family by the department, any expenses incurred for services, placements, and programs the providers of which are certified pursuant to RSA 170-G:4, XVIII, shall be payable by the department of health and human services.

(b) Subparagraph (a) shall not apply to expenses incurred for special education and educationally related services, or to expenses incurred for evaluation, care, and treatment of the child at the Philbrook center.

(c) The state shall have a right of action over for such expenses against the parents or the people chargeable by law for the child's support and necessities and the right to require parents or other people chargeable by law for the minor's support and necessities to assign to the state any insurance benefits that may be available to pay for all or a portion of the services provided. The department shall request reimbursement for such expenses from parents or people chargeable by law for the minor's support and necessities and shall request assignment to the state of any insurance benefits that may be available to pay for all or a portion of the services provided. The court shall require the individual chargeable by law for the child's support and necessities to submit a financial statement annually to the court upon which the court shall make an order as to reimbursement to the state as may be reasonable and just, based on the person's ability to pay. Such financial statement shall include, but not be limited to, any benefits received from the Social Security Administration or insurance benefits available to the individual. The court shall include disposition of these benefits in its order as to reimbursement. Such reimbursement shall be established on a

per month or per week basis and shall continue from the time the services begin until 4 years beyond the time such services end, unless such reimbursement is fully paid prior to the end of the 4-year period. The court's jurisdiction to order reimbursement shall continue until the court-ordered obligation to reimburse has been fulfilled. If the court does not issue a reimbursement order, the court shall issue written findings explaining why such reimbursement is not ordered.

(d) Liability for placement expenses for any court ordered placement of any minor mother under this chapter shall include liability for placement expenses for the child or children of such minor mother if the minor mother and child or children are placed at the same facility.

(e) Payments due under this section for the care of children in foster homes shall commence within 60 days of the child's placement in the foster home and shall be made every 30 days thereafter.

II. Upon the issuance of the order in paragraph I, the court shall send notice to the state [~~and relevant county~~]. The state [~~and relevant county~~] may, within 30 days from receipt of notice, request a hearing on the issues of the cost or appropriateness of services, or recovery. At such hearing, the court shall provide all financial information, including names and addresses of persons chargeable by law for the child's support and necessities, to the state[~~and relevant county~~].

III. The office of reimbursements acting on behalf of Laconia developmental services and the New Hampshire hospital is authorized to compromise or reduce any expense to be charged to the state.

IV. [~~Notwithstanding paragraph I, the county in which the court is located which issued the order creating liability for expenses for the child shall be responsible for reimbursing the state for up to 25 percent of the costs incurred under this chapter. If the court's jurisdiction crosses county lines, then the county from which the child was referred to the court shall be responsible for such reimbursement. When determining the amount of reimbursement, all services for which the county would be liable if it were the legally liable unit shall be included, except services which are already the responsibility of the appropriate school district under RSA 186-C.~~]

V]. The *department may enter into an agreement with a* county [~~which is responsible for reimbursing the state under paragraph IV is authorized~~] to collect, on behalf of the department, payments from persons or entities which are ordered to reimburse the [~~department~~] *state* under paragraph I, or which are chargeable by law for the minor's support and necessities. *An agreement may authorize the county to deduct reasonable administrative costs from the amounts collected. The balance of* any amounts collected by the county pursuant to this paragraph shall be forwarded to the department[, ~~which, in turn, shall apply 25 percent of the amounts collected to reduce the county's liability under paragraph IV. The county may deduct reasonable administrative expenses directly associated with collections under this paragraph, subject to the approval of the commissioner of the department of health and human services. The commissioner may adopt rules, pursuant to RSA 541-A, relative to this paragraph~~].

[VI. ~~Notwithstanding any subsequent acts committed by the child which bring him to the attention of a district court, the county having liability for the child pursuant to paragraph IV shall remain the county liable for the child until the person reaches 18 years of age or the court's jurisdiction is ended, whichever comes first, unless the court's jurisdiction has been extended pursuant to RSA 169-C:4, II.~~]

VH] V. If the person responsible for paying reimbursements to the [~~county~~] *department* under paragraph [V] IV is financially able to pay such reimbursements but fails to make such payments, the [~~county~~] *department* may apply to the district court for a lien on such person's real or personal property for the amount of reimbursements due.

[VHH] VI.(a) For the adoptive parent or prospective adoptive parent of a child in the custody of the state whose birth parents have consented to the adoption, relinquished their parental rights to the department, or the parental rights of whose birth parents were terminated pursuant to a petition brought by the department, authorized agency, or foster parent, pursuant to RSA 170-C:4, the state shall have no right of action against such adoptive parent or prospective adoptive parent for the expenses of services, placements, and programs provided pursuant to RSA 169-B, 169-C, or 169-D after the adoption.

(b) If the department determines that the adoptive parent has been convicted of sexual or physical abuse of the adopted child pursuant to RSA 631 or 632-A, or the adoptive parent has misappropriated adoption subsidy moneys, the adoptive parent shall be responsible for payment for subsequent services, placements, and programs provided pursuant to RSA 169-B, 169-C, or 169-D after the adoption. A determination of misappropriation is subject to the provisions of RSA 126-A:5, VIII.

~~[IX. Notwithstanding any provision of law to the contrary, no county government shall be charged per diem rates for its portion of costs of placement of juveniles at the youth development center, the youth detention services unit, and, when applicable, the Tobey School, which are based upon an annual average daily census at each unit which is less than 80 percent of the unit's capacity.]~~

22 Children in Need of Services; County Liability Removed. Amend RSA 169-D:29 to read as follows:

169-D:29 Liability of Expenses and Hearing on Liability.

I.(a) Whenever an order creating liability for expenses is issued by the court under this chapter or whenever a voluntary service plan is developed and provided for a minor and the minor's family by the department, any expenses incurred for services, placements, and programs the providers of which are certified pursuant to RSA 170-G:4, XVIII, shall be payable by the department of health and human services.

(b) Subparagraph (a) shall not apply to expenses incurred for special education and educationally related services, or to expenses incurred for evaluation, care, and treatment of the child at the Philbrook center.

(c) The state shall have a right of action over for such expenses against the parents or the people chargeable by law for the child's support and necessities and the right to require parents or other people chargeable by law for the minor's support and necessities to assign to the state any insurance benefits that may be available to pay for all or a portion of the services provided. The department shall request reimbursement for such expenses from parents or people chargeable by law for the minor's support and shall request assignment to the state of any insurance benefits that may be available to pay for all or a portion of the services provided. The court shall require the individual chargeable by law for the child's support and necessities to submit a financial statement annually to the court upon which the court shall make an order as to reimbursement to the state as may be reasonable and just, based on the person's ability to pay. Such financial statement shall include, but not be limited to, any benefits received from the Social Security Administration or insurance benefits available to the individual. The court shall include disposition of these benefits in its order as to reimbursement. Such reimbursement shall be established on a per month or per week basis and shall continue from the time the services begin until 4 years beyond the time such services end, unless such reimbursement is fully paid prior to the end of the 4-year period. The court's jurisdiction to order reimbursement shall continue until the court-ordered obligation to reimburse has been fulfilled. If the court does not issue a reimbursement order, the court shall issue written findings explaining why such reimbursement is not ordered.

(d) Liability for placement expenses for any court ordered placement of any minor mother under this chapter shall include liability for placement expenses for the child or children of such minor mother if the minor mother and child or children are placed at the same facility.

(e) Payments due under this section for the care of children in foster homes shall commence within 60 days of the child's placement in the foster home and shall be made every 30 days thereafter.

II. Upon the issuance of the order in paragraph I, the court shall send notice to the state ~~[and relevant county]~~. The state ~~[and relevant county]~~ may, within 30 days from receipt of notice, request a hearing on the issues of the cost or appropriateness of services, or recovery. At such hearing, the court shall provide all financial information, including names and addresses of persons chargeable by law for the child's support and necessities, to the state~~[and relevant county]~~.

III. The office of reimbursements acting on behalf of Laconia developmental services and the New Hampshire hospital is authorized to compromise or reduce any expense to be charged to the state.

IV. ~~[Notwithstanding paragraph I, the county in which the court is located which issued the order creating liability for expenses for the child shall be responsible for reimbursing the state for up to 25 percent of the costs incurred under this chapter. If the court's jurisdiction crosses county lines, then the county from which the child was referred to the court shall be responsible for such reimbursement. When determining the amount of reimbursement, all services for which the county would be liable if it were the legally liable unit shall be included, except services which are already the responsibility of the appropriate school district under RSA 186-C.]~~

V]. The **department may enter into an agreement with a** county ~~[which is responsible for reimbursing the state under paragraph IV is authorized]~~ to collect, on behalf of the department, payments from persons or entities which are ordered to reimburse the ~~[department]~~ **state** under paragraph I, or which are chargeable by law for the minor's support and necessities. **An agreement may authorize the county to**

deduct reasonable administrative costs from the amounts collected. The balance of any amounts collected by the county pursuant to this paragraph shall be forwarded to the department~~[, which, in turn, shall apply 25 percent of the amounts collected to reduce the county's liability under paragraph IV. The county may deduct reasonable administrative expenses directly associated with collections under this paragraph, subject to the approval of the commissioner of the department of health and human services. The commissioner may adopt rules, pursuant to RSA 541-A, relative to this paragraph].~~

~~[VI. Notwithstanding any subsequent acts committed by the child which bring him to the attention of a district court, the county having liability for the child pursuant to paragraph IV shall remain the county liable for the child until the person reaches 18 years of age or the court's jurisdiction is ended, whichever comes first.~~

~~VH]~~ **V.** If the person responsible for paying reimbursements to the ~~[county]~~ **department** under paragraph ~~[V]~~ **IV** is financially able to pay such reimbursements but fails to make such payments, the ~~[county]~~ **department** may apply to the district court for a lien on such person's real or personal property for the amount of reimbursements due.

~~[VH]~~ **VI.** Upon request by the adoptive parent of a child whose birth parents relinquished their parental rights to the department or the parental rights of whose birth parents were terminated pursuant to a petition brought by the department, the state, acting through the commissioner, may waive its right of action against such adoptive parent for all or a portion of the expenses of services, placements, and programs provided pursuant to RSA 169-B, 169-C or 169-D after the adoption. The department shall adopt rules under RSA 541-A to establish the procedure to be followed to obtain a waiver of parental reimbursement pursuant to this paragraph.

(a) For the adoptive parent or prospective adoptive parent of a child in the custody of the state whose birth parents have consented to the adoption, relinquished their parental rights to the department, or the parental rights of whose birth parents were terminated pursuant to a petition brought by the department, authorized agency, or foster parent, pursuant to RSA 170-C:4, the state shall waive its right of action against such adoptive parent or prospective adoptive parent for the expenses of services, placements, and programs provided pursuant to RSA 169-B, 169-C, or 169-D after the adoption.

(b) If the department determines that the adoptive parent has been convicted of sexual or physical abuse of the adopted child pursuant to RSA 631 or 632-A, or the adoptive parent has misappropriated adoption subsidy moneys, the adoptive parent shall be responsible for payment for subsequent services, placements, and programs provided pursuant to RSA 169-B, 169-C, or 169-D after the adoption. A determination of misappropriation is subject to the provisions of RSA 126-A:5, VIII.

~~[IX. Notwithstanding any provision of law to the contrary, no county government shall be charged per diem rates for its portion of costs of placement of juveniles at the youth development center, the youth detention services unit, and, when applicable, the Tobey School, which are based upon an annual average daily census at each unit which is less than 80 percent of the unit's capacity.]~~

23 Commission Established. There is established a commission to study the implementation of the procedure for county payments for nursing home care and home and community-based care.

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

(a) Two members of the house of representatives who shall be from the house finance committee, appointed by the speaker of the house of representatives.

(b) Two members of the senate who shall be from the senate finance committee, appointed by the president of the senate.

(c) One member representing each county in the state, each of whom is an officer or employee of the county having knowledge and experience in the finance and administration of county nursing homes, appointed by the county commissioners.

(d) The commissioner of the department of health and human services, or designee.

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

III. The commission shall study the implementation of the calculation and limitation on county payments to the state for nursing home care and home and community-based care. The commission shall study other matters related to reimbursements for such services, including but not limited to, county involvement

and control in the determination of rates, effects of budget neutrality, operation of programs and liability for juvenile services, and recommending changes to RSA 167:18-a as inserted by this act or other provisions of law relating to county nursing homes.

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

V. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library in an interim report on or before January 1, 2008, and in a final report on or before July 1, 2008.

24 Repeal; July 1, 2008. The following are repealed:

I. RSA 167:18-b, relative to county reimbursement for nursing home services.

II. RSA 167:18-f, relative to local medical assistance contribution.

III. RSA 167:20, relative to establishing the public assistance fund.

25 Repeal; June 30, 2007. The following are repealed:

I. 1998, 388:16, I and II, relative to the repeal of RSA 167:18-b and 18-f.

II. 1998, 388:17, II, as amended by 2003, 223:8, 2004, 260:9, and 2005, 177:10 relative to the effective date of the repeal of RSA 167:18-b and 18-f.

26 Prospective Repeal; July 1, 2013. RSA 167:18-a, relative to county reimbursement of funds, is repealed.

27 Department of Health and Human Services; Limitation on Mental Health Services. For the biennium ending June 30, 2009, the department of health and human services shall maintain a limit on benefits of \$4,000 per person per year for adults with low service utilization of community mental health services, as identified in He-M 401.07; provided, that the department also shall establish, by rule under RSA 541-A, a procedure for such persons or community mental health providers to request a waiver of the \$4,000 limit based on legitimate treatment considerations. Upon request by the commissioner of the department of health and human services, the fiscal committee of the general court may authorize a higher per person per year limit.

28 Department of Health and Human Services; Program Eligibility; Additional Revenues; Transfer Among Accounts.

I. For the biennium ending June 30, 2009, the department of health and human services shall not authorize, without prior approval of the fiscal committee of the general court and governor and council, any change to program eligibility standards or benefit levels that might be expected to increase enrollment in the program or increase expenditures from any source of funds; provided, however, that no such prior approval shall be required if a change to a federal program in which the state is participating as of the effective date of this section is required by federal law.

II. Notwithstanding any provision of the law to the contrary, for the biennium ending June 30, 2009, the fiscal committee of the general court and the governor and council may authorize the commissioner of the department of health and human services to accept and expend additional revenues in excess of \$50,000, that are in addition to the budgeted amounts, from any source, which become available to the department. Such additional revenues shall be available to the department of health and human services to supplement funds in the following programs and services: provider payments, provider rate increases, and any other program or service that requires deficit reduction or for which revenue has been specifically obtained to improve program operations; provided, that such improvements do not increase eligibility standards or benefit levels.

III. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary except RSA 9:17-c, and subject to the approval of the fiscal committee of the general court and governor and council, for the biennium ending June 30, 2009, the commissioner of the department of health and human services is hereby authorized to transfer funds within and among all PAUs within the department, as the commissioner deems necessary and appropriate to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and otherwise as necessary for the efficient management of the department, with the exception of class 60 transfers.

29 Medical Assistance; Memorandum of Understanding Between the Departments of Revenue Administration and Health and Human Services.

I. For the purpose of determining and reviewing eligibility for medical assistance pursuant to Titles XIX and XXI of the Social Security Act and eligibility for Temporary Assistance to Needy Families (TANF), the commissioner of the department of health and human services (DHHS) and the commissioner of the department of revenue administration (DRA) shall renew the existing memorandum of understanding for the period of July 1, 2007 through June 30, 2009 under which:

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

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

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

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

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

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

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

30 Department of Environmental Services; Fee for Department Review of Plan for Terrain Alteration. Amend RSA 485-A:17, II to read as follows:

II. The department shall charge a fee for each review of plans, including project inspections, required under this section. The fee shall be based on the extent of contiguous area to be disturbed. Except for RSA 483-B:9, the fee for plans encompassing an area of at least 100,000 square feet but less than 200,000 square feet shall be ~~[\$500]~~ **\$1,250**. For the purposes of RSA 483-B:9, the fee for plans encompassing an area of at least 50,000 square feet but less than 200,000 square feet shall be ~~[\$500]~~ **\$1,250**. An additional fee of ~~[\$200]~~ **\$500** shall be assessed for each additional area of up to 100,000 square feet to be disturbed. No permit shall be issued by the department until the fee required by this paragraph is paid. All fees required under this paragraph shall be paid when plans are submitted for review and shall be deposited in the ~~[treasury as unrestricted funds]~~ **terrain alteration fund established in paragraph II-a.**

II-a. There is hereby established the terrain alteration fund into which the fees collected under paragraph II shall be deposited. The fund shall be a separate, nonlapsing fund, continually appropriated to the department for the purpose of paying all costs and salaries associated with the terrain alteration program.

II-b. In processing an application for permits under RSA 485-A:17, the department shall:

(a) Within 50 days of receipt of the application, request any additional information required to complete its evaluation of the application, together with any written technical comments the department deems necessary. Any request for additional information shall specify that the applicant submit such information as soon as practicable and shall notify the applicant that if all of the requested information is not received within 120 days of the request, the department shall deny the application.

(b) If the department requests additional information pursuant to subparagraph (a), the department shall, within 30 days of the department's receipt of the information:

(1) Approve and issue a permit;

(2) Deny the application, in whole or in part; or

(3) Extend the time for response for good cause and with the written agreement of the applicant.

(c) If no request for additional information is made pursuant to subparagraph (b), the department shall, within 50 days of receipt of the application, approve or deny the application, in whole or in part.

(d) If the department fails to render a decision within the time limits provided in this paragraph, the application shall be deemed to be approved and a permit shall be issued.

(e) The time limits under this paragraph shall not apply to an application from an applicant that has previously been found in violation of this chapter pursuant to RSA 485-A:22-a or an application that does not otherwise comply with the department's rules relative to the permit application process.

II-c. Beginning October 1, 2007 and each fiscal quarter thereafter, the department shall submit a quarterly report to the house and senate finance committees, the house resources, recreation, and economic development committee, and the senate energy, environment, and economic development committee relative to administration of the terrain alteration review program.

31 New Subparagraph; Dedicated Fund; Terrain Alteration Fund Added. Amend RSA 6:12, I(b) by inserting after subparagraph (252) the following new subparagraph:

(253) Moneys deposited in the terrain alteration fund, under RSA 485-A:17, II-a.

32 Department of Environmental Services; Wetlands Fees Prior to July 1, 2010. Amend RSA 482A:3, I to read as follows:

I.(a) No person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp in and adjacent to any waters of the state without a permit from the department. The permit application together with a detailed plan and a map showing the exact location of the proposed project, along with 4 copies of the permit application, plan and map, shall be submitted to the town or city clerk, accompanied by a filing fee in the form of a check made out by the applicant to the state of New Hampshire. ~~[The permit application fee shall be \$100 for minimum impact projects under this chapter.]~~

(b) The permit application fee for minor and major shoreline structure projects shall be ~~[\$100]~~ **\$200** plus an impact fee, based on the area of dredge, fill, or dock surface area proposed, or a combination. The shoreline structure impact fee shall be ~~[\$1]~~ **\$2** per square foot for permanent dock surface area; ~~[\$.50]~~ **\$1** per square foot for seasonal dock surface area; and ~~[\$.10]~~ **\$.20** per square foot for dredge or fill surface area or both. ***For projects involving only the repair, reconstruction, or reconfiguration of an existing docking structure, the application fee shall be \$200.***

(c) The permit application fee shall be \$200 for minimum impact dredge and fill projects under this chapter. ~~[The permit application fees for minor or major projects shall be \$.10 per square foot of proposed impact for all other projects under this chapter. For projects involving the repair, reconstruction, or reconfiguration of an existing docking structure, the application fee shall be \$100.]~~ ***The permit application fee shall be \$.20 per square foot of proposed impact for all minor and major impact dredge and fill projects under this chapter and there shall be a minimum fee of \$200 for all such projects that impact fewer than 1,000 square feet.***

(d) At the time the permit application is submitted to the city or town clerk, the applicant shall provide postal receipts or copies, verifying that abutters, as defined in the rules of the department, and except as further provided in said rules, have been notified by certified mail. The postal receipts or copies shall be retained by the municipality. The town or city clerk shall immediately sign the application and forward by certified mail, the application, plan, map and filing fee to the department. The town or city clerk shall then immediately send a copy of the permit application, plan and map to the local governing body, the municipal planning board, if any, and the municipal conservation commission, if any, and may require an administrative fee not to exceed \$10 plus the cost of postage by certified mail. One copy shall remain with the city or town clerk, and shall be made reasonably accessible to the public. The foregoing procedure notwithstanding, applications and fees for projects by agencies of the state may be filed directly with the department, with 4 copies of the application, plan and map filed at the same time with the town or city clerk to be distributed as set forth above.

(e) Beginning October 1, 2007, and each quarter of the fiscal year thereafter, the department shall submit a quarterly report to the house and senate finance committees, the house resources, recreation, and economic development committee, and the senate energy, environment, and economic development committee relative to administration of the wetlands fees permit process established by this section.

33 Department of Environmental Services; Wetlands Fees; Version Effective July 1, 2010. RSA 482-A:3, I is repealed and reenacted to read as follows:

I.(a) No person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp in and adjacent to any waters of the state without a permit from the department. The permit application together with a detailed plan and a map showing the exact location of the proposed project,

along with 4 copies of the permit application, plan and map, shall be submitted to the town or city clerk, accompanied by a filing fee in the form of a check made out by the applicant to the state of New Hampshire.

(b) The permit application fee for minor and major shoreline structure projects shall be \$200 plus an impact fee, based on the area of dredge, fill, or dock surface area proposed, or a combination. The shoreline structure impact fee shall be \$2 per square foot for permanent dock surface area; \$1 per square foot for seasonal dock surface area; and \$.20 per square foot for dredge or fill surface area or both. For projects involving only the repair, reconstruction, or reconfiguration of an existing docking structure, the application fee shall be \$200.

(c) The permit application fee shall be \$200 for minimum impact dredge and fill projects under this chapter. The permit application fee shall be \$.20 per square foot of proposed impact for all minor and major impact dredge and fill projects under this chapter and there shall be a minimum fee of \$200 for all such projects that impact fewer than 1,000 square feet.

(d) At the time the permit application is submitted to the city or town clerk, the applicant shall provide postal receipts or copies, verifying that abutters, as defined in the rules of the department, and except as further provided in said rules, have been notified by certified mail. The postal receipts or copies shall be retained by the municipality. The town or city clerk shall immediately sign the application and forward by certified mail, the application, plan, map and filing fee to the department. The town or city clerk shall then immediately send a copy of the permit application, plan and map to the local governing body, the municipal planning board, if any, and the municipal conservation commission, if any, and may require an administrative fee not to exceed \$10 plus the cost of postage by certified mail. One copy shall remain with the city or town clerk, and shall be made reasonably accessible to the public. The foregoing procedure notwithstanding, applications and fees for projects by agencies of the state may be filed directly with the department, with 4 copies of the application, plan and map filed at the same time with the town or city clerk to be distributed as set forth above.

(e) Beginning October 1, 2007, and each quarter of the fiscal year thereafter, the department shall submit a quarterly report to the house and senate finance committees, the house resources, recreation, and economic development committee, and the senate energy, environment, and economic development committee relative to administration of the wetlands fees permit process established by the section.

34 Department of Environmental Services; Revising the Laboratory Fee Schedule for Environmental Tests. RSA 131:3-a is repealed and reenacted to read as follows:

131:3-a Fee Required.

I. Notwithstanding the provisions of RSA 131:4, the commissioner of environmental services shall collect a fee for analyses made pursuant to RSA 131:3.

(a) Fees for analyses offered as a service shall be set from the following schedule:

(1) Agricultural Pesticides	\$200
(2) Alkalinity	\$15
(3) Ammonia	\$30
(4) Asbestos	\$35
(5) Bacteria as cts/100mL (all types)	\$20
(6) Bacteria as MPN (all types)	\$30
(7) Bacteria as P/A (all types)	\$15
(8) Biosuitability	\$145
(9) Biochemical Oxygen Demand	\$35
(10) Carbamates	\$120
(11) Chloride	\$12
(12) Chlorine Residual	\$16
(13) Chlorophenoxy Herbicides	\$130
(14) Cyanide	\$35

(15) Diquat	\$125
(16) Ethylene dibromide/Dibromochloropropane	\$75
(17) Fluoride	\$12
(18) Glycols	\$150
(19) Glyphosate	\$100
(20) Gross Alpha	\$60
(21) Haloacetic Acids	\$100
(22) Heterotropic Plate Count	\$25
(23) Iron Bacteria	\$25
(24) Metals (each)	\$15
(25) Metals Preparation Charge	\$20
(26) Methyl-tert-butyl ether	\$75
(27) Nitrate	\$12
(28) Nitrite	\$12
(29) Oil & Grease (HEM)	\$60
(30) pH	\$9
(31) PolyaromaticHydrocarbons	\$150
(32) Phosphorus (all forms)	\$20
(33) Radium 226	\$150
(34) Radon	\$25
(35) Semivolatile Compounds	\$225
(36) Solids (all forms)	\$30
(37) Special Study (per hour)	\$50
(38) Specific Conductance	\$10
(39) Sulfate	\$20
(40) Sulfide	\$20
(41) Thermometer Calibration	\$15
(42) Total Organic Carbon	\$40
(43) Total Kjeldahl Nitrogen	\$25
(44) Total Petroleum Hydrocarbons (DRO)	\$125
(45) Total Petroleum Hydrocarbons (GRO)	\$125
(46) Total Trihalomethanes	\$75
(47) Toxaphene	\$75
(48) Turbidity	\$12
(49) Uranium (activity)	\$150
(50) UV-254	\$30
(51) Volatile Organic Compounds	\$120

(b) Fees for analyses of the following special parameter groupings required by the federal Safe Drinking Water Act shall be:

(1) Drinking Water Bacteria	\$15
(2) Haloacetic Acids	\$100
(3) Inorganic Chemicals	\$335

(4) Inorganic Chemicals (new system)	\$395
(5) Lead/Copper	\$30
(6) Nitrate/Nitrite	\$12
(7) Radiological Chemicals	\$75
(8) Synthetic Organic Chemicals	\$650
(9) Total Trihalomethanes	\$75
(10) Volatile Organic Compounds	\$120
(11) Water Quality Parameters	\$40

(c) Fees for analyses of the following parameters in support of the department's private homeowner initiative shall be:

(1) Bacteria/Nitrate/Chloride	\$30
(2) Drinking Water Bacteria	\$15
(3) Fluoride	\$12
(4) Methyl-tert-butyl ether	\$60
(5) Radon	\$20
(6) Standard Analysis	\$85
(7) Homeowner Radiologicals	\$80
(8) Volatile Organic Compounds	\$120

II. All such fees collected by the commissioner of environmental services from federal or state grants or from other state agencies shall be credited against the operating costs of the laboratory. Fees collected from public or private clients shall be deposited with the state treasurer as unrestricted revenue, with the exception that 50 percent of every analysis fee shall be deposited with the state treasurer and reserved in a special nonlapsing fund to be used by the commissioner of environmental services for the purchase of replacement or new laboratory equipment designed to improve service. The commissioner may, with prior approval of the governor and council, use funds in the nonlapsing account for unanticipated personnel or supply expenditures made necessary by unexpected changes in or additions to federal or state required laboratory analyses, or unusual volume of samples.

35 School Money; Determination of Grants. Notwithstanding the provisions of RSA 198:40-a, 198:40-b, 198:40-c and 198:41, for the fiscal year beginning July 1, 2007, each municipality shall receive total education grants in an amount that equals the greater of either: a 5 percent increase in the education grant amount received by the municipality pursuant to RSA 198:41, I(b)(2) for the fiscal year beginning July 1, 2006, or 94.6596522 percent of the education grant amount to be received by the municipality pursuant to RSA 198:41, I(b)(2) for the fiscal year beginning July 1, 2007. For the fiscal year beginning July 1, 2008, each municipality shall receive the same grant amount as determined for the fiscal year beginning July 1, 2007.

36 Highway and Bridge Betterment Program; Funding. Amend RSA 235:23-a, II to read as follows:

II. The program shall be funded from [~~\$.03~~] **\$.02** per gallon of the road toll imposed under RSA 260:32; of these revenues, in each fiscal year 88 percent shall be deposited into a separate account established in the highway fund called the highway and bridge betterment account, to be allocated as provided in paragraph III. The amount deposited into the highway and bridge betterment account is hereby continually appropriated and shall be nonlapsing. The remaining 12 percent shall be distributed in accordance with the formula in RSA 235:23, I, and shall be in addition to any amounts to be allocated under that paragraph.

37 Highway and Bridge Betterment Program; Funding Effective July 1, 2009. Amend RSA 235:23-a, II to read as follows:

II. The program shall be funded from [~~\$.02~~] **\$.03** per gallon of the road toll imposed under RSA 260:32; of these revenues, in each fiscal year 88 percent shall be deposited into a separate account established in the highway fund called the highway and bridge betterment account, to be allocated as provided in para-

graph III. The amount deposited into the highway and bridge betterment account is hereby continually appropriated and shall be nonlapsing. The remaining 12 percent shall be distributed in accordance with the formula in RSA 235:23, I, and shall be in addition to any amounts to be allocated under that paragraph.

38 New Paragraph; Retirement System; Coordination with Administrative Services. Amend RSA 100-A:14 by inserting after paragraph XIV the following new paragraph:

XV. The board of trustees shall, consistent with RSA 21-I:13, V, provide the commissioner of the department of administrative services with information necessary for the commissioner to carry out the responsibilities set forth in RSA 21-I:27, including such information as the name and social security number of each covered retiree, spouse, and dependent; the retiree agency-identifying information in a format compatible with the billing needs of the department; and such other information that the commissioner of the department of administrative services shall request in order to carry out the retiree health benefits program administration.

39 New Section; Administrative Services; Employee and Retiree Benefit Risk Management Fund Established. Amend RSA 21-I by inserting after section 30-d the following new section:

21-I:30-e Employee and Retiree Benefit Risk Management Fund.

I. There is hereby established the employee and retiree benefit risk management fund, which shall be administered by the department of administrative services. The fund shall be nonlapsing and continually appropriated to the department of administrative services.

II. All funds accumulated from any source for active state employee health benefits shall be accounted for in the fund established in paragraph I. The fund shall be used to pay for active state employee health care expenses and any administrative costs related thereto pursuant to RSA 21-I:30, RSA 21-I:30-a, and RSA 21-I:30-b and shall not be used for any other purpose.

III. All funds accumulated from any source for state retiree health benefits also shall be accounted for in the fund established in paragraph I. The fund shall be used to pay for state retiree health care expenses and any administrative costs related thereto pursuant to RSA 21-I:30, RSA 21-I:30-a, and RSA 21-I:30-b, and for expenses related to the production of the biennial actuarial valuation report, and shall not be used for any other purpose.

IV. At the end of each fiscal year, the state treasurer shall credit the fund with interest and any other income earned.

40 New Subparagraph; Application of Receipts; Employee Benefit Risk Management Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (252) the following new subparagraph:

(253) All funds deposited in the employee and retiree benefit risk management fund established pursuant to RSA 21-I:30-e.

41 New Section; New Hampshire Retirement System; Medical Benefits; State Retiree Health Plan Commission. Amend RSA 100-A by inserting after section 55 the following new section:

100-A:56 State Retiree Health Plan Commission.

I. There is hereby established a state retiree health plan commission consisting of the following members:

- (a) One member of the house of representatives, appointed by the speaker of the house of representatives.
- (b) One member of the senate, appointed by the president of the senate.
- (c) One member appointed by the governor.
- (d) The state treasurer.
- (e) The commissioner of the department of administrative services.

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

III. The commission shall:

(a) Determine the actuarial assumptions to be used in the actuarial valuation of liabilities relative to state retiree health benefits.

(b) Ensure that an actuarial valuation report is completed by a qualified, independent actuary and submitted to the speaker of the house of representatives, the president of the senate, and the governor, on or before December 1 of every even-numbered year.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the member appointed by the speaker of the house of representatives. The first meeting of the commission shall be held within 45 days of the effective date of this section. Three members of the commission shall constitute a quorum. The terms of the members of the commission shall be coterminous with their terms of office.

42 Transfers Among Accounts; Office of Information Technology. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary, the office of information technology may, subject to the approval of the fiscal committee, transfer funds within and among all PAU's within said office as necessary for the efficient management of the office.

43 New Paragraph; Tobacco Tax; Stamps; Alternative to Bonding Requirements for Wholesalers. Amend RSA 78:9 by inserting after paragraph II the following new paragraph:

III. At the sole discretion of the commissioner, the commissioner may place a lien on property of the licensed wholesaler in lieu of the bond requirement under paragraph I, provided that:

(a) The licensed wholesaler submits a written request for the lien and detailed proposal acceptable to the commissioner; and

(b) The property on which the proposed lien shall be placed is of adequate value, marketability, and liquidity to protect the state's interests to the same degree or greater than a bond.

44 Committee on LCHIP Funding Established.

I. There is established a committee to examine alternatives and recommend a dedicated source of funding to sustain the land and community heritage investment program trust fund for the biennium and beyond. The committee shall examine alternative funding sources for the land and community heritage investment program with the understanding that absent a recommendation for further legislative action from the committee, the recording surcharge established in section 44 of this act shall take effect on July 1, 2008.

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

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

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

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

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

V. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2007.

45 New Paragraph; Register of Deeds; Surcharge. Amend RSA 478:17-g by inserting after paragraph I the following new paragraph:

I-a.(a) In addition to paragraph I, for recording each such document, a surcharge of \$25 shall be assessed for each recording, except as provided in subparagraphs (b) and (c).

(b) The total amount of surcharges collected under this section shall not exceed \$100 for each party to a transaction involving the sale, grant, or transfer of real estate taxable under RSA 78-B:1.

(c) No such surcharge shall be assessed on the United States or any instrumentality thereof, the state, a state agency, a county, a city, a town, a school district, or a village district.

(d) This paragraph shall be administered by the commissioner of revenue administration, and all powers and duties available to the commissioner to enforce and administer tax laws under RSA 21-J and RSA 78-B shall be authorized for the administration and enforcement of this paragraph. The commissioner may adopt rules, pursuant to RSA 541-A, relative to the administration of this paragraph. Each register of deeds shall retain 4 percent of the total surcharges collected as payment for the service of collecting the surcharge which shall be deducted prior to remitting all revenue collected.

(e) Each register of deeds shall remit the surcharges so collected to the department monthly or more often. All funds received shall be paid over to the state treasurer for deposit in the trust fund for the land and community heritage investment program established under RSA 227-M:7.

46 New Paragraph; Land and Community Heritage Investment Program Surcharge Administration. Amend RSA 78-B:8 by inserting after paragraph II the following new paragraph:

III. The commissioner shall administer the provisions of RSA 478:17-g, I-a with the same authority as this chapter.

47 Appropriation; Department of Revenue Administration. The sum of \$50,000 is hereby appropriated to the department of revenue administration for the fiscal year ending June 30, 2009, to assist county registers of deeds with computer programming changes and administrative costs necessary to implement the land and community heritage investment program surcharge under RSA 478:17-g, I-a, as inserted by section 45 of this act. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

48 Repeal. RSA 478:17-g, I-a and RSA 78-B:8, III as inserted by sections 45 and 46 of this act, and section 47 of this act, relative to the registry of deeds surcharge, are repealed.

49 Commission Relative to Court Security Issues Established.

I. There is established a commission to study court security issues.

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

(a) A representative of the courts, appointed by the chief justice of the supreme court.

(b) A representative of the New Hampshire Sheriff's Association, appointed by the association.

(c) A representative of the department of administrative services, appointed by the commissioner of administrative services.

(d) Three members of the house of representatives, appointed by the speaker of the house of representatives, one of whom shall be a member of the criminal justice and public safety committee, one of whom shall be a member of the judiciary committee, and one of whom shall be a member of the finance committee.

(e) Two members of the senate, appointed by the president of the senate, one of whom shall be a member of the judiciary committee and one of whom shall be a member of the finance committee.

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

IV. The commission shall study issues relative to court security, including assessing the adequacy of the current security system, identifying potential improvements to current court security measures, and estimating the cost of such improvements. The commission shall develop an implementation plan relative to its recommendations.

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

VI. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2007.

50 Medicaid Enhancement Tax; Imposition of Tax. Amend RSA 84-A:2 to read as follows:

84-A:2 Imposition of Tax. A tax is imposed at a rate of [6] **5.5** percent upon the net patient services revenue of every hospital for the hospital's fiscal year ending during the first full calendar year preceding the taxable period.

51 Nursing Facility Quality Assessment; Imposition of Fee. Amend RSA 84-C:2 to read as follows:

84-C:2 Imposition of Fee. An assessment of [6] **5.5** percent of net patient services revenues is hereby imposed on all nursing facilities on the basis of patient days in each nursing facility. The fee shall be implemented in accordance with the provisions of 42 C.F.R. part 433.

52 Department of Health and Human Services; Authority to Fill Unfunded Positions. Notwithstanding any provision of law to the contrary, the commissioner of the department of health and human services may fill any unfunded positions during the biennium ending June 30, 2009, provided that the total expenditure for such positions shall not exceed the amount appropriated for personal services, permanent, and personal services, unclassified.

53 New Paragraph; Family Mutual Support Services; Requests for Proposals. Amend RSA 126-P:2 by inserting after paragraph IV the following new paragraph:

V. The New Hampshire developmental disabilities council shall assist the department in developing any requests for proposals for family mutual support services, which shall include adult services, before they are released for competitive bidding, and shall participate in selection.

54 Nursing Facility Rates; Report by Department of Health and Human Services. For the biennium ending June 30, 2009, the department of health and human services shall provide a report to the fiscal committee of the general court detailing assumptions used by the department to calculate acuity-based rates paid to nursing facilities. The department also shall provide copies of the report to the chairs of the house and senate health and human services committees and the finance committees. Said report shall be filed with the committees prior to the effective date of any rate change, and shall include, but not be limited to, the average monthly nursing facility bed days used to calculate rates, the projected surplus or deficit in current operating budget appropriations for nursing services, and the budget neutrality factor that will be applied to the rates, if any.

55 New Paragraph; Recovery of Assistance. Amend RSA 167:13 by inserting after paragraph III the following new paragraph:

IV. There is established in the state treasury an estate administration fund for use as a depository account by the department of health and human services for the purpose of estate administration conducted pursuant to RSA 553:2, III. The fund shall be used to receive and temporarily hold estate funds subject to supervision of the probate court until funds are disbursed, in accordance with RSA 554:19, to creditors, including the state, for public assistance provided under this chapter.

56 New Subparagraph; Treasury; Application of Receipts. Amend RSA 6:12, I(b) by inserting after subparagraph (252) the following new subparagraph:

(253) Moneys deposited in the estate administration fund established under RSA 167:13, IV.

57 Legal Services Study Commission Established.

I. There is established a commission to study the consolidation and centralization at the department of justice of legal services by the department of health and human services and other departments.

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

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

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

(c) Two members appointed by the governor.

(d) The attorney general, or designee.

(e) The commissioner of the department of health and human services, or designee.

(f) One member of the New Hampshire Bar Association who has both government service experience and experience in the private sector management of a large law firm, appointed by the attorney general.

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

IV. The commission shall study the employment of attorneys by the department of health and human services and other state agencies to determine whether transfer of those employees and responsibility for those legal service functions to the attorney general's office would improve the efficiency and effectiveness of legal services by the state. The study shall address whether centralization and consolidation of legal services within the state would allow the state to:

(a) More effectively and efficiently hire and retain highly qualified legal professionals.

(b) Standardize management, supervision, and accountability of attorneys and legal support staff working for the state.

(c) Establish a consistent and uniform training program for all attorneys and legal staff employed by the state.

(d) Provide more timely and consistent legal advice to state departments and officials.

(e) Eliminate duplication of legal services currently being performed by attorneys working at different departments.

(f) Establish uniform standards for attorneys appearing on behalf of the state before courts or administrative proceedings.

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

VI. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2007.

58 Fish and Game; Game Management Account; HB 623-FN; Effective Date Changed. Amend section 8 of HB 623-FN of the 2007 legislative session to read as follows:

8 Effective Date. This act shall take effect [~~January 1, 2008~~] **July 1, 2007**.

59 Accounts Transferred; Game Management Account. All moneys existing in the moose management fund, the bear management fund, the wild turkey account, and the waterfowl conservation account as of June 30, 2007 shall be transferred to the game management account established in RSA 206:34-b as inserted by HB 623-FN of the 2007 legislative session.

60 Game Management Account; Application of Receipts.

I. Notwithstanding any other provision of law, between July 1, 2007 and December 31, 2008, all moneys collected from the sale of moose, bear, turkey, and waterfowl stamps, licenses, applications, and permits shall be deposited in the fish and game fund and shall be used for purposes specified in RSA 206:34-a.

II. On and after January 1, 2009, all moneys collected from the sale of moose, bear, turkey, and waterfowl stamps, licenses, applications, and permits shall be deposited in the fish and game fund and a portion transferred to the game management account pursuant to RSA 206:34-b, as inserted by HB 623-FN of the 2007 legislative session.

61 Off Highway Recreational Vehicles; Registration Fees; Funds Appropriated to Fish and Game Department. Amend RSA 215-A:23, VIII(f) to read as follows:

(f) Contracting with state, county, and local law enforcement agencies to enforce the provisions of this chapter relative to ATV use. [~~Ten dollars of each resident trail bike and other OHRV registration fee appropriated to the department of fish and game under RSA 215-A:23, I(b), and \$19 of each nonresident trail bike and other OHRV registration fee appropriated to the department of fish and game under RSA 215-A:23, III(b) shall be used exclusively for such contracting and shall not be transferred or diverted to any other purpose.~~]

62 Fish and Game; Use of Funds Relative to ATVs. All moneys required by RSA 215-A:23, VIII(f) prior to July 1, 2007 to be used specifically for contracting with law enforcement agencies to enforce ATV laws and held by the fish and game department for that purpose on July 1, 2007, shall be retained by the department and used for the purposes listed in RSA 215-A:23, VIII.

63 Moose; Permit Fees; Nonresident Minimum Fee. Amend RSA 208:1-a, II to read as follows:

II. The executive director, with the consent of the commission, shall also adopt rules under RSA 541-A to regulate the issuance of licenses or permits, including the establishment of a lottery for awarding of permits to applicants, and to set fees for applications, licenses, or permits for both resident and nonresident applicants, **provided the fee for nonresident permits shall be at least \$450.**

64 Wild Turkey; Nonresident Fee. Amend RSA 214:9, XI to read as follows:

XI. If the applicant **is a resident and** wishes to hunt wild turkeys, [~~\$5~~] **\$15, and if the applicant is a nonresident and wishes to hunt wild turkeys, \$30**, and the fish and game department shall thereupon issue a wild turkey license or permit which shall entitle the licensee to hunt, shoot, kill and take turkey, except by the use of traps.

65 Motor Vehicle Fines; Review. The house criminal justice and public safety committee shall review fines for motor vehicle violations, as they have been amended by 2005, 177 and 2006, 259. The committee shall consider the appropriateness of the fine amounts and the advisability of reducing the fine amounts upon passage of the state operating budget. The committee shall report its findings to the speaker of the house of representatives and to the chairman of the house ways and means committee by November 1, 2007.

66 Repeal. 2006, 259, relative to reducing certain fines for motor vehicle violations, is repealed.

67 Regional Community-Technical College System; Authority to Accept Funds and Exemption from Hiring Freeze; Prospective Repeal Extended to July 1, 2009. Amend 2005; 227:6, I to read as follows:

I. Section 4 of this act shall take effect July 1, ~~2007~~ **2009**.

68 Regional Community-Technical Colleges; Contracts with the Community-Technical College Foundation; Prospective Repeal Extended. Amend 2004, 9:5, I to read as follows:

I. Section 3 of this act shall take effect July 1, ~~2007~~ **2009**.

69 Lease Agreements. Notwithstanding RSA 6:35, for the biennium ending June 30, 2009, the fish and game department, the department of transportation, and the department of regional community-technical colleges may enter into lease agreements for vehicles and equipment at the discretion of the agency head. In this section, "lease" includes a lease-purchase, sale and lease back, installment sale, or other similar agreement.

70 New Section; Compensation for Retired Full-Time Justices for Service after Retirement. Amend RSA 493-A by inserting after section 1-a the following new section:

493-A:1-b Compensation. Any retired full-time justice of the supreme, superior, district, or probate court who serves after retirement as a senior active status justice or a judicial referee shall be allowed his or her expenses and a per diem compensation determined by the supreme court upon recommendation by the judicial branch administrative council and based on the daily equivalent of the annual salary the retired justice would then be earning pursuant to RSA 491-A:1; provided however, that in any calendar year the total of the service retirement benefits that the retired justice receives pursuant to RSA 100-C:5 plus the compensation provided by this section shall not exceed the annual salary the retired justice would then be earning pursuant to RSA 491-A:1.

71 Appropriation. There is hereby appropriated to the judicial branch the sum of \$200,000 for the fiscal year ending June 30, 2008, and the sum of \$200,000 for the fiscal year ending June 30, 2009, for the purpose of compensating retired, full-time justices for service after retirement. The governor is authorized to draw a warrant for said sums out of any money in the treasury not otherwise appropriated.

72 New Section; Governor's Commission on Disability; Newline for the Blind. Amend RSA 275-C by inserting after section 8 the following new section:

275-C:8-a Newline for the Blind; Funding. Beginning July 1, 2007, and in each fiscal year thereafter, the sum of \$28,000 is hereby appropriated to the governor's commission on disability for the purpose of funding the National Federation of the Blind's "Newline for the Blind," an information and news service that provides individuals who are otherwise unable to read newsprint with access to existing newspapers and other printed materials. Said funds shall be a charge against the telecommunications relay service trust fund established by the public utilities commission.

73 New Hampshire Housing Finance Authority; Maximum Bond Debt. Amend the introductory paragraph of RSA 204-C:28, II to read as follows:

II. In addition to the obligations which the authority may have outstanding under paragraph I, the authority may issue notes and bonds not in excess of [~~\$200,000,000~~] **\$800,000,000** for the purposes specified in this paragraph. Such notes and bonds shall constitute general obligations of the authority payable out of any revenues or moneys of the authority, subject only to any agreements with the holders of particular notes or bonds pledging any particular revenues. The purposes for which such notes and bonds may be issued pursuant to this paragraph shall be to provide sufficient funds for any one or more of the following:

74 Rehiring of Laid Off State Employees.

I. For purposes of this section, "laid off" means any person who receives written notice of the state's intent to lay him or her off or who is laid off between July 1, 2007 and June 30, 2009, as a result of reorganization or downsizing of state government.

II. It is the intent of the general court that any position which becomes available in a department or establishment, as defined in RSA 9:1, shall be filled, if possible, by a state employee laid off, as defined in paragraph I, if such person is not currently employed by the state of New Hampshire and if he or she meets the minimum qualifications for the position.

III. The head of each department or agency shall submit the name and classification of any individual laid off between July 1, 2007 and June 30, 2009, to the director of the division of personnel within 10 days of the layoff.

IV. Any full-time state employee who was laid off as defined in this section, who before the layoff was receiving state-paid medical benefits under the provisions of RSA 21-I:26-36, who is not eligible to retire and receive post-retirement medical benefits under the provisions of RSA 21-I:26-36 or RSA 100-A:52-55, and who is not eligible for employer-paid medical or health care coverage under the plan of any other employer, or as the spouse of a person covered under the plan of any other employer, or under the state plan as the spouse of a state employee, shall continue to receive such state-paid benefits, as if continuing in active employment, for a period not to exceed 6 months after the date of termination of state employment. For the first 3 months of this 6-month period, the state shall pay the full costs of continuing medical and health care coverage. For the latter 3 months of the 6-month period, the state shall pay ½ the cost and the laid-off state employee shall pay ½ the cost of continuing medical and health care coverage. This 6-month period shall be included in the calculation of the entitlements required under the Consolidated Omnibus Budget Reconciliation Act of 1986 and any amendments thereto.

75 Division of Personnel; Training Programs. RSA 21-I:42, XIV is repealed and reenacted to read as follows:

XIV. Providing training programs to state agencies under this paragraph and paragraph XVII and developing and implementing a training information management system to collect and record data on agency training efforts.

(a) All state agencies shall utilize training programs offered or sponsored by the division of personnel, if appropriate training programs are available. Fees for such training programs shall be paid out of the agency's budget for training.

(b) All state agencies shall notify the division of personnel of training needs and of planned training programs for classified employees. The division may develop training programs based on such notification of training needs and make this information available to all state agencies on a regular basis to encourage efficient use of training programs.

76 Scenic and Cultural Byways System; Funds. Amend RSA 238:23, I to read as follows:

I. The ~~[director of the office of energy and planning, with the advice of the]~~ commissioner of the department of transportation ~~[and]~~, **with the advice of** the commissioner of the department of resources and economic development **and the commissioner of the department of cultural resources**, is authorized to apply for and accept gifts, grants, donations and contributions from any source, public or private, in the name of the state and to provide for technical and administrative support consistent with the resources provided to the program under this section. Any moneys accepted shall be continually and solely appropriated for the purpose of this subdivision.

77 Court Fees and Fines. Amend RSA 490:26-a to read as follows:

490:26-a Court Fees and Fines; Credit Card Payments.

I. The supreme court shall establish by rule an equitable fee schedule for all courts in the state.

II.(a) Except as provided in subparagraph (b), a \$25 surcharge shall be added to each civil filing fee for all courts. This surcharge shall be deposited in the general fund.

(b) The following shall be exempt from the surcharge under subparagraph (a):

(1) Actions relating to children under RSA 169-B, RSA 169-C, and RSA 169-D.

(2) Domestic violence actions under RSA 173-B.

(3) Small claims actions under RSA 503.

(4) Landlord/tenant actions under RSA 540, RSA 540-A, RSA 540-B, and RSA 540C.

(5) Stalking actions under RSA 633:3-a

III. All court fees, **surcharges**, and [all] fines paid into any court may be paid by credit card in lieu of cash payment. The courts shall collect a \$3 processing fee in addition to each fee, **surcharge**, or fine paid by credit card.

78 Repeal. RSA 281-A:59, VI, relative to a credit against the premium tax for payments made by insurance carriers to the workers' compensation administration fund, is repealed.

79 Repeal. RSA 82-A:5, relative to communications services tax exemption, is repealed.

80 New Section; Department of Transportation; Deputy Commissioner. Amend RSA 21-L by inserting after section 5 the following new section:

21-L:5-a Deputy Commissioner.

I. The commissioner of transportation shall nominate a deputy commissioner for appointment by the governor, with the consent of the council. The deputy commissioner shall serve a term of 4 years. The deputy commissioner shall be qualified to hold that position by reason of education and experience.

II. The deputy commissioner shall perform such duties as are assigned by the commissioner or assistant commissioner and, in accordance with applicable laws, shall be responsible for the following functions:

(a) Long and short range department level planning in areas of strategic, financial, and human capital programs.

(b) Policies, practices, and procedures to ensure compliance with laws and high standards of continuous quality improvement.

(c) Evaluations and audits of financial, human capital, environmental, and safety practices and internal audits.

(d) Policy development.

(e) Adjudicative hearings procedures.

(f) Public information.

(g) Liaison with the office of information technology.

III. The position shall be unclassified, and the salary of the deputy commissioner shall be as specified in RSA 94:1-a.

81 Department of Transportation; Division of Administration Changed to Division of Finance. RSA 21-L:6 is repealed and reenacted to read as follows:

21-L:6 Division of Finance. There is established within the department the division of finance, under the supervision of an unclassified director of finance, who shall, in accordance with applicable laws, be responsible for the following functions:

I. Financial management systems.

II. Bonding activities, including Garvee and turnpike bonds.

III. Budget control.

IV. Accounts payable and receivable systems.

V. Federal billing.

VI. Purchasing.

VII. Contracts and grants management.

VIII. Control of department inventory.

IX. Department printing.

82 Department of Transportation; Duties of Commissioner; Reference Change. Amend RSA 21-L:4, IV to read as follows:

IV. Require the director of the division of [administration] **finance**, in consultation with the commissioner of administrative services and the state treasurer, to provide for a system of accounts and reports which will insure the integrity and lawful use of all revenues collected by the department, the use of which is restricted by state or federal law.

83 Unclassified Salaries; Department of Transportation; Deputy Commissioner. There is hereby established within the department of transportation, office of the commissioner, the unclassified position of deputy commissioner, which shall replace the position of director of public works. Pursuant to 94:1-d, the commissioner of transportation shall submit his or her recommendation relative to the appropriate letter grade in RSA 94:1-a, I(b) for the position of deputy commissioner to the commissioner of administrative services, who shall submit the recommendation to an outside consultant for the purpose of assessing the appropriate letter grade for unclassified officers. The commissioner of administrative services shall submit the consultant's report to the joint committee established in RSA 14:14-c, for its review and temporary letter grade allocation.

84 Unclassified Salaries, Department of Transportation; Director of Finance. There is hereby established within the department of transportation, office of the commissioner, the unclassified position of director of finance, which shall replace the position of director of administration. Pursuant to RSA 94:1-d, the commissioner of transportation shall submit his or her recommendation relative to the appropriate letter grade in RSA 94:1-a, I(b) for the position of director of finance to the commissioner of administrative services, who shall submit the recommendation to an outside consultant for the purpose of assessing the appropriate letter grade for unclassified officers. The commissioner of administrative services shall submit the consultant's report to the joint committee established in RSA 14:14-c, for its review and temporary letter grade allocation.

85 Unclassified Salaries; Department of Transportation. Amend RSA 94:1-a, I(b) by deleting:

GG	Department of transportation	director of administration
HH	Department of transportation	director of public works

86 Transfers Authorized. Notwithstanding the provisions of RSA 9:16, RSA 9:16-a, RSA 9:17, RSA 9:17-a, and RSA 9:17-c, the commissioner of administrative services, upon the request of the commissioner of safety, is authorized to transfer within and among any and all components and class codes of the budget of the division of state police for the biennium ending June 30, 2009, regardless of funding source or mix, sufficient funds to cover overtime obligations for state police activities within the traffic bureau and detective bureau, witness fees, and the accompanying benefits. The total amount transferred shall not exceed \$300,000. When making the transfers, every effort shall be made to maintain the original funding sources for the amounts transferred.

87 Unclassified Salaries, Forensic Toxicologist Deleted. Amend RSA 94:1-a, I(b) by deleting the following:

FF	Department of safety forensic toxicologist
----	--

88 Unclassified Salary; Chief of Policy and Planning. There is hereby established within the department of safety, office of the commissioner, the unclassified position of chief of policy and planning. Pursuant to RSA 94:1-d, the commissioner of safety shall submit his or her recommendation relative to the appropriate letter grade in RSA 94:1-a, I(b) for the position to the commissioner of administrative services, who shall submit the recommendation to an outside consultant for the purpose of assessing the appropriate letter grade for unclassified officers. The commissioner of administrative services shall submit the consultant's report to the joint committee established in RSA 14:14-c, for its review and temporary letter grade allocation.

89 New Section; Unclassified Position Established; Chief of Policy and Planning. Amend RSA 21-P by inserting after section 5-a the following new section:

21-P:5-b Chief of Policy and Planning. The commissioner of safety shall nominate a chief of policy and planning for appointment by the governor, with the consent of the council. The chief of policy and planning shall serve at the pleasure of the commissioner and shall be qualified to hold that position by reason of education and experience and shall perform such duties as are assigned.

90 Classified Position Established; Forensic Toxicologist. There is established within the department of safety, division of state police, forensic laboratory, toxicology laboratory, an additional criminalist position to serve as state toxicologist at such labor grade and step as shall be determined by the director of state personnel. The comptroller, upon request of the commissioner of safety, is authorized to transfer sufficient funds from PAU 02-15-04-16-03, class 12, personnel services -unclassified, allocated to the unclassified position of state toxicologist in the operating budget to class 10, personal services - permanent, to support the salary of the new classified position.

91 Personnel Reallocations Authorized. For the biennium ending June 30, 2009, the commissioner of safety, whenever he or she deems it will improve the efficiency and effectiveness of the delivery of service within the department, may, with approval of the fiscal committee of the general court and governor and council and further subject to approval of the position classifications by the director of personnel, eliminate

certain personnel positions that may become vacant during the biennium and establish in their place other personnel positions from the same funding source, provided the cost of the new positions does not exceed the amounts budgeted for the positions being eliminated. The commissioner of safety shall submit reports on or before December 1, 2007, June 30, 2008, and December 1, 2008 to the chairs of the house and senate executive departments and administration committees on any actions taken as a result of this authorization.

92 Charter School Appropriations for the Biennium Ending June 30, 2009. Notwithstanding the appropriations made in PAU 06, 03, 03, 01, 27, class 97, and any related footnotes, the total amount of charter school supplemental grants appropriated in PAU 06, 03, 03, 01, 27, class 97 for the biennium ending June 30, 2009 shall be available to the department of education for the fiscal year ending June 30, 2008, for disbursement to the Cocheco Arts and Technology Academy, the Franklin Career Academy, and the Seacoast Charter School. Any supplemental grant funds which are unexpended at the end of the 2008 fiscal year shall not lapse and shall be available for disbursement in the 2009 fiscal year.

93 Applicability. No new charter schools shall be approved by the state board of education under the provisions of RSA 194-B:3-a between July 1, 2007 and June 30, 2009, provided that a charter school application filed prior to July 1, 2007 which is scheduled to be acted upon by the state board of education on or before October 1, 2007 shall be exempt from this prohibition. Nothing in this section shall affect the validity of a charter school approved by the state board of education under RSA 194-B:3-a prior to July 1, 2007.

94 New Paragraph; Committee for the Protection of Human Subjects; Fees. Amend RSA 171-A:19-a by inserting after paragraph VIII the following new paragraph:

IX. The commissioner may establish fees, through rules adopted under RSA 541-A, as deemed necessary, after consultation with the committee, to offset departmental costs of providing assistance to the committee pursuant to paragraph VIII. Fee revenue shall not be deposited into the general fund, but may be used by the department to offset such costs.

95 Committee for the Protection of Human Subjects. Amend RSA 171-A:19-b to read as follows:

171-A:19-b Rulemaking. The commissioner may adopt rules, pursuant to RSA 541-A, relative to the operation of the committee for the protection of human subjects, established in RSA 171-A:19-a, ~~and~~ the procedures, conditions, and criteria for the conduct and approval of research, **and fees charged by the committee.**

96 New Subdivision; New Hampshire Comprehensive Cancer Plan. Amend RSA 126-A by inserting after section 63 the following new subdivision:

New Hampshire Comprehensive Cancer Plan

126-A:64 Comprehensive Cancer Plan Fund. There is hereby established in the office of the state treasurer the comprehensive cancer plan fund, to be administered by the department of health and human services. The department is authorized to accept public sector and private sector grants, gifts, donations, and appropriations for deposit into the fund. The fund shall be nonlapsing and continually appropriated to the department, and shall be used to implement the provisions of the New Hampshire comprehensive cancer plan as developed by the New Hampshire comprehensive cancer collaboration. The fund shall be expended annually for the following purposes:

I. 67.4 percent towards the state tobacco use prevention program which shall be expended by the department for tobacco use prevention and cessation programs as provided in RSA 126K:15.

II. 2.5 percent towards diet and exercise programs.

III. 5.9 percent towards early detection and screening programs for breast and cervical cancer.

IV. 17.6 percent towards early detection and screening programs for colorectal cancer.

V. 1.2 percent towards survivorship and cancer support for those affected by prostate cancer.

VI. 2.2 percent to identify and promote treatment and support services for survivors.

VII. 3.2 percent to minority oversampling data for information on behavioral risk and cancer rates.

126-A:65 Comprehensive Cancer Plan Oversight Board.

I. There is established a comprehensive cancer plan oversight board to oversee the department of health and human services' allocation of moneys from the comprehensive cancer fund.

II. The members of the board of directors of the comprehensive cancer plan oversight board shall be as follows:

- (a) Two members of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) Two members from the department of health and human services, appointed by the commissioner.
- (d) Two members from the American Cancer Society, appointed by that organization.
- (e) Two members from the Dartmouth Hitchcock Healthcare System, appointed by that organization.
- (f) Two members from the New Hampshire Hospital Association, appointed by the association.
- (g) Two members of the public who are cancer survivors, appointed by the American Cancer Society.

III. The board of directors may appoint other members to the comprehensive cancer plan oversight board.

IV. Legislative members of the board shall receive mileage at the legislative rate when attending to the duties of the board.

V. The board shall report to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1 of each year of the appropriation.

97 New Subparagraph; Application of Receipts; Comprehensive Cancer Plan Fund. Amend RSA 6:12, I(b) by inserting after subparagraph (252) the following new subparagraph:

(253) Moneys deposited in the comprehensive cancer plan fund established under RSA 126-A:64.

98 Repeal. The following are repealed:

- I. RSA 126-A:64, relative to the comprehensive cancer plan fund.
- II. RSA 126-A:65, relative to the comprehensive cancer plan oversight board.
- III. RSA 6:12, I(b)(253), relative to the comprehensive cancer plan fund.

99 Contingency. SB 213-FN-A of the 2007 legislative session shall not take effect.

100 Hackett Hill Road in the Town of Hooksett; Classification Changed to Class V. The class II portion of Hackett Hill Road in the town of Hooksett, beginning at the junction of Route 3-A continuing to the west approximately 7/10 miles to the present town portion of Hackett Hill Road, shall be reclassified as a class V highway. The reclassification shall not occur until the signing of all agreements necessary to build the proposed improvements and the acceptance of the completed improvements and the roadway by the town of Hooksett and the department of transportation.

101 Securities; Administrative Penalty; Investor Education. Amend RSA 421-B:26, IV to read as follows:

IV. All moneys collected as an administrative penalty under this chapter and all moneys collected pursuant to **RSA 421-B:31, I(g) and** RSA 421-B:31, I(h) shall be credited to an investor education fund to be maintained by the state treasurer. Funds in excess of \$725,000 at the end of each fiscal year shall be credited to the general fund. The secretary of state, after deducting administrative costs, shall use moneys credited to that fund to provide information to residents of this state about investments in securities, to help investors and potential investors evaluate their investment decisions, protect themselves from unfair, inequitable, or fraudulent offerings, choose their broker-dealers, agents, or investment advisers more carefully, be alert for false or misleading advertising or other harmful practices, and know their rights as investors.

102 New Hampshire Clean Lakes Program. Amend RSA 487:17 to read as follows:

487:17 Program Established.

I. A program for the preservation and restoration of New Hampshire lakes and ponds eligible under RSA 487:20 shall be established and administered within the department of environmental services. Said program shall function to limit the eutrophication process in New Hampshire lakes by reducing nuisance growths of macrophyton and phytoplankton. It shall reinforce and complement the program authorized by the federal program and shall serve 3 basic purposes:

(a) To diagnose degraded lakes and ponds and implement long-term solutions for the purpose of restoring water quality where such solutions are feasible and cost effective.

(b) To diagnose lakes and ponds and implement methods for long-term preservation of the water quality when such measures can be shown to be feasible and cost effective.

(c) To provide short-term remedial actions which can effectively maintain water quality conditions adequate for public recreation and enjoyment, including, but not limited to, the control **or eradication** of exotic aquatic weeds pursuant to paragraphs II and III.

II. The department is directed to prevent the introduction and further dispersal of exotic aquatic weeds and to manage ~~or~~, control, **or eradicate** exotic aquatic weed infestations in the surface waters of the state. The department is authorized to:

(a) Display and distribute promotional material and engage in educational efforts informing boaters of the problems with exotic aquatic weed control.

(b) Control **or eradicate** infestations of exotic aquatic weeds, according to the following criteria:

(1) The department shall have determined that the exotic aquatic weed can in fact be controlled **or eradicated** in the waterbody.

(2) The most environmentally sound treatment technique relative to the specific infestation will be used, which also meets the requirements of state rules, including rules adopted under RSA 430. ***Notwithstanding any law or interagency agreement to the contrary, the department's recommendation to use herbicide applications shall be made in consultation with the fish and game department and shall be implemented only if the department of agriculture, markets, and food issues the permit pursuant to RSA 430:33, with or without the concurrence of the department of fish and game.***

(c) Develop an emergency response protocol to control **or eradicate** small new infestations. The protocol may include contractual agreements with one or more licensed pesticide applicators that would enable the prompt treatment of exotic aquatic weeds with herbicides consistent with the criteria provided in subparagraph (b).

(d) Designate, in consultation with the department of fish and game and the division of safety services, department of safety, restricted use of exotic aquatic weed control areas.

III. After notice and opportunity for hearing and comment, the department may make financial grants to lakefront associations, private businesses, citizens, and local governmental agencies for the management of exotic aquatic weeds ~~[where eradication is deemed impossible]~~. All applications for grants by such groups shall be approved by ~~[both]~~ the department ~~[and]~~, ***in consultation with*** the fish and game department, and shall meet state rule requirements.

103 Project Prioritization. Amend RSA 487:18 to read as follows:

487:18 Project Prioritization. Project approval shall be based upon prioritization factors to be established by rules adopted under RSA 541-A. Such rules shall give first priority for expenditure of available funds to the control **or eradication** of new infestations of exotic aquatic weeds pursuant to RSA 487:17, II(b). Otherwise, preference shall be given to lakes that have public access or that serve as a public drinking water supply. Implementation measures shall be based upon an assessment of potential success, technical feasibility, practicability, and cost effectiveness. Restoration and preservation projects shall include watershed management plans to control and reduce incoming nutrients wherever possible through best management practices. Repeated short-term solutions shall be discouraged where long-term solutions are feasible and cost effective. Treatments shall be designed to minimize any adverse effect upon fish and wildlife, their habitats, and the environment.

104 New Section; Division of Economic Development; Technology Development and Telecommunications Planning. Amend RSA 12-A by inserting after section 50 the following new section:

12-A:51 Technology Development and Telecommunications Planning. There is established within the division of economic development, a technology development and telecommunication planning function, which is intended to promote technology development and telecommunication planning in the state. Under the supervision of the director of the division of economic development, the division shall:

I. Coordinate state telecommunications policy planning initiatives by providing support for the telecommunications planning and development advisory committee established in RSA 12-A:46, maintaining a state

telecommunications resource website, and working with regional partners from the private and public sector to coordinate efforts to provide increased interoperable advanced telecommunications systems throughout the state with the goal of providing affordable and accessible broadband to residents of this state.

II. Encourage and facilitate collaboration between public and private research and development efforts in New Hampshire relative to technology development and telecommunications planning.

III. With the assistance of the University of New Hampshire and other partners, seek resources such as grants from government and nonprofit entities to develop a state technology development and telecommunications plan.

105 Appropriation; Department of Resources and Economic Development; Technology Development and Telecommunications Planning. In addition to any other sums appropriated to the department of resources and economic development, there is hereby appropriated to the department of resources and economic development, division of economic resources, the sum of up to \$20,000 for the fiscal year ending June 30, 2008 for the purpose of securing a grant writer to establish a technology development and telecommunications plan. The governor shall draw a warrant for such sums from any money in the treasury not otherwise appropriated.

106 New Subparagraph; Department of Safety; Division of State Police. Amend RSA 21-P:7, I by inserting after subparagraph (e) the following new subparagraph:

(f) Approving professional standards of conduct and standard operating procedures of the division of state police.

107 Health and Human Services; Medical Assistance Program.

I. The department of health and human services shall include disposable incontinence supplies as medical assistance under the Medicaid state plan.

II. The department of health and human services shall explore opportunities to utilize innovative purchasing and distribution methodologies such as bulk purchasing and electronic benefit cards to provide disposable incontinence supplies to Medicaid recipients, as in provided in HB 826-FN of the 2007 legislative session.

108 Health and Human Services; Independent Case Management. Independent case management shall be provided to all beneficiaries receiving services under the Home and Community-Based Care for the Elderly and Chronically Ill (HCBC-ECI) waiver program, except beneficiaries living in an assisted living facility licensed in accordance with department of health and human services rule He-P 803. The commissioner of the department of health and human services shall grant waivers to allow independent case management to be provided to the excluded beneficiaries as necessary to protect their health and safety.

109 Department of Health and Human Services; Rate Setting. For the biennium ending June 30, 2009, the commissioner of the department of health and human services shall set rates paid to providers consistent with the operating budget appropriations allotted to pay providers in each program including any rate increases provided in the operating budget. Such rates shall reflect legislative decisions to provide specific rate increases as footnoted in the operating budget. The commissioner shall report quarterly to the fiscal committee of the general court, the governor, the speaker of the house of representatives, and the president of the senate concerning the status of appropriations for payments to providers and the rates established by the department.

110 Revenue Stabilization Reserve Account. Notwithstanding RSA 9:13-e, any budget surplus in excess of \$20,000,000, for the close of the fiscal biennium ending June 30, 2007, shall not be deposited in the revenue stabilization reserve account but shall remain in the general fund.

111 Education Trust Fund; Transfer to General Fund. Notwithstanding RSA 198:39, any funds remaining in the education trust fund as of June 30, 2007, June 30, 2008, and June 30, 2009 shall be transferred to the general fund as undesignated surplus.

112 Tobacco Use Prevention Fund; Reference Change. Amend the subdivision heading preceding RSA 126-K:15 to read as follows:

Tobacco Use Prevention [~~Fund and Tobacco Control~~] **and Cessation** Program

113 Tobacco Use Prevention and Cessation Program. RSA 126-K:15 is repealed and reenacted to read as follows:

126-K:15 Tobacco Use Prevention and Cessation Program. There is hereby established in the department of health and human services the tobacco use prevention and cessation program, which shall be administered with funds appropriated to the department for such purpose, and which shall include but not be limited to:

I. Tobacco use prevention community programs and grants.

- II. Tobacco use prevention school programs and grants.
- III. Tobacco use prevention state-wide programs and grants.
- IV. Tobacco use cessation programs.
- V. Tobacco use prevention and cessation counter marketing.
- VI. Evaluation of tobacco control initiatives.
- VII. Administration and enforcement.

114 Advisory Committee; Reference Change. Amend RSA 126-K:19, I to read as follows:

I. There is hereby established a tobacco use advisory committee to advise the department on the criteria for the expenditure of funds [~~available from the fund~~] ***appropriated for the tobacco use prevention and cessation program.***

115 Tobacco Use Prevention Fund. Any funds in the tobacco use prevention fund on June 30, 2007 shall lapse to the general fund.

116 Repeal. The following are repealed:

- I. RSA 6:12, I(b)(67), relative to the tobacco use prevention fund.
- II. RSA 126-K:16, III, relative to the definition of fund for purposes of the tobacco use prevention program.

117 Minimum Hourly Rate; Effective Date. Amend 2007, 24:2 to read as follows:

24:2 Effective Date. This act shall take effect [~~60 days after its passage~~] ***September 1, 2007.***

118 Minimum Wage Law; Definitions. Amend RSA 279:1 by inserting after paragraph XI the following new paragraph:

XII. "Tip" means money given to an employee by a customer, in cash or its equivalent, or transferred to the employee by the employer pursuant to directions from a credit card customer who designates a sum to be added to the bill as a tip, or added as a gratuity or service charge to a customer's bill, in recognition of service performed.

119 New Section; Tip Pools. Amend RSA 279 by inserting after section 26-a the following new section:

279:26-b Tip Pools.

I. Tips are wages and shall be the property of the employee receiving the tip and shall be retained by the employee, unless the employee voluntarily and without coercion agrees to participate in a tip pool which is not required and not controlled in any manner by the employer.

II. If the employee agrees to participate, the employer is not precluded from administering a valid tip pool in which participation is voluntary, not coerced, and the employer exercises no control over the manner in which tips are pooled other than for accounting and bookkeeping purposes.

120 Community Reinvestment and Opportunity Zones; Economic Revitalization Zone Tax Credits. RSA 162-N is repealed and reenacted to read as follows:

CHAPTER 162-N

ECONOMIC REVITALIZATION ZONE TAX CREDITS

162-N:1 Definition. In this chapter, "economic revitalization zone" means a zone designated by the commissioner of resources and economic development as an economic revitalization zone in accordance with the provisions of this chapter.

162-N:2 Designation of Economic Revitalization Zone.

I. "Economic revitalization zone" means a zone with a single continuous boundary, comprised of one or more contiguous census tracts or blocks or smaller recognizable physical areas, designated in accordance with the rules adopted under RSA 162-N:8, and certified by the commissioner of resources and economic development as being a brownfields site as defined under RSA 147-F, or having at least one of the following characteristics:

(a) The population of the municipality or municipalities in which the zone is located, according to the most recent federal census, decreased during the 20 years prior to the census.

(b) The median household income in the census tract or tracts in which the zone is located is less than \$40,500 according to the most recent federal decennial census.

(c) At least 20 percent of households in the census tract or tracts in which the zone is located have a median income below the federal poverty level.

(d)(1) The zone contains either:

(A) Unused or underutilized industrial parks; or

(B) Vacant land or structures previously used for industrial, commercial, or retail purposes but currently not so used due to demolition, age, obsolescence, deterioration, relocation of the former occupant's operations, or cessation of operation resulting from unfavorable economic conditions either generally or in a specific economic sector; and

(2) Certification of the zone as an economic revitalization zone would likely result in the reduction of the rate of vacant or demolished structures or the rate of tax delinquency in the zone.

II. Economic revitalization zones shall be designated by the commissioner of resources and economic development only upon petition by the local governing body, as defined by RSA 672:6, or the town council. The commissioner of resources and economic development shall certify that the economic revitalization zone meets the criteria required in paragraph I.

III. The commissioner of resources and economic development is authorized to establish an advisory board for each economic revitalization zone established under this chapter.

162-N:3 Eligibility Requirements for Business Tax Credits. No economic revitalization zone tax credits shall be allowed to any taxpayer unless the taxpayer's project receives written certification from the commissioner of resources and economic development that it will expand the commercial or industrial base in a designated economic revitalization zone and will create new jobs in the state.

162-N:4 Economic Revitalization Zone Tax Credit Agreement.

I. The commissioner of resources and economic development shall enter into a written economic revitalization zone tax credit agreement with each taxpayer; such agreement to be certified by the commissioner of resources and economic development under this section. The agreement shall contain such provisions as the commissioner of resources and economic development determines to be in the public interest, which shall include, but not be limited to:

(a) Quality and quantity of jobs to be created.

(b) Duration of the taxpayer's commitments with respect to the economic revitalization zone.

(c) The amount of the taxpayer's investment in the project.

(d) A precise definition of the location of the facility eligible for the credit.

(e) The maximum amount of the economic revitalization zone tax credit that will be allowed to the business under this agreement for jobs created and for construction or reconstruction expenses.

II. A certified copy of each agreement signed by the commissioner of resources and economic development and the taxpayer shall be provided to the commissioner of revenue administration.

162-N:5 Limit On Total Economic Revitalization Zone Credits. The aggregate value of all of economic revitalization zone tax credit agreements that the commissioner of resources and economic development enters into shall not exceed the limit of \$825,000 in any fiscal year. Notwithstanding RSA 162-N:6, the maximum credit awarded to a taxpayer in any fiscal year shall not exceed \$40,000.

162-N:6 Determination of Economic Revitalization Zone Tax Credits Eligible Amount.

I. For the purpose of determining the economic revitalization zone tax credit that the taxpayer is eligible to receive, the amount of the credit to be taken shall be the lesser of the following:

(a) The maximum amount of the economic revitalization zone tax credit as stated in the agreement as specified by RSA 162-N:4, I(e); or

(b) The sum of the following:

(1) 4 percent of the salary for each new job created in the fiscal year with a wage less than or equal to 1.75 times the then current state minimum wage.

(2) 5 percent of the salary for each new job created in the fiscal year with a wage greater than 1.75 times the then current state minimum wage and less than or equal to 2.5 times the then current state minimum wage.

(3) 6 percent of the salary for each new job created in the fiscal year with a wage greater than 2.5 times the then current state minimum wage.

(4) 4 percent of the lesser of the following:

(A) The actual cost incurred in the fiscal year of creating a new facility or renovating an existing facility, and expenditures for machinery, equipment, or other materials, except inventory.

(B) \$20,000 for each new job created in the fiscal year.

162-N:7 Application of Economic Revitalization Zone Tax Credit. The economic revitalization zone tax credit shall be applied against the business profits tax under RSA 77-A, and any unused portion thereof may be applied against the business enterprise tax under RSA 77-E. Any unused portion of the credit allowed under this chapter may be carried forward and allowed against taxes due under RSA 77-A or RSA 77-E for 5 taxable periods from the taxable period in which the tax was paid.

162-N:8 Rules. The commissioner of revenue administration shall adopt rules, under RSA 541-A, relative to documentation of the credits claimed under this chapter. The commissioner of resources and economic development shall, in consultation with the executive director of the community development finance authority, adopt rules, under RSA 541-A, relative to the administration and implementation of this chapter. The rules adopted by the commissioner of resources and economic development shall include provisions relative to:

I. Establishment and certification of economic revitalization zones.

II. Criteria for and approval of projects in economic revitalization zones, including jobs per dollar thresholds.

III. Fees which the commissioner of resources and economic development may charge to each applicant to cover the reasonable costs of the state's administration of the applicant's participation in the economic revitalization zone tax credit program.

162-N:9 Reports. The commissioner of resources and economic development shall file an annual report with the governor, the senate president, the speaker of the house of representatives, and the fiscal committee. The report shall describe the results of the economic revitalization zone tax credit program and shall include any recommendations for further legislation regarding the economic revitalization zone tax credit program.

121 Business Profits Tax; Economic Revitalization Zone Tax Credit. RSA 77-A:5, XII is repealed and reenacted to read as follows:

XII. The economic revitalization zone tax credit, as computed in RSA 162-N:6.

122 Business Enterprise Tax; Economic Revitalization Zone Tax Credit. RSA 77-E:3-a is repealed and reenacted to read as follows:

77-E:3-a Credit. The economic revitalization zone tax credit, as computed in RSA 162-N:6, shall be allowed against the tax due under this chapter.

123 Repeal. The following are repealed:

I. RSA 162-N, relative to the economic revitalization zone tax credit program.

II. RSA 77-A:5, XII, relative to the economic revitalization zone tax credit.

III. RSA 77-E:3-a, relative to the economic revitalization zone tax credit.

124 Department of Health and Human Services; Medical Assistance Program; Selective Contracting. The department of health and human services shall discontinue the bid process for the Medicaid GraniteCare Select Contracting Pilot Program, 07-OMBP-GCS-03, and take no action on any responses to the request for proposal received until the federal Centers for Medicare and Medicaid Services provides written approval of the department's request to waive Section 1915(b)(4) of the Social Security Act and the fiscal committee of the general court, upon request by the commissioner of the department of health and human services, authorizes the completion of the bid process for this program.

125 New Section; Administrative Services; State Employees Group Insurance Administration. Amend RSA 21-I:27 to read as follows:

21-I:27 Administration. Administration of the state employees permanent group life and state employees and retirees group hospitalization, hospital medical care, surgical care and other medical and surgical in-

surance benefits shall be the responsibility of the commissioner of administrative services. If the commissioner of administrative services concludes that inclusion of the university system of New Hampshire in the health plan would best serve the interests of the state employees and the state of New Hampshire, then the commissioner shall, with the consent of the university system board of trustees, administer the health benefits of the university system of New Hampshire employees as set forth in this subdivision. ***The commissioner may administer the health benefits of the employees of the State Employees' Association of New Hampshire, Inc., SEIU, Local 1984, AFL-CIO, CLC, as set forth in this subdivision until such time as the commissioner concludes that the inclusion of the State Employees' Association does not serve the interests of the state employees and the state of New Hampshire.***

126 New Paragraph; Department of Health and Human Services; Requests for Proposals. Amend RSA 126-A:5 by inserting after paragraph XV the following new paragraph:

XVI. Notwithstanding any other provision of law, administrative rule, or administrative process to the contrary, the commissioner of health and human services may advertise requests for proposals and recruitment of personnel by using the Internet rather than traditional newspaper print media. The department shall regularly publish a notice in traditional print media referring prospective service providers and persons seeking state employment to the state's website for detailed information about opportunities.

127 Definitions; Business Activity. Amend RSA 77-A:1, XII to read as follows:

XII. "Business activity" means ***a substantial economic presence evidenced by a purposeful direction of business toward the state examined in light of the frequency, quantity, and systematic nature of a business organization's economic contacts with the state. "Business activity" includes, but is not limited to,*** a group of actions performed by a business organization for the purpose of earning income or profit from such actions and includes every operation which forms a part of, or a step in, the process of earning income or profit from such group of actions. The actions ordinarily include, but are not limited to, ***the employment of business assets,*** the receipt of money, property, or other items of value and the incurring or payment of expenses. Notwithstanding any other provision of this paragraph, a holder of an ownership interest in a qualified investment company as defined in RSA 77-A:1, XXI, shall not be deemed to be carrying on any business activity within this state due solely to its holding an ownership interest in such qualified investment company.

128 Classified Salaries; July 6, 2007. RSA 99:1-a is repealed and reenacted to read as follows:

99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and all classified employees represented by an employee organization having an agreement with the state for the biennium ending June 30, 2009 shall be established as follows commencing July 6, 2007:

	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08
01	17,062.50	17,530.50	17,998.50	18,525.00	19,051.50	19,636.50	20,163.00	20,709.00
02	17,530.50	17,998.50	18,525.00	19,051.50	19,636.50	20,163.00	20,709.00	21,294.00
03	17,998.50	18,525.00	19,051.50	19,636.50	20,163.00	20,709.00	21,294.00	21,937.50
04	18,525.00	19,051.50	19,636.50	20,163.00	20,709.00	21,294.00	21,937.50	23,439.00
05	19,051.50	19,636.50	20,163.00	20,709.00	21,294.00	21,937.50	23,439.00	24,297.00
06	19,636.50	20,163.00	20,709.00	21,294.00	21,937.50	23,439.00	24,297.00	25,194.00
07	20,163.00	20,884.50	21,723.00	22,561.50	23,439.00	24,297.00	25,194.00	26,227.50
08	20,884.50	21,723.00	22,561.50	23,439.00	24,297.00	25,194.00	26,227.50	27,222.00
09	21,723.00	22,561.50	23,439.00	24,297.00	25,194.00	26,227.50	27,222.00	28,275.00
10	22,561.50	23,439.00	24,297.00	25,194.00	26,227.50	27,222.00	28,275.00	29,386.50
11	23,439.00	24,297.00	25,194.00	26,227.50	27,222.00	28,275.00	29,386.50	30,576.00
12	24,297.00	25,194.00	26,227.50	27,222.00	28,275.00	29,386.50	30,576.00	31,941.00
13	25,194.00	26,227.50	27,222.00	28,275.00	29,386.50	30,576.00	31,941.00	33,228.00
14	26,227.50	27,222.00	28,275.00	29,386.50	30,576.00	31,941.00	33,228.00	34,671.00
15	27,222.00	28,372.50	29,523.00	30,712.50	31,941.00	33,228.00	34,671.00	36,075.00

16	28,372.50	29,523.00	30,712.50	31,941.00	33,228.00	34,671.00	36,075.00	37,615.50
17	29,523.00	30,712.50	31,941.00	33,228.00	34,671.00	36,075.00	37,615.50	39,156.00
18	30,712.50	31,941.00	33,228.00	34,671.00	36,075.00	37,615.50	39,156.00	40,794.00
19	31,941.00	33,228.00	34,671.00	36,075.00	37,615.50	39,156.00	40,794.00	42,510.00
20	33,228.00	34,671.00	36,075.00	37,615.50	39,156.00	40,794.00	42,510.00	44,674.50
21	34,671.00	36,075.00	37,615.50	39,156.00	40,794.00	42,510.00	44,674.50	46,624.50
22	36,075.00	37,615.50	39,156.00	40,794.00	42,510.00	44,674.50	46,624.50	48,672.00
23	37,615.50	39,234.00	40,969.50	42,783.00	44,674.50	46,624.50	48,672.00	50,836.50
24	39,234.00	40,969.50	42,783.00	44,674.50	46,624.50	48,672.00	50,836.50	53,059.50
25	40,969.50	42,783.00	44,674.50	46,624.50	48,672.00	50,836.50	53,059.50	55,458.00
26	42,783.00	44,674.50	46,624.50	48,672.00	50,836.50	53,059.50	55,458.00	57,856.50
27	44,674.50	46,624.50	48,672.00	50,836.50	53,059.50	55,458.00	57,856.50	60,450.00
28	46,624.50	48,672.00	50,836.50	53,059.50	55,458.00	57,856.50	60,450.00	63,706.50
29	48,672.00	50,836.50	53,059.50	55,458.00	57,856.50	60,450.00	63,706.50	66,709.50
30	50,836.50	53,059.50	55,458.00	57,856.50	60,450.00	63,706.50	66,709.50	69,771.00
31	53,059.50	55,575.00	58,188.00	60,820.50	63,706.50	66,709.50	69,771.00	73,066.50
32	55,575.00	58,188.00	60,820.50	63,706.50	66,709.50	69,771.00	73,066.50	76,362.00
33	58,188.00	60,820.50	63,706.50	66,709.50	69,771.00	73,066.50	76,362.00	79,657.50
34	60,820.50	63,706.50	66,709.50	69,771.00	73,066.50	76,362.00	79,657.50	82,933.50
35	63,706.50	66,709.50	69,771.00	73,066.50	76,362.00	79,657.50	82,933.50	86,229.00

The salary ranges provided herein for academic positions shall apply to those state employees in academic positions who work for an academic year which does not exceed 180 working days. Those academic employees working more than an academic year shall receive a pro rata increase in their salary based upon the number of additional working days per year. The intent of this section is to adjust the salaries of employees in academic positions. It is not intended to cause changes in academic work schedules.

129 Classified Salaries; January 4, 2008. RSA 99:1-a is repealed and reenacted to read as follows:

99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and all classified employees represented by an employee organization having an agreement with the state for the biennium ending June 30, 2009 shall be established as follows commencing January 4, 2008:

	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08
01	17,667.00	18,135.00	18,622.50	19,168.50	19,714.50	20,319.00	20,865.00	21,430.50
02	18,135.00	18,622.50	19,168.50	19,714.50	20,319.00	20,865.00	21,430.50	22,035.00
03	18,622.50	19,168.50	19,714.50	20,319.00	20,865.00	21,430.50	22,035.00	22,698.00
04	19,168.50	19,714.50	20,319.00	20,865.00	21,430.50	22,035.00	22,698.00	24,258.00
05	19,714.50	20,319.00	20,865.00	21,430.50	22,035.00	22,698.00	24,258.00	25,155.00
06	20,319.00	20,865.00	21,430.50	22,035.00	22,698.00	24,258.00	25,155.00	26,071.50
07	20,865.00	21,606.00	22,483.50	23,341.50	24,258.00	25,155.00	26,071.50	27,144.00
08	21,606.00	22,483.50	23,341.50	24,258.00	25,155.00	26,071.50	27,144.00	28,177.50
09	22,483.50	23,341.50	24,258.00	25,155.00	26,071.50	27,144.00	28,177.50	29,269.50
10	23,341.50	24,258.00	25,155.00	26,071.50	27,144.00	28,177.50	29,269.50	30,420.00
11	24,258.00	25,155.00	26,071.50	27,144.00	28,177.50	29,269.50	30,420.00	31,648.50

12	25,155.00	26,071.50	27,144.00	28,177.50	29,269.50	30,420.00	31,648.50	33,052.50
13	26,071.50	27,144.00	28,177.50	29,269.50	30,420.00	31,648.50	33,052.50	34,398.00
14	27,144.00	28,177.50	29,269.50	30,420.00	31,648.50	33,052.50	34,398.00	35,880.00
15	28,177.50	29,367.00	30,556.50	31,785.00	33,052.50	34,398.00	35,880.00	37,342.50
16	29,367.00	30,556.50	31,785.00	33,052.50	34,398.00	35,880.00	37,342.50	38,941.50
17	30,556.50	31,785.00	33,052.50	34,398.00	35,880.00	37,342.50	38,941.50	40,521.00
18	31,785.00	33,052.50	34,398.00	35,880.00	37,342.50	38,941.50	40,521.00	42,217.50
19	33,052.50	34,398.00	35,880.00	37,342.50	38,941.50	40,521.00	42,217.50	43,992.00
20	34,398.00	35,880.00	37,342.50	38,941.50	40,521.00	42,217.50	43,992.00	46,234.50
21	35,880.00	37,342.50	38,941.50	40,521.00	42,217.50	43,992.00	46,234.50	48,262.50
22	37,342.50	38,941.50	40,521.00	42,217.50	43,992.00	46,234.50	48,262.50	50,368.50
23	38,941.50	40,599.00	42,412.50	44,284.50	46,234.50	48,262.50	50,368.50	52,611.00
24	40,599.00	42,412.50	44,284.50	46,234.50	48,262.50	50,368.50	52,611.00	54,912.00
25	42,412.50	44,284.50	46,234.50	48,262.50	50,368.50	52,611.00	54,912.00	57,408.00
26	44,284.50	46,234.50	48,262.50	50,368.50	52,611.00	54,912.00	57,408.00	59,884.50
27	46,234.50	48,262.50	50,368.50	52,611.00	54,912.00	57,408.00	59,884.50	62,575.50
28	48,262.50	50,368.50	52,611.00	54,912.00	57,408.00	59,884.50	62,575.50	65,929.50
29	50,368.50	52,611.00	54,912.00	57,408.00	59,884.50	62,575.50	65,929.50	69,049.50
30	52,611.00	54,912.00	57,408.00	59,884.50	62,575.50	65,929.50	69,049.50	72,208.50
31	54,912.00	57,525.00	60,216.00	62,946.00	65,929.50	69,049.50	72,208.50	75,621.00
32	57,525.00	60,216.00	62,946.00	65,929.50	69,049.50	72,208.50	75,621.00	79,033.50
33	60,216.00	62,946.00	65,929.50	69,049.50	72,208.50	75,621.00	79,033.50	82,446.00
34	62,946.00	65,929.50	69,049.50	72,208.50	75,621.00	79,033.50	82,446.00	85,839.00
35	65,929.50	69,049.50	72,208.50	75,621.00	79,033.50	82,446.00	85,839.00	89,251.50

The salary ranges provided herein for academic positions shall apply to those state employees in academic positions who work for an academic year which does not exceed 180 working days. Those academic employees working more than an academic year shall receive a pro rata increase in their salary based upon the number of additional working days per year. The intent of this section is to adjust the salaries of employees in academic positions. It is not intended to cause changes in academic work schedules.

130 Classified Salaries; January 2, 2009. RSA 99:1-a is repealed and reenacted to read as follows:

99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and all classified employees represented by an employee organization having an agreement with the state for the biennium ending June 30, 2009 shall be established as follows commencing January 2, 2009:

	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08
01	18,642.00	19,129.50	19,656.00	20,221.50	20,806.50	21,430.50	22,015.50	22,600.50
02	19,129.50	19,656.00	20,221.50	20,806.50	21,430.50	22,015.50	22,600.50	23,244.00
03	19,656.00	20,221.50	20,806.50	21,430.50	22,015.50	22,600.50	23,244.00	23,946.00
04	20,221.50	20,806.50	21,430.50	22,015.50	22,600.50	23,244.00	23,946.00	25,584.00
05	20,806.50	21,430.50	22,015.50	22,600.50	23,244.00	23,946.00	25,584.00	26,539.50
06	21,430.50	22,015.50	22,600.50	23,244.00	23,946.00	25,584.00	26,539.50	27,514.50
07	22,015.50	22,795.50	23,712.00	24,628.50	25,584.00	26,539.50	27,514.50	28,645.50

08	22,795.50	23,712.00	24,628.50	25,584.00	26,539.50	27,514.50	28,645.50	29,718.00
09	23,712.00	24,628.50	25,584.00	26,539.50	27,514.50	28,645.50	29,718.00	30,888.00
10	24,628.50	25,584.00	26,539.50	27,514.50	28,645.50	29,718.00	30,888.00	32,097.00
11	25,584.00	26,539.50	27,514.50	28,645.50	29,718.00	30,888.00	32,097.00	33,384.00
12	26,539.50	27,514.50	28,645.50	29,718.00	30,888.00	32,097.00	33,384.00	34,866.00
13	27,514.50	28,645.50	29,718.00	30,888.00	32,097.00	33,384.00	34,866.00	36,289.50
14	28,645.50	29,718.00	30,888.00	32,097.00	33,384.00	34,866.00	36,289.50	37,849.50
15	29,718.00	30,985.50	32,233.50	33,540.00	34,866.00	36,289.50	37,849.50	39,390.00
16	30,985.50	32,233.50	33,540.00	34,866.00	36,289.50	37,849.50	39,390.00	41,086.50
17	32,233.50	33,540.00	34,866.00	36,289.50	37,849.50	39,390.00	41,086.50	42,744.00
18	33,540.00	34,866.00	36,289.50	37,849.50	39,390.00	41,086.50	42,744.00	44,538.00
19	34,866.00	36,289.50	37,849.50	39,390.00	41,086.50	42,744.00	44,538.00	46,410.00
20	36,289.50	37,849.50	39,390.00	41,086.50	42,744.00	44,538.00	46,410.00	48,769.50
21	37,849.50	39,390.00	41,086.50	42,744.00	44,538.00	46,410.00	48,769.50	50,914.50
22	39,390.00	41,086.50	42,744.00	44,538.00	46,410.00	48,769.50	50,914.50	53,137.50
23	41,086.50	42,841.50	44,752.50	46,722.00	48,769.50	50,914.50	53,137.50	55,497.00
24	42,841.50	44,752.50	46,722.00	48,769.50	50,914.50	53,137.50	55,497.00	57,934.50
25	44,752.50	46,722.00	48,769.50	50,914.50	53,137.50	55,497.00	57,934.50	60,567.00
26	46,722.00	48,769.50	50,914.50	53,137.50	55,497.00	57,934.50	60,567.00	63,180.00
27	48,769.50	50,914.50	53,137.50	55,497.00	57,934.50	60,567.00	63,180.00	66,007.50
28	50,914.50	53,137.50	55,497.00	57,934.50	60,567.00	63,180.00	66,007.50	69,556.50
29	53,137.50	55,497.00	57,934.50	60,567.00	63,180.00	66,007.50	69,556.50	72,852.00
30	55,497.00	57,934.50	60,567.00	63,180.00	66,007.50	69,556.50	72,852.00	76,186.50
31	57,934.50	60,684.00	63,531.00	66,417.00	69,556.50	72,852.00	76,186.50	79,774.50
32	60,684.00	63,531.00	66,417.00	69,556.50	72,852.00	76,186.50	79,774.50	83,382.00
33	63,531.00	66,417.00	69,556.50	72,852.00	76,186.50	79,774.50	83,382.00	86,989.50
34	66,417.00	69,556.50	72,852.00	76,186.50	79,774.50	83,382.00	86,989.50	90,558.00
35	69,556.50	72,852.00	76,186.50	79,774.50	83,382.00	86,989.50	90,558.00	94,165.50

The salary ranges provided herein for academic positions shall apply to those state employees in academic positions who work for an academic year which does not exceed 180 working days. Those academic employees working more than an academic year shall receive a pro rata increase in their salary based upon the number of additional working days per year. The intent of this section is to adjust the salaries of employees in academic positions. It is not intended to cause changes in academic work schedules.

131 Classified Increases; July 6, 2007. RSA 99:3 is repealed and reenacted to read as follows:

99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of law to the contrary, classified employees of the state as of July 6, 2007, shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their salaries shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

132 Classified Increases; January 4, 2008. RSA 99:3 is repealed and reenacted to read as follows:

99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of law to the contrary, classified employees of the state as of January 4, 2008, shall be placed in the corresponding steps

in the new salary ranges as their length of service justifies and their salaries shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

133 Classified Increases; January 2, 2009. RSA 99:3 is repealed and reenacted to read as follows:

99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of law to the contrary, classified employees of the state as of January 2, 2009, shall be placed in the corresponding steps in the new salary ranges as their length of service justifies and their salaries shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not be construed as affecting so-called longevity payments which shall be in addition to the regular salary scale.

134 State Trooper Salaries; July 6, 2007. RSA 99:1-b is repealed and reenacted to read as follows:

99:1-b Salaries Established; New Hampshire State Troopers. Commencing July 6, 2007, the salary ranges and health insurance benefits for individuals covered by the collective bargaining agreement between the state of New Hampshire and the New Hampshire Troopers Association, and state trooper command staff shall be as follows:

	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08
01	\$21,973.12	\$22,599.20	\$23,221.12	\$23,895.04	\$24,593.92	\$25,342.72	\$25,993.76	\$26,715.52
02	\$22,599.20	\$23,221.12	\$23,895.04	\$24,593.92	\$25,342.72	\$25,993.76	\$26,715.52	\$27,489.28
03	\$23,221.12	\$23,895.04	\$24,593.92	\$25,342.72	\$25,993.76	\$26,715.52	\$27,489.28	\$28,312.96
04	\$23,895.04	\$24,593.92	\$25,342.72	\$25,993.76	\$26,715.52	\$27,489.28	\$28,312.96	\$30,261.92
05	\$24,593.92	\$25,342.72	\$25,993.76	\$26,715.52	\$27,489.28	\$28,312.96	\$30,261.92	\$31,383.04
06	\$25,342.72	\$25,993.76	\$26,715.52	\$27,489.28	\$28,312.96	\$30,261.92	\$31,383.04	\$32,558.24
07	\$25,993.76	\$26,967.20	\$28,038.40	\$29,111.68	\$30,261.92	\$31,383.04	\$32,558.24	\$33,928.96
08	\$26,967.20	\$28,038.40	\$29,111.68	\$30,261.92	\$31,383.04	\$32,558.24	\$33,928.96	\$35,179.04
09	\$28,038.40	\$29,111.68	\$30,261.92	\$31,383.04	\$32,558.24	\$33,928.96	\$35,179.04	\$36,574.72
10	\$29,111.68	\$30,261.92	\$31,383.04	\$32,558.24	\$33,928.96	\$35,179.04	\$36,574.72	\$37,997.44
11	\$30,261.92	\$31,383.04	\$32,558.24	\$33,928.96	\$35,179.04	\$36,574.72	\$37,997.44	\$39,520.00
12	\$31,383.04	\$32,558.24	\$33,928.96	\$35,179.04	\$36,574.72	\$37,997.44	\$39,520.00	\$41,292.16
13	\$32,558.24	\$33,928.96	\$35,179.04	\$36,574.72	\$37,997.44	\$39,520.00	\$41,292.16	\$43,014.40
14	\$33,928.96	\$35,179.04	\$36,574.72	\$37,997.44	\$39,520.00	\$41,292.16	\$43,014.40	\$44,836.48
15	\$35,179.04	\$36,674.56	\$38,147.20	\$39,694.72	\$41,292.16	\$43,014.40	\$44,836.48	\$46,658.56
16	\$36,674.56	\$38,147.20	\$39,694.72	\$41,292.16	\$43,014.40	\$44,836.48	\$46,658.56	\$48,680.32
17	\$38,147.20	\$39,694.72	\$41,292.16	\$43,014.40	\$44,836.48	\$46,658.56	\$48,680.32	\$50,677.12
18	\$39,694.72	\$41,292.16	\$43,014.40	\$44,836.48	\$46,658.56	\$48,680.32	\$50,677.12	\$52,823.68
19	\$41,292.16	\$43,014.40	\$44,836.48	\$46,658.56	\$48,680.32	\$50,677.12	\$52,823.68	\$55,020.16
20	\$43,014.40	\$44,836.48	\$46,658.56	\$48,680.32	\$50,677.12	\$52,823.68	\$55,020.16	\$57,840.64
21	\$44,836.48	\$46,658.56	\$48,680.32	\$50,677.12	\$52,823.68	\$55,020.16	\$57,840.64	\$60,361.60
22	\$46,658.56	\$48,680.32	\$50,677.12	\$52,823.68	\$55,020.16	\$57,840.64	\$60,361.60	\$63,032.32
23	\$48,680.32	\$50,801.92	\$53,048.32	\$55,421.60	\$57,840.64	\$60,361.60	\$63,032.32	\$65,852.80
24	\$50,801.92	\$53,048.32	\$55,421.60	\$57,840.64	\$60,361.60	\$63,032.32	\$65,852.80	\$68,748.16
25	\$53,048.32	\$55,421.60	\$57,840.64	\$60,361.60	\$63,032.32	\$65,852.80	\$68,748.16	\$71,818.24
26	\$55,421.60	\$57,840.64	\$60,361.60	\$63,032.32	\$65,852.80	\$68,748.16	\$71,818.24	\$74,963.20
27	\$57,840.64	\$60,361.60	\$63,032.32	\$65,852.80	\$68,748.16	\$71,818.24	\$74,963.20	\$78,332.80

28	\$60,361.60	\$63,032.32	\$65,852.80	\$68,748.16	\$71,818.24	\$74,963.20	\$78,332.80	\$82,526.08
29	\$63,032.32	\$65,852.80	\$68,748.16	\$71,818.24	\$74,963.20	\$78,332.80	\$82,526.08	\$86,419.84
30	\$65,852.80	\$68,748.16	\$71,818.24	\$74,963.20	\$78,332.80	\$82,526.08	\$86,419.84	\$90,440.48
31	\$68,748.16	\$71,968.00	\$75,387.52	\$78,807.04	\$82,526.08	\$86,419.84	\$90,440.48	\$94,708.64
32	\$71,968.00	\$75,387.52	\$78,807.04	\$82,526.08	\$86,419.84	\$90,440.48	\$94,708.64	\$98,976.80
33	\$75,387.52	\$78,807.04	\$82,526.08	\$86,419.84	\$90,440.48	\$94,708.64	\$98,976.80	\$103,244.96
34	\$78,807.04	\$82,526.08	\$86,419.84	\$90,440.48	\$94,708.64	\$98,976.80	\$103,244.96	\$107,536.00
35	\$82,526.08	\$86,419.84	\$90,440.48	\$94,708.64	\$98,976.80	\$103,244.96	\$107,536.00	\$111,804.16

135 State Trooper Salaries; January 4, 2008. RSA 99:1-b is repealed and reenacted to read as follows:

99:1-b Salaries Established; New Hampshire State Troopers. Commencing January 4, 2008, the salary ranges and health insurance benefits for individuals covered by the collective bargaining agreement between the state of New Hampshire and the New Hampshire Troopers Association, and state trooper command staff shall be as follows:

	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08
01	\$22,740.64	\$23,387.52	\$24,032.32	\$24,729.12	\$25,455.04	\$26,230.88	\$26,902.72	\$27,649.44
02	\$23,387.52	\$24,032.32	\$24,729.12	\$25,455.04	\$26,230.88	\$26,902.72	\$27,649.44	\$28,448.16
03	\$24,032.32	\$24,729.12	\$25,455.04	\$26,230.88	\$26,902.72	\$27,649.44	\$28,448.16	\$29,303.04
04	\$24,729.12	\$25,455.04	\$26,230.88	\$26,902.72	\$27,649.44	\$28,448.16	\$29,303.04	\$31,318.56
05	\$25,455.04	\$26,230.88	\$26,902.72	\$27,649.44	\$28,448.16	\$29,303.04	\$31,318.56	\$32,481.28
06	\$26,230.88	\$26,902.72	\$27,649.44	\$28,448.16	\$29,303.04	\$31,318.56	\$32,481.28	\$33,696.00
07	\$26,902.72	\$27,909.44	\$29,018.08	\$30,128.80	\$31,318.56	\$32,481.28	\$33,696.00	\$35,116.64
08	\$27,909.44	\$29,018.08	\$30,128.80	\$31,318.56	\$32,481.28	\$33,696.00	\$35,116.64	\$36,406.24
09	\$29,018.08	\$30,128.80	\$31,318.56	\$32,481.28	\$33,696.00	\$35,116.64	\$36,406.24	\$37,851.84
10	\$30,128.80	\$31,318.56	\$32,481.28	\$33,696.00	\$35,116.64	\$36,406.24	\$37,851.84	\$39,326.56
11	\$31,318.56	\$32,481.28	\$33,696.00	\$35,116.64	\$36,406.24	\$37,851.84	\$39,326.56	\$40,903.20
12	\$32,481.28	\$33,696.00	\$35,116.64	\$36,406.24	\$37,851.84	\$39,326.56	\$40,903.20	\$42,735.68
13	\$33,696.00	\$35,116.64	\$36,406.24	\$37,851.84	\$39,326.56	\$40,903.20	\$42,735.68	\$44,518.24
14	\$35,116.64	\$36,406.24	\$37,851.84	\$39,326.56	\$40,903.20	\$42,735.68	\$44,518.24	\$46,404.80
15	\$36,406.24	\$37,955.84	\$39,482.56	\$41,082.08	\$42,735.68	\$44,518.24	\$46,404.80	\$48,289.28
16	\$37,955.84	\$39,482.56	\$41,082.08	\$42,735.68	\$44,518.24	\$46,404.80	\$48,289.28	\$50,383.84
17	\$39,482.56	\$41,082.08	\$42,735.68	\$44,518.24	\$46,404.80	\$48,289.28	\$50,383.84	\$52,449.28
18	\$41,082.08	\$42,735.68	\$44,518.24	\$46,404.80	\$48,289.28	\$50,383.84	\$52,449.28	\$54,670.72
19	\$42,735.68	\$44,518.24	\$46,404.80	\$48,289.28	\$50,383.84	\$52,449.28	\$54,670.72	\$56,946.24
20	\$44,518.24	\$46,404.80	\$48,289.28	\$50,383.84	\$52,449.28	\$54,670.72	\$56,946.24	\$59,864.48
21	\$46,404.80	\$48,289.28	\$50,383.84	\$52,449.28	\$54,670.72	\$56,946.24	\$59,864.48	\$62,474.88
22	\$48,289.28	\$50,383.84	\$52,449.28	\$54,670.72	\$56,946.24	\$59,864.48	\$62,474.88	\$65,237.12
23	\$50,383.84	\$52,578.24	\$54,905.76	\$57,358.08	\$59,864.48	\$62,474.88	\$65,237.12	\$68,155.36
24	\$52,578.24	\$54,905.76	\$57,358.08	\$59,864.48	\$62,474.88	\$65,237.12	\$68,155.36	\$71,152.64
25	\$54,905.76	\$57,358.08	\$59,864.48	\$62,474.88	\$65,237.12	\$68,155.36	\$71,152.64	\$74,328.80
26	\$57,358.08	\$59,864.48	\$62,474.88	\$65,237.12	\$68,155.36	\$71,152.64	\$74,328.80	\$77,586.08

27	\$59,864.48	\$62,474.88	\$65,237.12	\$68,155.36	\$71,152.64	\$74,328.80	\$77,586.08	\$81,074.24
28	\$62,474.88	\$65,237.12	\$68,155.36	\$71,152.64	\$74,328.80	\$77,586.08	\$81,074.24	\$85,413.12
29	\$65,237.12	\$68,155.36	\$71,152.64	\$74,328.80	\$77,586.08	\$81,074.24	\$85,413.12	\$89,444.16
30	\$68,155.36	\$71,152.64	\$74,328.80	\$77,586.08	\$81,074.24	\$85,413.12	\$89,444.16	\$93,602.08
31	\$71,152.64	\$74,486.88	\$78,024.96	\$81,563.04	\$85,413.12	\$89,444.16	\$93,602.08	\$98,022.08
32	\$74,486.88	\$78,024.96	\$81,563.04	\$85,413.12	\$89,444.16	\$93,602.08	\$98,022.08	\$102,440.00
33	\$78,024.96	\$81,563.04	\$85,413.12	\$89,444.16	\$93,602.08	\$98,022.08	\$102,440.00	\$106,855.84
34	\$81,563.04	\$85,413.12	\$89,444.16	\$93,602.08	\$98,022.08	\$102,440.00	\$106,855.84	\$111,300.80
35	\$85,413.12	\$89,444.16	\$93,602.08	\$98,022.08	\$102,440.00	\$106,855.84	\$111,300.80	\$115,716.64

136 State Trooper Salaries; January 2, 2009. RSA 99:1-b is repealed and reenacted to read as follows:

99:1-b Salaries Established; New Hampshire State Troopers. Commencing January 2, 2009, the salary ranges and health insurance benefits for individuals covered by the collective bargaining agreement between the state of New Hampshire and the New Hampshire Troopers Association, and state trooper command staff shall be as follows:

	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08
01	\$23,990.72	\$24,672.96	\$25,353.12	\$26,087.36	\$26,852.80	\$27,672.32	\$28,379.52	\$29,169.92
02	\$24,672.96	\$25,353.12	\$26,087.36	\$26,852.80	\$27,672.32	\$28,379.52	\$29,169.92	\$30,012.32
03	\$25,353.12	\$26,087.36	\$26,852.80	\$27,672.32	\$28,379.52	\$29,169.92	\$30,012.32	\$30,915.04
04	\$26,087.36	\$26,852.80	\$27,672.32	\$28,379.52	\$29,169.92	\$30,012.32	\$30,915.04	\$33,038.72
05	\$26,852.80	\$27,672.32	\$28,379.52	\$29,169.92	\$30,012.32	\$30,915.04	\$33,038.72	\$34,265.92
06	\$27,672.32	\$28,379.52	\$29,169.92	\$30,012.32	\$30,915.04	\$33,038.72	\$34,265.92	\$35,547.20
07	\$28,379.52	\$29,442.40	\$30,611.36	\$31,786.56	\$33,038.72	\$34,265.92	\$35,547.20	\$37,044.80
08	\$29,442.40	\$30,611.36	\$31,786.56	\$33,038.72	\$34,265.92	\$35,547.20	\$37,044.80	\$38,407.20
09	\$30,611.36	\$31,786.56	\$33,038.72	\$34,265.92	\$35,547.20	\$37,044.80	\$38,407.20	\$39,933.92
10	\$31,786.56	\$33,038.72	\$34,265.92	\$35,547.20	\$37,044.80	\$38,407.20	\$39,933.92	\$41,489.76
11	\$33,038.72	\$34,265.92	\$35,547.20	\$37,044.80	\$38,407.20	\$39,933.92	\$41,489.76	\$43,151.68
12	\$34,265.92	\$35,547.20	\$37,044.80	\$38,407.20	\$39,933.92	\$41,489.76	\$43,151.68	\$45,086.08
13	\$35,547.20	\$37,044.80	\$38,407.20	\$39,933.92	\$41,489.76	\$43,151.68	\$45,086.08	\$46,966.40
14	\$37,044.80	\$38,407.20	\$39,933.92	\$41,489.76	\$43,151.68	\$45,086.08	\$46,966.40	\$48,956.96
15	\$38,407.20	\$40,044.16	\$41,652.00	\$43,340.96	\$45,086.08	\$46,966.40	\$48,956.96	\$50,943.36
16	\$40,044.16	\$41,652.00	\$43,340.96	\$45,086.08	\$46,966.40	\$48,956.96	\$50,943.36	\$53,152.32
17	\$41,652.00	\$43,340.96	\$45,086.08	\$46,966.40	\$48,956.96	\$50,943.36	\$53,152.32	\$55,332.16
18	\$43,340.96	\$45,086.08	\$46,966.40	\$48,956.96	\$50,943.36	\$53,152.32	\$55,332.16	\$57,676.32
19	\$45,086.08	\$46,966.40	\$48,956.96	\$50,943.36	\$53,152.32	\$55,332.16	\$57,676.32	\$60,076.64
20	\$46,966.40	\$48,956.96	\$50,943.36	\$53,152.32	\$55,332.16	\$57,676.32	\$60,076.64	\$63,157.12
21	\$48,956.96	\$50,943.36	\$53,152.32	\$55,332.16	\$57,676.32	\$60,076.64	\$63,157.12	\$65,908.96
22	\$50,943.36	\$53,152.32	\$55,332.16	\$57,676.32	\$60,076.64	\$63,157.12	\$65,908.96	\$68,825.12
23	\$53,152.32	\$55,467.36	\$57,923.84	\$60,513.44	\$63,157.12	\$65,908.96	\$68,825.12	\$71,903.52
24	\$55,467.36	\$57,923.84	\$60,513.44	\$63,157.12	\$65,908.96	\$68,825.12	\$71,903.52	\$75,065.12
25	\$57,923.84	\$60,513.44	\$63,157.12	\$65,908.96	\$68,825.12	\$71,903.52	\$75,065.12	\$78,418.08

26	\$60,513.44	\$63,157.12	\$65,908.96	\$68,825.12	\$71,903.52	\$75,065.12	\$78,418.08	\$81,852.16
27	\$63,157.12	\$65,908.96	\$68,825.12	\$71,903.52	\$75,065.12	\$78,418.08	\$81,852.16	\$85,531.68
28	\$65,908.96	\$68,825.12	\$71,903.52	\$75,065.12	\$78,418.08	\$81,852.16	\$85,531.68	\$90,109.76
29	\$68,825.12	\$71,903.52	\$75,065.12	\$78,418.08	\$81,852.16	\$85,531.68	\$90,109.76	\$94,361.28
30	\$71,903.52	\$75,065.12	\$78,418.08	\$81,852.16	\$85,531.68	\$90,109.76	\$94,361.28	\$98,750.08
31	\$75,065.12	\$78,582.40	\$82,313.92	\$86,049.60	\$90,109.76	\$94,361.28	\$98,750.08	\$103,413.44
32	\$78,582.40	\$82,313.92	\$86,049.60	\$90,109.76	\$94,361.28	\$98,750.08	\$103,413.44	\$108,072.64
33	\$82,313.92	\$86,049.60	\$90,109.76	\$94,361.28	\$98,750.08	\$103,413.44	\$108,072.64	\$112,731.84
34	\$86,049.60	\$90,109.76	\$94,361.28	\$98,750.08	\$103,413.44	\$108,072.64	\$112,731.84	\$117,420.16
35	\$90,109.76	\$94,361.28	\$98,750.08	\$103,413.44	\$108,072.64	\$112,731.84	\$117,420.16	\$122,081.44

137 Compensation for Certain State Officers; Unclassified State Employees; July 6, 2007. RSA 94:1-a, I (a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GROUP	MINIMUM	1	2	3	4	MAXIMUM
AA	\$44,627	\$47,537	\$50,447	\$53,357	\$56,267	\$59,175
BB	\$46,403	\$49,429	\$52,456	\$55,483	\$58,510	\$61,536
CC	\$48,556	\$51,728	\$54,900	\$58,072	\$61,244	\$64,414
DD	\$51,122	\$54,463	\$57,804	\$61,145	\$64,486	\$67,825
EE	\$54,143	\$57,686	\$61,230	\$64,774	\$68,318	\$71,861
FF	\$57,887	\$61,680	\$65,473	\$69,266	\$73,059	\$76,852
GG	\$62,487	\$66,585	\$70,683	\$74,781	\$78,879	\$82,978
HH	\$68,041	\$72,509	\$76,977	\$81,445	\$85,913	\$90,382
II	\$71,938	\$76,666	\$81,394	\$86,122	\$90,850	\$95,578
JJ	\$75,834	\$80,822	\$85,810	\$90,798	\$95,786	\$100,773
KK	\$77,772	\$82,889	\$88,007	\$93,125	\$98,243	\$103,360
LL	-	-	-	-	-	\$106,390
MM	-	-	-	-	-	\$109,985
NN	-	-	-	-	-	\$114,206
OO	-	-	-	-	-	\$119,142
PP	-	-	-	-	-	\$125,042
QQ	-	-	-	-	-	\$132,142

138 Compensation for Certain State Officers; Unclassified State Employees; January 4, 2008. RSA 94:1-a, I (a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GROUP	MINIMUM	1	2	3	4	MAXIMUM
AA	\$46,189	\$49,200	\$52,211	\$55,222	\$58,233	\$61,246
BB	\$48,027	\$51,159	\$54,291	\$57,423	\$60,555	\$63,689
CC	\$50,256	\$53,538	\$56,821	\$60,104	\$63,387	\$66,669
DD	\$52,912	\$56,369	\$59,826	\$63,283	\$66,740	\$70,199
EE	\$56,038	\$59,705	\$63,373	\$67,041	\$70,709	\$74,376

FF	\$59,913	\$63,839	\$67,765	\$71,691	\$75,617	\$79,542
GG	\$64,674	\$68,916	\$73,158	\$77,400	\$81,642	\$85,882
HH	\$70,423	\$75,047	\$79,672	\$84,297	\$88,922	\$93,546
II	\$74,455	\$79,349	\$84,243	\$89,137	\$94,031	\$98,923
JJ	\$78,488	\$83,651	\$88,813	\$93,975	\$99,137	\$104,300
KK	\$80,494	\$85,791	\$91,088	\$96,385	\$101,682	\$106,977
LL	-	-	-	-	-	\$110,114
MM	-	-	-	-	-	\$113,834
NN	-	-	-	-	-	\$118,204
OO	-	-	-	-	-	\$123,312
PP	-	-	-	-	-	\$129,418
QQ	-	-	-	-	-	\$136,767

139 Compensation of State Officers; Unclassified State Employees; January 2, 2009; RSA 94:1-a, I(a) is repealed and reenacted to read as follows:

I.(a) The following salary ranges shall apply to the following grades:

GROUP	MINIMUM	1	2	3	4	MAXIMUM
AA	\$48,729	\$51,907	\$55,084	\$58,261	\$61,438	\$64,615
BB	\$50,668	\$53,973	\$57,278	\$60,583	\$63,888	\$67,192
CC	\$53,020	\$56,483	\$59,946	\$63,409	\$66,872	\$70,335
DD	\$55,822	\$59,469	\$63,117	\$66,765	\$70,413	\$74,060
EE	\$59,120	\$62,989	\$66,858	\$70,727	\$74,596	\$78,467
FF	\$63,208	\$67,350	\$71,492	\$75,634	\$79,776	\$83,917
GG	\$68,231	\$72,706	\$77,181	\$81,656	\$86,131	\$90,606
HH	\$74,296	\$79,175	\$84,054	\$88,933	\$93,812	\$98,691
II	\$78,550	\$83,713	\$88,876	\$94,039	\$99,202	\$104,364
JJ	\$82,805	\$88,251	\$93,697	\$99,143	\$104,589	\$110,036
KK	\$84,921	\$90,509	\$96,097	\$101,685	\$107,273	\$112,861
LL	-	-	-	-	-	\$116,170
MM	-	-	-	-	-	\$120,095
NN	-	-	-	-	-	\$124,705
OO	-	-	-	-	-	\$130,094
PP	-	-	-	-	-	\$136,536
QQ	-	-	-	-	-	\$144,289

140 Salary Wages for Councilors and Commissioners; July 6, 2007. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing July 6, 2007:

	Minimum	Maximum
Governor's councilors		\$13,892
Pari-mutuel commissioners		\$10,774
Sweepstakes commission, chairman		\$15,670
Sweepstakes commission, members		\$8,821

141 Salary Wages for Councilors and Commissioners; January 4, 2008. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing January 4, 2008:

	Minimum	Maximum
Governor's councilors		\$14,379
Pari-mutuel commissioners		\$11,151
Sweepstakes commission, chairman		\$16,219
Sweepstakes commission, members		\$9,130

142 Salary Wages for Councilors and Commissioners; January 2, 2009. RSA 94:1-a, II is repealed and reenacted to read as follows:

II. The salary wages for the positions set forth below shall be as follows commencing January 2, 2009:

	Minimum	Maximum
Governor's councilors		\$15,169
Pari-mutuel commissioners		\$11,765
Sweepstakes commission, chairman		\$17,111
Sweepstakes commission, members		\$9,632

143 Department of Justice; Attorney Salaries; July 6, 2007. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on July 6, 2007:

	Minimum	Market anchor	Maximum
	\$41,321		\$98,626
Attorney		\$49,811	
Assistant attorney general		\$67,851	
Senior assistant attorney general		\$83,769	
Associate attorney general		\$92,259	

144 Department of Justice; Attorney Salaries; January 4, 2008. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on January 4, 2008:

	Minimum	Market anchor	Maximum
	\$42,767		\$102,077
Attorney		\$51,554	
Assistant attorney general		\$70,225	
Senior assistant attorney general		\$86,700	
Associate attorney general		\$95,488	

145 Department of Justice; Attorney Salaries; January 2, 2009. RSA 94:1-a, I(c) is repealed and reenacted to read as follows:

I.(c) For attorney positions in the department of justice, except for the attorney general and deputy attorney general, the following shall apply commencing on January 2, 2009:

	Minimum	Market anchor	Maximum
	\$45,119		\$107,691
Attorney		\$54,389	
Assistant attorney general		\$74,088	
Senior assistant attorney general		\$91,469	
Associate attorney general		\$100,739	

146 Legislative Employees; July 6, 2007. Legislative employees shall receive a salary increase of \$.51 per hour effective July 6, 2007, if such increases are approved by the appointing authority.

147 Legislative Employees; January 4, 2008. Legislative employees shall receive 3.5 percent salary increases effective January 4, 2008, if such increases are approved by the appointing authority.

148 Legislative Employees; January 2, 2009. Legislative employees shall receive 5.5 percent salary increases effective January 2, 2009, if such increases are approved by the appointing authority.

149 Increases in Salary; Other Non-Classified or Unclassified Employees. All other nonclassified or unclassified employees not covered by the provisions for salary increases in this act shall be granted a salary increase of \$.51 per hour effective July 6, 2007, an additional salary increase of 3.5 percent effective January 4, 2008, and an additional salary increase of 5.5 percent effective January 2, 2009.

150 Judicial Salaries; July 6, 2007. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	\$138,725
Associate justices, supreme court	\$134,549
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	\$134,549
Associate justices, superior court	\$126,203
District court justices prohibited from practice pursuant to RSA 502-A:21	\$126,203
Probate judges prohibited from practice pursuant to RSA 547:2-a	\$126,203

151 Judicial Salaries; January 4, 2008. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	\$143,580
Associate justices, supreme court	\$139,258
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	\$139,258
Associate justices, superior court	\$130,620
District court justices prohibited from practice pursuant to RSA 502-A:21	\$130,620
Probate judges prohibited from practice pursuant to RSA 547:2-a	\$130,620

152 Judicial Salaries; January 2, 2009. RSA 491-A:1 is repealed and reenacted to read as follows:

491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

Chief justice, supreme court	\$151,477
Associate justices, supreme court	\$146,917
Chief justice, superior court and administrative judges appointed pursuant to supreme court rule 54	\$146,917

Associate justices, superior court	\$137,804
District court justices prohibited from practice pursuant to RSA 502-A:21	\$137,804
Probate judges prohibited from practice pursuant to RSA 547:2-a	\$137,804

153 Judges; State Employee Health Plan; Application. The cost sharing and plan design for judges who participate in the health plans offered by the state shall be the same as those for individuals covered by the collective bargaining agreement between the state of New Hampshire and the State Employees' Association of New Hampshire, Inc.

154 Judicial Employees; July 6, 2007. All judicial employees shall receive salary increases of \$.51 per hour on July 6, 2007.

155 Judicial Employees; January 4, 2008. All judicial employees shall receive 3.5 percent salary increases on January 4, 2008.

156 Judicial Employees; January 2, 2009. All judicial employees shall receive 5.5 percent salary increases on January 2, 2009.

157 Appropriation. The following sums are appropriated from the following sources for the purposes of sections 128-156 of this act for the fiscal years ending June 30, 2008 and June 30, 2009:

			FY 2008			
All	General	Federal	Highway	Turnpike	Fish & Game	Other
\$22,101,525	\$11,050,763	\$1,973,666	\$4,755,375	\$355,835	\$182,879	\$3,783,007
			FY 2009			
All	General	Federal	Highway	Turnpike	Fish & Game	Other
\$49,346,027	\$24,673,014	\$4,406,600	\$10,617,314	\$794,471	\$408,314	\$8,446,314

158 Health Risk Appraisal; Protected Health Information. All information contained in a state employee's health risk appraisal as referenced in any collective bargaining agreement shall be considered protected health information and entitled to all of the non-disclosure and other restrictions set forth in the HIPAA Standards for Privacy of Individually Identifiable Health Information at 45 C.F.R. Part 160 and Subparts A and E of Part 164 ("Privacy Rule").

159 New Paragraph; Protective Legislation; Employee Access to Personnel Files. Amend RSA 275:56 by inserting after paragraph III the following new paragraph:

IV. Health, fitness, lifestyle, and other information obtained from employees by their employer or the employer's agents for purposes of providing employees with a health risk assessment or other wellness program shall not be considered personnel records, shall not be retained in an employee personnel file, and shall be inadmissible in any proceedings under RSA 281-A.

160 State Employee Health Plan; Application. The premium or premium equivalent sharing for unrepresented active state employees who participate in the health plans offered by the state shall be \$25 per bi-weekly pay period per subscriber effective with the payroll commencing July 6, 2007, and \$30 per bi-weekly pay period per subscriber effective with the payroll commencing January 2, 2009. Effective January 1, 2009, the plan design for unrepresented active state employees who participate in the health plans offered by the state shall have cost sharing that includes increased office visit co-payments of \$10 and \$20 respectively in the network plan, and \$20 and \$30 respectively in the point of service plan. The fiscal committee of the general court may approve changes to the above premium or premium equivalent sharing and plan design cost sharing provisions consistent with RSA 21-I:30, I. The cost sharing and plan designs for represented active state employees who participate in the health plans offered by the state shall be in accordance with the provisions of the collective bargaining agreements between the state and the employee organizations representing those employees.

161 Administrative Services; Classified Employees; Reclassification. Amend RSA 21-I:54, III to read as follows:

III. The director shall make a decision on any request for reclassification or reallocation from department heads or position incumbents within 45 days of receipt of a completed request for reclassification or

reallocation as defined by rules adopted under RSA 21-I:43, II(u). ***Except as otherwise provided by law, rule, or bargaining agreement negotiated under the provisions of RSA 273-A***, no increases in salary shall be allowed for any request until a final decision is made by the director, or if the director's decision is appealed, by the personnel appeals board. Increases in salary due to reclassification or reallocation shall become effective at the beginning of the next pay period following the final decision of the director or the board.

162 Appropriation; Department of Safety. The sum of \$125,747 for the fiscal year ending June 30, 2008 and the sum of \$129,967 for the fiscal year ending June 30, 2009 are hereby appropriated to the department of safety for the purpose of paying state police and highway patrol overtime. Of this amount:

I. The sum of \$4,556 for the fiscal year 2008 and the sum of \$4,613 for fiscal year 2009 shall be general funds. The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise appropriated.

II. The remainder of the sums appropriated shall be charges to the following funds:

	<u>FY 08</u>	<u>FY 09</u>
(a) Highway	\$96,447	\$99,870
(b) Turnpike	\$15,340	\$15,951
(c) Federal	\$9,119	\$9,248
(d) Other	\$285	\$285

163 Department of Administrative Services; Appropriation; Parking Benefit. There is hereby appropriated to the department of administrative services the sum of \$100,000 in each year of the biennium ending June 30, 2009 for the purpose of implementing the state employee parking benefit agreed to in the collective bargaining agreement between the state of New Hampshire and the New Hampshire state employees' association.

164 Department of Safety; Inventory Fund; Lapse to Highway Fund. Notwithstanding any provision of law to the contrary, for the fiscal year ending June 30, 2008, the sum of \$630,645 and, for the fiscal year ending June 30, 2009, the sum of \$656,045 shall lapse from the inventory fund established in RSA 228:25 and shall be deposited in the highway fund.

165 New Section; Horse and Dog Racing; Laboratory Testing. Amend RSA 284 by inserting after section 20-f the following new section:

284:20-g Contracting and Payment for Laboratory Testing.

I. Beginning April 1, 2008, the pari-mutuel commission shall contract with a qualified laboratory to provide laboratory testing services for the commission on horses or dogs that perform live at racetracks authorized to conduct live racing in the state. The commission shall issue a request for proposals for such services that sets forth the terms and conditions of the proposed service contract, including the requirements of this section, laboratory qualifications, cost per test, and such other information determined to be relevant by the commission. The commission shall present the contract to the attorney general for review and, upon approval by the attorney general, the proposal shall be submitted to the governor and council for approval. The contract shall expire no later than June 30 of the second year of a biennium. Such laboratory test service agreement shall provide that the laboratory shall send each licensee an invoice for such testing in accordance with paragraph III.

II. The total cost of any contract under this section shall not exceed \$300,000 annually. In the event that the aggregate cost of testing exceeds \$300,000 based solely upon an increase in live racing within the state, the commission may request an increase in the maximum contract amount from the governor and council.

III. Each licensee shall pay the laboratory for the cost of each laboratory test conducted pursuant to the laboratory test service contract on the horse or dog that performed live at the licensee's track. The laboratory shall provide the licensee with an invoice for such costs within 10 days after the end of each month in which the licensee conducts live racing and the licensee shall pay the invoice within 30 days after receipt of that invoice. Each invoice shall specify the number of tests conducted during the prior month, the identity of the animal tested, the results of each test, and the cost of each test.

166 Repeal. RSA 284:20-e, relative to payment for laboratory testing, is repealed.

167 New Paragraph; Duties of the Commissioner of the Department of Safety; Uniform Carrier Registration System. Amend RSA 21-P:4 by inserting after paragraph XIII the following new paragraph:

XIV. Have authority, on behalf of the state of New Hampshire:

(a) To participate in the Uniform Carrier Registration System as authorized by section 4305 of the federal Unified Carrier Registration Act of 2005, 49 U.S.C. section 14504a, as amended.

(b) To enter into a multistate agreement or federal program for the purpose of administering the Uniform Carrier Registration Act of 2005, 49 U.S.C. section 14504a, as amended.

(c) To administer the Unified Carrier Registration System of 2005, 49 U.S.C. section 14504a, as amended.

(d) To adopt rules, under RSA 541-A, as are necessary for the proper administration and enforcement of this paragraph. Such rules may include, without limitation, rules establishing registration fees and other fees sufficient to cover the direct and indirect costs of administration and enforcement of this section. All fees collected under this section shall be deposited into the general fund.

168 Motor Vehicles Carrying Property for Hire. Amend RSA 375-B:17, II to read as follows:

II. Administer and enforce the provisions of RSA 375-B. The commissioner shall adopt rules relative to the administration of RSA 375-B[. ~~The commissioner may adopt rules relative to a single state registration system which shall comply with 49 U.S.C. § 11506 and related federal laws and regulations. This authorization includes the authority to set a New Hampshire fee to be charged per vehicle, which shall not exceed \$10;~~ and

169 Motor Carriers of Passengers. Amend RSA 376:21, II to read as follows:

II. The commissioner shall administer and enforce RSA 376 and shall adopt rules, pursuant to RSA 541-A, relative to the administration of RSA 376. [~~In addition, the commissioner may adopt rules relative to a single state registration system which shall comply with 49 U.S.C. § 11506 and related federal regulations. This authorization includes the authority to set a New Hampshire fee to be charged per vehicle, which shall not exceed \$10.~~]

170 Department of Health and Human Services; Application For Assistance; Information Required. Amend RSA 167:8 to read as follows:

167:8 Application for Assistance.

I. Application for assistance under this chapter or RSA 161 shall be made in the first instance to the commissioner of the department of health and human services, or his duly authorized agent. The application shall be in writing and upon a form prescribed by the department of health and human services. Except in cases of emergency no aid shall be granted until completion of the investigation required by this section. Whenever an application for old age assistance or for aid to the permanently and totally disabled is received, the commissioner of health and human services shall immediately give notice of such application to the county commissioners of the county in which said applicant resides or is found, or the appropriate county as provided in RSA 166:8, and shall also notify them of any decision on the application

II. When an individual applies for Temporary Assistance to Needy Families, food stamps, medical assistance, or other programs under this chapter or RSA 161, the commissioner of health and human services or designee shall provide the individual with application forms and information about the Link-Up New Hampshire and Lifeline Telephone Assistance programs, shall offer to assist the individual to apply for these programs, and shall provide such assistance.

171 New Paragraph; Public Housing Authorities; Assistance to Applicants. Amend RSA 203:10 by inserting after paragraph II the following new paragraph:

III. When an individual applies for Section 8 rental assistance or other public housing assistance, a housing authority shall provide the individual with application forms and information about the Link-Up New Hampshire and Lifeline Telephone Assistance programs, shall offer to assist the individual to apply for these programs, and shall provide such assistance.

172 New Subdivision; Housing Finance Authority; Miscellaneous Provisions Assistance to Applicants. Amend RSA 204-C by inserting after section 86 the following new subdivision:

Miscellaneous Provisions

204-C:87 Assistance to Applicants. When an individual applies for rental assistance, the authority shall provide the individual with application forms and information about the Link-Up New Hampshire and Lifeline Telephone Assistance programs, shall offer to assist the individual to apply for these programs, and shall provide such assistance.

173 Office of Energy and Planning; Assistance to Applicants. Amend RSA 4-C:1(II)(i), to read as follows:

(i) Administer the following programs: the statewide comprehensive outdoor recreation plan, the national flood insurance program, the land conservation investment program, the scenic and cultural byways

system, fuel assistance contracts, and weatherization contracts. The office shall employ necessary personnel to administer these programs. ***In administering fuel assistance and weatherization contracts, the office shall ensure that when an individual applies for fuel assistance or weatherization, the individual shall be provided with application forms and information about the Link-Up New Hampshire and Lifeline Telephone Assistance programs, and shall be provided assistance in applying for these programs.***

174 New Paragraph; Office of the Consumer Advocate; Information for Consumers. Amend RSA 363:28 by inserting after paragraph IV the following new paragraph:

V. The consumer advocate shall publicize the Link-Up New Hampshire and Lifeline Telephone Assistance programs in order to increase public awareness and utilization of these programs.

175 Repeal. The following are repealed:

I. RSA 375-A:14, II(b), relative to carrier registration.

II. RSA 541-A:21, I(o), relative to exempting certain administrative rules pertaining to carrier registration from the administrative procedures act.

176 Effective Date.

I. Section 5 of this act shall take effect July 1, 2009 at 12:01 a.m.

II. Sections 14-22, 24, and 45-47 of this act shall take effect July 1, 2008.

III. Sections 25, 67, and 112-116 of this act shall take effect June 30, 2007.

IV. RSA 485-A:17, II(b) as inserted by section 30 of this act and sections 50-51 of this act shall take effect January 1, 2008.

V. Section 33 of this act shall take effect July 1, 2010.

VI. Section 37 of this act shall take effect July 1, 2009.

VII. Sections 49, 65-66, and 117-119 of this act shall take effect upon its passage.

VIII. Section 48 of this act shall take effect July 1, 2018.

IX. Section 98 of this act shall take effect June 30, 2011.

X. Section 123 of this act shall take effect July 1, 2011.

XI. Sections 128, 131, 134, 137, 140, 143, 146, 150, and 154 of this act shall take effect July 6, 2007.

XII. Sections 129, 132, 135, 138, 141, 144, 147, 151, and 155 shall take effect January 4, 2008.

XIII. Sections 130, 133, 136, 139, 142, 145, 148, 152, and 156 of this act shall take effect January 2, 2009.

XIV. Section 166 of this act shall take effect April 1, 2008.

XV. Section 26 of this act shall take effect July 1, 2013.

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

The signatures below attest to the authenticity of this Report on HB 2-FN-A, an act relative to state fees, funds, revenues, and expenditures.

Conferees on the Part of the Senate

Sen. D'Allesandro, Dist. 20

Sen. Hassan, Dist. 23

Sen. Sgambati, Dist. 4

Sen. Odell, Dist. 8

Conferees on the Part of the House

Rep. M. Smith, Straf. 7

Rep. Foster, Hills. 4

Rep. DeJoie, Merr. 11

Rep. Marsh, Rock. 17

Rep. McLeod, Graf. 2

2007-2348CofC

AMENDED ANALYSIS

This bill:

I. Increases the minimum purchase price for agency hardware and software that requires approval by the office of information technology.

II. Increases certain motor vehicle registration fees.

III. Increases the limit for sweepstakes ticket prices from \$20 to \$30.

IV. Increases the tobacco tax by 28 cents.

V. Establishes the homeless housing and access revolving loan fund.

VI. Transfers the balance of the long-term care assistance fund on June 30, 2007 to the department of health and human services to support ServiceLink New Hampshire.

VII. Provides that, for the biennium ending June 30, 2009, all revenue from the sale of liquor and from liquor licensing fees shall be deposited in the general fund.

VIII. Changes the name of the Glencliff home for the elderly to the Glencliff home.

IX. Establishes the liability of counties for nursing home costs and removes county liability for payment of certain youth services costs beginning July 1, 2008, and a commission to study the matter.

X. Establishes a \$4,000 cap on community mental health services benefits available to persons identified as adults with low service utilization of such services, and requires the department to establish, by rule, a procedure to waive the financial cap.

XI. Limits the ability of the department of health and human services to change program eligibility standards and rates in the biennium ending June 30, 2009.

XII. Provides that, for the biennium ending June 30, 2009, the department of health and human services may accept and expend additional revenues above budgeted amounts for provider payments and certain other programs and services, subject to approval of the fiscal committee and governor and council.

XIII. Authorizes the department of health and human services to transfer funds within and among all PAUs within the department for certain purposes, subject to approval of the fiscal committee and governor and council.

XIV. Directs the department of revenue administration and the department of health and human services to renew the existing memorandum of understanding between the agencies relative to eligibility for public assistance.

XV. Increases certain department of environmental service fees for the review of terrain alteration plans and wetlands or shoreline structure impact fees.

XVI. Revises the laboratory fee schedule for environmental tests.

XVII. Establishes that each municipality shall receive total education grants in an amount that equals the greater of either: a 5 percent increase in the education grant amount received by the municipality pursuant to RSA 198:41, I(b)(2) for the fiscal year beginning July 1, 2006, or 94.6596522 percent of the education grant amount to be received by the municipality pursuant to RSA 198:41, I(b)(2) for the fiscal year beginning July 1, 2007.

XVIII. Decreases the percentage of the road toll used to fund the highway and bridge betterment program until July 1, 2009.

XIX. Directs the New Hampshire retirement system to provide the department of administrative services with certain information relative to retirees for the retiree health benefits program.

XX. Establishes an employee and retiree benefit risk management fund and state retiree health plan commission.

XXI. Permits the office of information technology to transfer funds within the office with the approval of the fiscal committee.

XXII. Grants the commissioner of revenue administration authority to place a lien on the property of wholesalers of tobacco products rather than a bond.

XXIII. Establishes a committee on LCHIP funding; imposes a surcharge on certain documents filed with registers of deeds and deposits such funds in the land and community heritage investment program; and makes an appropriation to the department of revenue administration for the purpose of assisting county registers of deeds in implementing the surcharge requirement.

XXIV. Establishes a commission relative to court security issues.

XXV. Reduces the Medicaid enhancement tax and the nursing facility quality assessment fee from 6 percent to 5.5 percent.

XXVI. Authorizes the commissioner of the department of health and human services to fill any unfunded position for the biennium ending June 30, 2009 within the limits of the appropriations for personal services, permanent, and personal services, unclassified.

XXVII. Requires the developmental disabilities council to assist the department of health and human services in developing any requests for proposal for family mutual support services.

XXVIII. Directs the department of health and human services to file a report relative to the calculation of acuity-based rates for nursing facilities with the fiscal committee prior to implementing a rate change.

XXIX. Establishes an estate administration fund for the department of health and human services to hold estate funds before disbursement by the probate court.

XXX. Establishes a commission to study the consolidation and centralization at the department of justice of legal services by the department of health and human services and other departments.

XXXI. Changes the effective date of the establishment of the game management account, and deposits the funds collected into the fish and game fund until December 31, 2008.

XXXII. Sets a required minimum moose permit fee for nonresidents and increases the nonresident wild turkey license or permit fee issued by the fish and game department.

XXXIII. Repeals the prospective change in motor vehicle fines.

XXXIV. Extends the department of regional community-technical colleges' authority to accept certain funds without the approval of the governor and council and their exemption from a hiring freeze or delay until July 1, 2009.

XXXV. Extends the prospective repeal of the regional community-technical college system's contracting authority with the community-technical college foundation.

XXXVI. For the biennium ending June 30, 2009, allows the fish and game department, the department of transportation, and the department of regional community-technical colleges to lease vehicles and equipment at the discretion of the agency head.

XXXVII. Allows certain limited compensation for retired full-time justices for service after retirement, and makes an appropriation therefor.

XXXVIII. Establishes an annual appropriation for Newline for the Blind.

XXXIX. Increases the maximum debt limit for the New Hampshire housing finance authority from \$200,000,000 to \$800,000,000 for bonds issued for the purpose of funding certain housing loans and mortgage costs.

XL. Establishes certain protections for state employees who have been laid off as a result of the reorganization or downsizing of state government.

XLI. Requires state agencies to utilize training programs offered or sponsored by the division of personnel if appropriate training programs are available.

XLII. Establishes the department of transportation as the agency that accepts funds and provides administrative support to the scenic and cultural byways program.

XLIII. Establishes a \$25 surcharge to be added to each civil filing fee.

XLIV. Repeals the credit against the premium tax for payments made by insurance carriers to the workers' compensation administration fund.

XLV. Repeals the communications services tax exemption for residential customers.

XLVI. Establishes the position of deputy commissioner of the department of transportation and renames the division of administration the division of finance, under the supervision of a director of finance.

XLVII. Allows the department of safety to transfer funds appropriated for the biennium ending June 30, 2009 within the budget of the division of state police.

XLVIII. Eliminates the unclassified position of forensic toxicologist in the department of safety and establishes classified toxicologist and chief of policy and planning positions in the department, and authorizes the commissioner of safety to make certain personnel reallocations.

XLIX.(a) Makes the total amount appropriated for charter school supplemental grants for the biennium ending June 30, 2009 available for distribution in the 2008 fiscal year to the Cocheco Arts and Technology Academy, the Franklin Career Academy, and the Seacoast Charter School; and

(b) Prohibits the state board of education from approving new charter schools under the provisions of RSA 194-B:3-a between July 1, 2007 and June 30, 2009, provided that a charter school application filed prior to July 1, 2007 which is scheduled to be acted upon by the state board of education on or before October 1, 2007 shall be exempt from this prohibition.

L. Permits the department of health and human services to adopt rules under RSA 541-A relative to fees charged by the committee for the protection of human subjects.

LI. Establishes the comprehensive cancer plan fund and oversight board and provides that SB 213-FN-A, which also establishes the comprehensive cancer plan fund and oversight board, shall not take effect.

LII. Reclassifies a portion of Hackett Hill Road as a class V highway.

LIII. Credits certain securities fees to the investor education fund.

LIV. Permits the department of environmental services to determine the appropriate method to manage, control, or eradicate exotic aquatic weeds in the surface waters of the state, provided that the department consults with the fish and game department and the department of agriculture, markets, and food issues the necessary permit.

LV. Requires the department of resources and economic development, division of economic development to coordinate and supervise the development of a state technology development and telecommunications plan and makes an appropriation to the department.

LVI. Makes the director of the division of state police responsible for approving professional standards of conduct and standard operating procedures for the division of state police.

LVII. Requires the department of health and human services to include disposable incontinence supplies under the Medicaid state plan.

LVIII. Requires that independent case management be provided to all beneficiaries receiving services under the Home and Community-Based Care for the Elderly and Chronically Ill (HCBC-ECI) waiver provision, except beneficiaries living in an assisted living facility licensed in accordance with department rules.

LIX. Establishes criteria for rate setting by the department of health and human services.

LX. Provides that any budget surplus in excess of \$15,000,000, at the close of the fiscal biennium ending June 30, 2007, shall remain in the general fund.

LXI. Provides that any funds remaining in the education trust fund as of June 30, 2007, June 30, 2008, and June 30, 2009 shall be transferred to the general fund as undesignated surplus.

LXII. Repeals the tobacco use prevention fund and establishes a tobacco use prevention and cessation program in the department of health and human services.

LXIII. Provides that the minimum hourly rate shall take effect September 1, 2007, and inserts definitions of "tip" and "tip pools" into the minimum wage law.

LXIV. Establishes an economic revitalization zone tax credit against the business profits tax and the business enterprise tax. The credit is based on the creation of jobs in areas that have been identified by the commissioner of resources and economic development as economic revitalization zones. The economic revitalization zone tax credit program replaces the CROP zone tax credit program.

LXV. Discontinues the bid process for the Medicaid GraniteCare Select Contracting Pilot Program pending approval from the Centers for Medicare and Medicaid Services and the fiscal committee of the general court.

LXVI. Allows the commissioner of administrative services to administer health benefits for State Employees' Association employees until it does not serve the interests of the state.

LXVII. Permits the commissioner of the department of health and human services to advertise requests for proposals and positions by using the Internet rather than traditional media.

LXVIII. Redefines “business activity” for the purpose of the business profits tax.

LXIX. Makes appropriations for salary increases for state employees and increases salaries for judges.

LXX. Makes appropriations to the department of safety for the purpose of paying state police and highway patrol overtime.

LXXI. Makes an appropriation to the department of administrative services for the purpose of implementing the state employee parking benefit agreed to in the collective bargaining agreement.

LXXII. Transfers money from the inventory fund to the highway fund.

LXXIII. Requires the pari-mutuel commission to contract with a laboratory to conduct testing on the horses and dogs that perform live at all licensed racetracks in the state.

LXXIV. Provides authority for the department of safety to administer and enforce the Uniform Carrier Registration System on behalf of the state and repeals obsolete references to the single state registration system.

LXXV. Requires certain agencies to provide information and assistance on the Link-Up New Hampshire program and Lifeline Telephone Assistance program.

The question is on the adoption of the Committee of Conference Report.

A roll call was requested by Senator Barnes.

Seconded by Senator D’Allesandro.

The following Senators voted Yes: Gallus, Reynolds, Sgambati, Burling, Cilley, Janeway, Odell, Kelly, Gottesman, Foster, Larsen, DeVries, D’Allesandro, Estabrook, Hassan, Fuller Clark.

The following Senators voted No: Kenney, Roberge, Bragdon, Clegg, Gatsas, Barnes, Letourneau, Downing.

Yeas: 16 - Nays: 8

Adopted.

June 19, 2007

2007-2223-CofC

10/09

Committee of Conference Report on HB 25-FN-A, an act making appropriations for capital improvements.

Recommendation:

That the House recede from its position of nonconcurrency with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

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. Armory - Roofing Projects	\$600,000
B. Armory - Statewide Auxiliary Power	1,500,000
Less Federal	-750,000
Net state appropriation subparagraph B	750,000
C. Armory - Alarm Fire Systems	575,000
Less Federal	-287,500
Net state appropriation subparagraph C	287,500
D. NHSVC - Columbarium Expansion	765,000
Less Federal	-765,000
Net state appropriation subparagraph D	0
E. 195th Training Institute Land Acquisition	3,500,000
F. Regional Training Institute Construction	38,000,000
Less Federal	-38,000,000
Net state appropriation subparagraph F	0

G. Mini-Excavator-Veterans' Cemetery	62,000
H. Pole Barn - Veterans' Cemetery	70,000
Total state appropriation paragraph I	\$5,269,500
II. Department of Administrative Services.	
A. Bureau of Court Facilities.	
1. Hillsborough County North - Asbestos Abatement	\$2,000,000
2. Laconia District Court	975,000
3. Merrimack District Courthouse*	7,000,000
Total state appropriation subparagraph A	\$9,975,000
* The sum appropriated in subparagraph A. 3 for the Merrimack district courthouse shall not be spent, obligated, or encumbered until land suitable for a standard court facility similar to the Dover district court layout has been acquired prior to July 1, 2008 provided that there is no cost of land acquisition by the state and that site work and infrastructure costs can be accomplished within the sum appropriated or the authority shall lapse.	
B. Bureau of General Services.	
1. State House Annex - Renovate Restrooms	\$177,000
2. State House, State Library and LOB – Maintenance and Repointing	270,000
3. Safety Building - Replace HVAC Chillers	720,000
4. Monadnock Mill - New Roof	225,000
5. All State Owned Facilities	100,000
6. All State Owned Buildings - Energy Improvement Fund	250,000
7. Legislative Office Building - Replace Ice Stop System	104,000
8. Statewide Library Renovations	775,000
9. M & S Building Project Additional Renovations	2,985,700
Total state appropriation subparagraph B	\$5,606,700
Total state appropriation paragraph II	\$15,581,700
III. Department of Agriculture, Markets, and Food.	
A. NH Building at Eastern States Exposition	\$190,000
Total state appropriation paragraph III	\$190,000
IV. Community-Technical College System.*	
A. Automotive Bldg Education and Training Center Updates - Manchester	\$3,000,000
B. Main Building Renovations, Interior - Berlin	1,000,000
C. Main Campus Renovations - Laconia	2,000,000
D. Wellness Student Center - Berlin	1,160,000
Less Other**	-1,160,000
Net state appropriation subparagraph D	0
**To provide funds for the appropriations made in subparagraphs D, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$1,160,000 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.	
E. Health, Education, Technology Center - Nashua	500,000
F. Academic, Career and Health Education Center - NHTI	6,500,000
Less Federal	-491,032
Less Other**	-2,008,968
Net state appropriation subparagraph F	4,000,000
**To provide funds for the appropriations made in subparagraphs F, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$2,008,968 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 donations, pledges, and grants.	
G. Pease Campus Renovation - Main Campus	11,000,000
Less Other (Sale of Land) **	-11,000,000
Net state appropriation subparagraph G	0
**The proceeds from the sale of the Stratham campus land shall be used up to July 1, 2010 to offset the sum appropriated for the Pease campus renovation authorized in subparagraph G.	
H. Planning Funding for Future Projects – Systemwide	250,000
I. Information Technology- Standardize System wide Network Architecture	1,000,000

J. Critical Maintenance/Repairs - Systemwide	4,000,000
K. Student Services, Nursing Lab and Classroom - Claremont	450,000
L. Christa McAuliffe Planetarium - Alan B Shepard Mem. Wing	4,263,167
Less Other**	-4,263,167
Net state appropriation subparagraph L	0

**To provide funds for the appropriations made in subparagraph L, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$4,263,167 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 planetarium fund established in RSA 12-L:10.

Total state appropriation paragraph IV \$16,200,000

* Notwithstanding the requirements of sections 3, 5, 8, 9, and 10 of this act, for the biennium ending June 30 2009, the appropriations made for the purposes mentioned in paragraph IV and the sums available for these projects shall be expended by the community technical college system board of trustees. The board of trustees may choose to utilize the services of the bureau of public works design and construction, department of administrative services, for any project. The community technical college system board of trustees is authorized to hire architects, professional engineers, surveyors, and contractors, in accordance with RSA 21-I:22. The board of trustees shall report on the progress of the projects in paragraph IV to the capital budget overview committee on a quarterly basis.

V. Department of Corrections.

A. Electronic Security Upgrades - Men's Prison	\$ 350,000
B. Chiller and Tower Replacement - Men's Prison	349,400
C. Structural Wall and Beam Repair - Men's Prison	1,780,000
D. Boiler Room Upgrades - Men's and Women's Prisons	370,000
E. Roof Repairs - Men's Prison	1,300,000
F. Sewer Stormwater Water System Repairs - Lakes Region Facility*	1,300,000

*The department shall seek and apply for federal matching funds and state revolving funds for the project in subparagraph F. Any matching funds received shall reduce the state appropriation as provided in section 9 of this act.

G. Residential Treatment Unit, Phase 1 - Concord	1,480,000
H. Comprehensive Master Plan and Secure Psychiatric Care*	700,000

* The comprehensive master plan shall include planning and engineering for the expansion of the maximum security unit in Berlin and/or a medium security unit in Berlin and/or a secure psychiatric care unit, and shall consider how to best house non-violent offenders.

I. HVAC and Water Upgrades - Community Corrections	410,000
Total state appropriation paragraph V	\$8,039,400

VI. Department of Education.

A. Renovation Regional Career and Tech Ed Center - Exeter	\$6,375,000
B. Renovation Regional Career and Tech Ed Center - Manchester	7,425,000
C. Pre-Engineering Technology	400,000

Total state appropriation paragraph VI \$14,200,000

VII. Department of Environmental Services.

A. Drinking Water SRF Matching Funds*	\$3,249,460
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*The department shall give a priority to the SRF project authorized for the department of corrections in subparagraph V. F.

B. Wastewater SRF Matching Funds	3,008,863
C. Hazardous Waste Superfund Match I	1,040,000
D. Technical Services - Air Monitoring Program	274,100
E. Stream Gauges	120,000
F. Dam Repairs, Removal and Reconstruction*	1,810,000

*The sums appropriated in subparagraph F shall be for the following projects: Pittsfield Mill dam, Waumbek dam, Pleasant Lake dam, Mendums Pond dam, Highland Lake dam, Perkins Pond dam, and Milton 3 pond. The department of environmental services may complete the projects authorized by contract construction in accordance with the procedures of the bureau of public works design and construction, or by force account under RSA 482. 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. Any contract must be approved by the capital budget overview committee and the governor and council.

G. Gorham Office Repairs and Renovations	50,000
Total state appropriation paragraph VII	\$9,552,423
VIII. Fish and Game Department.	
A. Dam Construction and Repair;	
Alton Power Dam and Perkins Pond Dam	\$450,000
Total state appropriation paragraph VIII	\$450,000
IX. Department of Health And Human Services.	
A. Main Building - Asbestos Abatement	\$250,000
B. Main Building - Lead Paint Abatement	191,000
C. Glencliff - Brown Building Patient Room Floor Abatement	950,000
D. Replacement of Huntress and Lodge Houses	976,000
E. Twitchell Bldg - Roof Replacement and Electrical Upgrade	383,000
Total state appropriation paragraph IX	\$2,750,000
X. Housing Finance Authority.	
A. Affordable Housing*	800,000
Total state appropriation paragraph X	\$800,000
*The appropriation for affordable housing shall be expended as matching funds for low income workforce housing which is not restricted due to age or children.	
XI. Liquor Commission.	
A. Store Parking Lot #76, Manhole/ Surface Repairs, Sealing *	\$250,000
*The project in subparagraph A shall not be implemented until the capital budget overview committee approves the liquor commission's repair plan after site core samples have been analyzed.	
B. Concord Warehouse Racking	270,000
Total state appropriation paragraph XI	\$520,000
XII. Pease Development Authority.	
A. Market Street Marine Terminal Pier	2,300,000
Less Other*	-2,300,000
Net state appropriation subparagraph A	0
B. Rye Harbor Commercial Fish Pier	1,560,000
Less Other*	-1,560,000
Net state appropriation subparagraph B	0
*To provide funds for the appropriations made in subparagraphs A and B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$3,860,000 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 fees relating to wharfage, dockage, and other marine terminal operations under RSA 12-G:42. For the appropriation made in subparagraph A, the Pease development authority and the attorney general shall seek reimbursement or restitution for the cost of repairs of damage to the facility, and the appropriation may not be expended until approval is received by the capital budget overview committee.	
Total state appropriation paragraph XII	\$0
XIII. Department of Resources and Economic Development.	
A. Statewide Park Funding	\$6,000,000
B. Temple Mountain Purchase*	435,000
*The sum appropriated in subparagraph B shall not be spent, obligated, or encumbered until the remaining sums required for the purchase are received. The purchase of property shall not be subject to deed restrictions which prohibit the installation of telecommunications or similar towers and associated facilities on the property or which prohibit any off-road motorized vehicular recreational activities. The department of resources and economic development shall not develop, operate, or maintain any recreational facilities on the property unless funding for such development, operation, or maintenance is provided through state, federal, or municipal sources, private contributions, or other sources, nor shall the department use any state park fund money for the purposes of development, operation, or maintenance of the Temple Mountain property.	
C. Statewide - Exterior Repairs, Roofing	400,000
D. New Facility - Allenstown	1,149,758
Less Other (Sale of Land- Concord)*	-332,000
Total state appropriation subparagraph D	817,758
*The sum appropriated in subparagraph D shall not be spent, obligated, or encumbered until the proceeds from the sale of land are received.	

E. Hampton Beach Sea Wall Project	1,000,000
F. Statewide Radio System	<u>883,000</u>
Total state appropriation paragraph XIII	\$9,535,758
XIV. Department of Transportation.	
A. 5-10% Match for FAA Projects	\$50,765,517
Less Federal	-41,423,900
Less Other	<u>-6,632,870</u>
Net state appropriation subparagraph A	2,708,747
B. Public Transit Bus Replacement	384,500
C. Rail - Match*	500,000
*The state funds authorized for rail match shall not be expended until the local match is acquired.	
D. Repair State Rail Lines	950,000
E. Maintenance Hanger at the Skyhaven Airport	650,000
Less Other*	<u>-650,000</u>
Net state appropriation subparagraph E	<u>0</u>

*To provide funds for the appropriations made in subparagraph E, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$650,000 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 Skyhaven airport maintenance and operations fund under RSA 422:39.

F. Groveton Branch Line*	<u>500,000</u>
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*The sums appropriated in subparagraph F shall be expended in accordance with the procedures in RSA 228:66.

Total state appropriation paragraph XIV	\$ 5,043,247
XV. Veterans' Home.	
A. Upgrades to Facility/Asbestos Abatement	\$1,165,000
Less Federal	<u>-757,250</u>
Net state appropriation subparagraph A	407,750
B. Energy Enhancements	5,000,000
Less Federal	<u>-3,250,000</u>
Net state appropriation subparagraph B	1,750,000
C. Therapeutic Pool Study	<u>50,000</u>
Total state appropriation paragraph XV	\$ 2,207,750
Total state appropriation section 1	\$90,339,778

2 Appropriations; Highway Fund. The sums hereinafter detailed are appropriated for the projects specified:

I. Department of Safety.	
A. Sprinklers 3rd Floor 33 Hazen & Elevator Control Upgrades	\$550,000
B. 33 Hazen - Computer Room Electrical Upgrades	548,000
C. Lab HVAC Modification/Upgrade	220,000
D. OIT projects for DMV	<u>2,390,000</u>
Total state appropriation paragraph I	\$3,708,000
II. Department of Transportation.	
A. Patrol and Salt Sheds	\$ 1,300,000
B. Statewide - Energy/Environmental Renovations	500,000
C. Statewide - Underground Fuel Tank Replacement	3,000,000
D. Chesterfield Welcome Center*	3,000,000

*All rents and lease payments made for use of the Chesterfield welcome center property shall be credited to the highway fund. The liquor commission shall pay rent to the department of transportation for its facility on the property at the rate paid for non-state facilities.

E. Fuel Center Computer System	800,000
F. Hazen Drive – Roadway Improvements and Sidewalk Extension	1,100,000
G. Highway Construction Projects	
1. Consolidated Federal Funds – State Match	27,695,260

2. Betterment*	15,000,000
3. State Highway Construction Aid	3,600,000
4. Municipal Bridge Program*	13,600,000
Total state appropriation subparagraph G	<u>59,895,260</u>

*Section 9 of this act shall not apply to the sums appropriated in subparagraph G.2 and G.4 .

Total state appropriation paragraph II	\$69,595,260
Total state appropriation section 2	\$73,303,260

3 Expenditures; General. The appropriation made for the purpose mentioned in sections 1 and 2 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 department of transportation or the commissioner of administrative services, as appropriate, with the approval of governor and council.

5 Bureau of Public Works Design and Construction; Construction Inspection Services. 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 for those projects included in sections 1 and 2 of this act.

6 Bond Authorized. 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 \$163,643,038 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.

7 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 of 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.

8 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 6 of this act shall be reduced by the same amount.

9 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.

10 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 6 of this act shall be reduced by the amount that the appropriation of state funds is reduced pursuant to this section.

11 Commission Established; Road Toll Authority.

I. There is established a commission to study the transfer of road toll collections to the department of revenue administration.

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

- (a) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) Three members of the senate, appointed by the president of the senate.
- (c) The commissioner of safety, or designee.
- (d) The commissioner of revenue administration, or designee.

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

IV. The commission shall study transferring the authority for road toll collections and administration from the department of safety to the department of revenue administration.

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

VI. The commission shall report its findings and any recommendations for proposed legislation to the speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2007.

12 2005 Appropriation; Health and Human Services; Amount Increased. Amend 2005, 259:1, VII, E to read as follows:

E. Renovation/Moving of Dietary Area - Glencliff [-581,000]1,081,000

13 2005 Health and Human Services; Total Amended. Amend 2005, 259:1, VII, total state appropriation paragraph VII, to read as follows:

Total state appropriation paragraph VII [\$3,294,000]\$3,794,000

14 2005 Appropriation Purpose Amended; Amount Increased. Cheshire County Courthouse Design. Amend 2005, 259:1, II, A, 2 to read as follows:

2. Cheshire *and Merrimack* County Courthouse Design [*], *and*

Keene District Court Design and Renovate Temporary Space [250,000]400,000

[*The appropriation for the design of the Cheshire County courthouse shall not be expended until input is received from the Cheshire County commissioners.]

15 2005 Court Facilities; Total Amended. Amend 2005, 259:1, II, total state appropriation subparagraph A, to read as follows:

Total state appropriation subparagraph A [\$4,833,000]\$4,983,000

16 2005 Administrative Services; Total Amended. Amend 2005, 259:1, II, total state appropriation paragraph II, to read as follows:

Total state appropriation paragraph II [\$16,957,500]\$17,107,500

17 2005 Capital Budget; Total Amended. Amend 2005, 259:1, total state appropriation section 1, to read as follows:

Total state appropriation section 1 [\$81,184,207]\$81,834,207

18 2005 Capital Budget; Bonds Authorized; Total Amended. Amend 2005, 259:8, I 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 [\$95,752,207]**\$96,402,207** 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.

19 Appropriation Purpose Amended. Department of Transportation. Amend 2005, 259:4, II, D to read as follows:

D. District 5 Office – [Hooksett] *Bedford, and*

Renovate for Manchester Trooper Barracks

1,780,000

20 Appropriation Purpose Amended. Department of Transportation. Amend 2005, 259:1, XIII, F to read as follows:

F. Railroad Acquisition, Right of First Refusal – ***Rail Match**** 500,000
****The state funds authorized for rail match shall not be expended until the local match is acquired.***

21 Christa McAuliffe Planetarium; Alan B. Shepard Memorial Wing; Project Funding. Amend 2003, 240:1, III to read as follows:

III. Community-Technical College System.

A. Library Expansion - Academic Program Support - Stratham		\$ 2,373,000
B. Library Addition - Design - Claremont	125,000	
C. Ventilation - Berlin		307,000
D. Student Residence Hall Rehabilitation -NHTI		270,000
E. New Academic Building – Laconia		5,500,000
F. MacRury Hall Addition – Dental Facility	1,500,000	
G. Critical Repairs		1,252,000
H. Christa McAuliffe Planetarium – Alan B. Shepard Mem. Wing	[6,200,000]	5,019,000
Less Federal	[-4,900,000]	3,719,000
Net state appropriation subparagraph H		1,300,000
I. Police Standards and Training – Storage Building Expansion		95,000

Total state appropriation paragraph III \$12,722,000

The sum appropriated in subparagraph E for the academic building in Laconia shall not be spent, obligated, or encumbered until the department has received approval of the master plan process from the capital budget overview committee. In addition to the approval of the master plan process, the department shall submit the program and design development drawings which include cost estimates, design criteria, and square footage requirements for the project in subparagraph E to the capital budget overview committee for its review and approval.

~~[No state funds may be expended for the Shepard memorial wing project in subparagraph H until all the federal funds for the project have been received.]~~

22 2001 Capital Budget; Administrative Services; Projects Added. Amend 2001, 202:1, II to read as follows:

II. Administrative Services.

A. Bureau of General Services.

1. State Laboratory - Complete HVAC Repairs		\$ 8,552,200
2. E-911 Install Ventilation Unit		133,000
3. 6 Hazen Drive - Install Fire Suppression System		807,500
4. State Library - Install Fire Suppression System		310,000
5. State House Annex - Life Safety Code Improvements		106,500
6. State House Annex - Upgrade Elevators		198,000
7. 6 Hazen Drive - Replace State Laboratory Roof		160,000
8. State House - Upgrade Elevators		198,000
9. State House - Repoint Exterior Granite & Caulk Windows		205,000
10. State House – Dome		300,000
11. State House Annex – Mailroom Lift		93,500
12. Johnson Hall Renovations - State Office Park South		229,576
13. Storrs Street Garage - Parking Garage Repairs		513,000
14. State House Complex, Repairs		316,000
15. Hugh Gallen State Office Park – Roof Repairs		622,930

Total state appropriation subparagraph A [\$11,806,276-] **\$12,745,206**

B. Bureau of Court Facilities.

1. Carroll County Courthouse Construction		\$ 6,250,000
2. Roof – Nashua District Court		115,700

Total state appropriation subparagraph B \$ 6,365,700

Total state appropriation paragraph II [\$18,171,976] **\$19,110,906**

23 2001 Capital Budget; Health and Human Services; Project Amended. Amend 2001, 202:1, IX to read as follows:

IX. Department Of Health & Human Services.

A. Patient Res. ADA & Fire Sys/Transitional Housing	
– State Office Park South	\$433,750
B. Asbestos Abatement - State Office Park South	996,250
C. Main Building - ADA, Fire/Life Safety Renovations	265,000
D. MOP Roof Replacement/Wiring, Phone, Alarm - Laconia	210,000
E. Laconia MR Offenders New Building	500,000
F. Patient Care Network *	700,000
G. LITS (Lab Information Tracking System) *	250,000
H. Bridges Enhancement *	[3,000,000] 2,061,070
Less Federal	-1,500,000
Net state appropriation subparagraph H	[1,500,000] 561,070
I. DFA New Heights Enhancements *	3,100,000
Less Federal	-1,550,000
Net state appropriation subparagraph I	1,550,000
J. Public Health Laboratories Replacement Equipment	495,000
Total state appropriation paragraph IX	[6,900,000] \$5,961,070

24 Community Technical Colleges; Pease Added. Amend 2005, 259:1, III, D to read as follows:

D. Critical Maintenance Manchester/Stratham/ Pease	900,000
---	---------

25 University System of New Hampshire; Stadium and Athletic Complex Renovations. Amend 2005, 259:2, III to read as follows:

III. In addition to sums appropriated to the university system of New Hampshire in paragraphs I and II, the sum of \$3,000,000 is appropriated beginning July 1, 2007 for the capital project on the UNH campus for the renovation of the stadium and the athletic complex; provided, however, that the \$3,000,000 state appropriation shall not be expended or encumbered until the board of trustees certifies to the capital budget overview committee that by June 30, [2007] **2009** the sum of \$30,000,000 in private capital has been raised and committed to the stadium and athletic complex renovation project. The appropriation in this paragraph shall not lapse until July 1, 2009. The board of trustees shall include in the quarterly reports to the capital budget overview committee required under paragraph II a summary of the commitments of private capital for the stadium and athletic complex renovation project.

26 Appropriation Purpose Amended. Amend 2005, 259:4, I, D to read as follows:

D. Milford DMV Office Addition **Design, and**

Renovate Manchester Trooper Barracks at DOT Dist. 5 Office - Bedford	462,000
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27 Department of Safety; Inventory Fund; Motor Vehicle Number Plates Revolving Fund; Transfer. Notwithstanding any provision of law to the contrary, the sum of \$800,000 is hereby transferred from the motor vehicle number plates revolving fund sums in the inventory fund established in RSA 228:25 and appropriated to the department of safety to be expended for the purpose of the addition of \$700,000 in completing the Troop B, Manchester Trooper barracks at DOT Dist. 5 office – Bedford as provided in section 19 of this act, and \$100,000 for building modifications for the Milford DMV substation as provided in section 26 of this act. The sums appropriated shall be in addition to any other sums appropriated in the state capital budget.

28 Appropriation Purpose Amended; State House. Amend 2005, 259:1, II, B, 1 to read as follows:

1. State House - Rehab Representatives Hall **and Elevette;**

Repair 3rd Floor Women's Restroom	\$388,000
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29 Lapse Dates Extended to June 30, 2009. The following appropriations are hereby extended to June 30, 2009:

I. The appropriation made to the adjutant general in 2001, 202:1, I, C, as extended by 2003, 240:34, IV, and 2005, 259:25, I, for army aviation support facility construction - Concord.

II. 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, for armory renovations, disposals, or land acquisition.

III. The appropriation made to the adjutant general in 2003, 240:1, I, D, as extended by 2005, 259:25, V, for joint service training facility design.

- IV. The appropriation made to the adjutant general in 2005, 259:1, I, A, for armory renovations.
- V. The appropriation made to the adjutant general in 2005, 259:1, I, B, for armory kitchen expansion.
- VI. The appropriation made to the adjutant general in 2005, 259:1, I, C, for re-roofing building F & L.
- VII. The appropriation made to the department of administrative services - bureau of court facilities in 2003, 240:1, II, A, 1, as extended by 2005, 259:25, VII, for architectural and engineering - Hampton district court.
- VIII. The appropriation made to the department of administrative services - bureau of general services in 2005, 259:1, II, B, 1, as amended by section 28 of this act for State House - rehab. Representatives hall and elevator; repair 3rd floor women's restroom.
- IX. 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 this act, for Cheshire and Merrimack county courthouse design and Keene district court design and renovate temporary space.
- X. The appropriation made to the department of administrative services - bureau of general services, in 1999, 226:1, II, A, 8, as extended by 2001, 202:28, XIV, 2003, 240:34, XX, and 2005, 259:25, VI, for executive/legislative budget system.
- XI. The appropriation made to the department of administrative services - bureau of general services in 2003, 240:1, II, B, 11, as extended 2005, 259:25, XIII, for Monadnock mill - repair building foundation.
- XII. The appropriation made to the department of administrative services - bureau of general services in 2003, 240:1, II, B, 12, as extended by 2005, 259:25, XIV, for site and design parking garage - executive/legislative.
- XIII. The appropriation made to the department of administrative services - bureau of general services in 2005, 259:1, II, B, 1, for rehab. Representatives hall.
- XIV. The appropriation made to the department of administrative services - bureau of general services in 2005, 259:1, II, B, 3, for Londergan hall - replace defective windows.
- XV. The appropriation made to the department of administrative services - bureau of general services in 2005, 259:1, II, B, 4, for all state owned facilities - emergency repairs.
- XVI. The appropriation made to the department of administrative services - bureau of general services in 2005, 259:1, II, B, 6, for Monadnock mill - report defective masonry.
- XVII. The appropriation made to the department of administrative services - bureau of general services in 2005, 259:1, II, B, 10, for legislative office building - replace chiller.
- XVIII. The appropriation made to the department of administrative services - bureau of general services in 2005, 259:1, II, B, 12, for M.S. building, renovation.
- XIX. 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, for enterprise resource planning.
- XX. The appropriation made to the department of administrative services - financial data management in 2003, 240:3, III, A, as extended by 2005, 259:25, LIV, for enterprise resource planning.
- XXI. The appropriation made to the department of administrative services in 2006, 258:16, I, for quality assurance evaluation, monitoring and reporting related to the implementation of the ERP system.
- XXII. The appropriation made to the community technical college system in 2003, 240:1, III, H, as extended by 2005, 259:25, XVII, and as amended by section 21 of this act for Christa McAuliffe planetarium - Alan Shepard memorial wing.
- XXIII. The appropriation made to the community technical college system in 2003, 240:1, III, G, as extended by 2005, 259:25, XX, for critical repairs.
- XXIV. The appropriation made to the community technical college system in 2005, 259:1, III, A, for critical maintenance NH technical institute.
- XXV. The appropriation made to the community technical college system in 2005, 259:1, III, B, for critical maintenance Berlin, Laconia.
- XXVI. The appropriation made to the community technical college system in 2005, 259:1, III, D, as amended by section 24 of this act, for critical maintenance Manchester, Stratham, Pease.

XXVII. The appropriation made to the department of corrections in 2005, 259:1, IV, A for electronic security upgrades – men's prison.

XXVIII. The appropriation made to the department of corrections in 2005, 259:1, IV, C for fire alarm and sprinkler system upgrades – men's prison.

XXIX. The appropriation made to the department of education in 2001, 130:14, II, as extended by 2003, 240:34, XC, and 2005, 259:25, XXI, for information technology projects.

XXX. The appropriation made to the department of education in 2003, 240:1, IV, B, as extended by 2005, 259:25, XXIII, for regional career and technical education center match - Berlin.

XXXI. The appropriation made to the department of education in 2005, 259:1, V, A, for renovation regional career and tech ed center, Concord.

XXXII. The appropriation made to the department of education in 2005, 259:1, V, B, for renovation regional career and tech ed center, Conway.

XXXIII. The appropriation made to the department of education in 2005, 259:1, V, C, for pre-engineering technology.

XXXIV. The appropriation made to the department of environmental services in 2001, 202:1, VIII, B, as extended by 2003, 240:34, XLI, and 2005, 259:25, XXVII, for wastewater state revolving fund matching funds.

XXXV. The appropriation made to the department of environmental services in 2003, 240:1, V, A, as extended by 2005, 295:25, XXVIII, for hazardous waste superfund match.

XXXVI. The appropriation made to the department of environmental services in 2003, 240:1, V, B, as extended by 2005, 295:25, XXIX, for drinking water SRF matching funds.

XXXVII. The appropriation made to the department of environmental services in 2003, 240:1, V, C, as extended by 2005, 295:25, XXX, for waste water SRF matching funds.

XXXVIII. The appropriation made to the department of environmental services in 2005, 259:1, VI, A, for dam repairs, removal and reconstruction.

XXXIX. The appropriation made to the department of environmental services in 2005, 259:1, VI, B, for drinking water SRF matching funds.

XL. The appropriation made to the department of environmental services in 2005, 259:1, VI, C, for wastewater SRF matching funds.

XLI. The appropriation made to the department of environmental services in 2005, 259:1, VI, D, for bedrock aquifer monitoring.

XLII. The appropriation made to the department of environmental services in 2005, 259:1, VI, F, for north country Gorham office.

XLIII. The appropriation made to the department of environmental services in 2005, 259:1, VI, G, for laboratory clean room.

XLIV. The appropriation made to the fish and game department in 2003, 240:2, A, as extended by 2005, 259:25, XXXI, for hatchery system modernization.

XLV. The appropriation made to the fish and game department in 2005, 259:3, I, for headquarters roof replacement.

XLVI. The appropriation made to the fish and game department in 2005, 259:3, II, for hatchery system modernization.

XLVII. The appropriation made to the fish and game department in 2005, 259:3, III, for dam reconstruction.

XLVIII. The appropriation made to the department of health and human services in 2003, 240:11, for a secure facility for committed and detained juveniles.

XLIX. The appropriation made to the department of health and human services in 1999, 226:1, VIII, H, as extended by 2001, 202:28, XLIV, 2003, 240:34, LII, and 2005, 259:25, XXXII, for information technology.

L. The appropriation made to the department of health and human services in 2001, 202:1, IX, B, as extended by 2003, 240:34, LIV, and 2005, 259:25, XXXIII, for asbestos abatement - state office park south.

LI. The appropriation made to the department of health and human services in 2001, 202:1, IX, H, as extended by 2003, 240:34, LVIII, and, 2005, 259:25, XXXIV, and as amended by section 23 of this act for bridges enhancement.

LII. The appropriation made to the department of health and human services in 2005, 259:1, VII, A, for Dolloff building electrical/fire alarm system replacement.

LIII. The appropriation made to the department of health and human services in 2005, 259:1, VII, B, for main building fire sprinkler replacement.

LIV. The appropriation made to the department of health and human services in 2005, 259:1, VII, C, for state office park south – electrical system upgrade.

LV. The appropriation made to the department of health and human services in 2005, 259:1, VII, D, for water damage repair of buildings – Glencliff.

LVI. The appropriation made to the department of health and human services in 2005, 259:1, VII, E, as amended by section 12 of this act, for renovation/moving of dietary area – Glencliff.

LVII. The appropriation made to the department of health and human services in 2005, 259:17, for YDC master plan.

LVIII. The appropriation made to the liquor commission in 2003, 240:1, VII, B, as extended by 2005, 259:25, XXXV, for design/build new store - Keene.

LIX. The appropriation made to the liquor commission in 2005, 259:1, VIII, A, to construct public restrooms - store #38 Portsmouth.

LX. The appropriation made to the liquor commission in 2005, 259:1, VIII, B, to construct public restrooms - store #34 Salem.

LXI. The appropriation made to the liquor commission in 2005, 259:1, VIII, C, for HVAC - Store #38 Portsmouth.

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

LXIII. The appropriation made to the department of resources and economic development in 2005, 259:1, IX, E, for Mount Washington electrification.

LXIV. The appropriation made to the office of information technology in 2005, 259:1, X, A, for administrative services, enterprise resource planning.

LXV. The appropriation made to office of information technology in 2005, 259:1, X, B, for department of health and human services, MMIS procurement.

LXVI. The appropriation made to the department of safety in 2003, 240:3, I, D, as extended by 2005, 259:25, XLI, finish Troop D first floor.

LXVII. The appropriation made to the department of safety in 2005, 259:4, I, A, for enhanced road toll system.

LXVIII. The appropriation made to the department of safety in 2005, 259:4, I, B, for DMV storage building (23 Hazen Drive).

LXIX. The appropriation made to the department of safety in 2005, 259:4, I, C, for DMV offices add fire and intrusion alarms.

LXX. The appropriation made to the department of safety in 2005, 259:4, I, D, as amended by section 26 of this act for Milford DMV office addition design, and renovate Manchester Trooper barracks at DOT Dist. 5 office - Bedford.

LXXI. The appropriation made to the department of safety in 2005, 259:4, I, E, for 33 Hazen drive renovations.

LXXII. The appropriation made to the department of safety in 2005, 259:4, I, F, for radio maintenance expansion.

LXXIII. The appropriation made to the department of safety in 2005, 259:19, for a fire station addition.

LXXIV. 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, for acquisition of railroad and airport properties.

LXXV. The appropriation made to the department of transportation in 2003, 240:1, XI, A, as extended by 2005, 259:25, XLVII, for 5-10 percent match for FAA projects.

LXXVI. The appropriation made to the department of transportation in 2003, 240:3, II, A, as extended by 2005, 259:25, XLIX, for patrol and salt sheds-statewide.

LXXVII. The appropriation made to the department of transportation in 2005, 259:1, XIII, A, for 2 ½ - 5 percent match for FAA projects.

LXXVIII. The appropriation made to the department of transportation in 2005, 259:1, XIII, B, for public transit bus replacement.

LXXIX. The appropriation made to the department of transportation in 2005, 259:1, XIII, E, for railroad bridge repairs.

LXXX. The appropriation made to the department of transportation in 2005, 259:1, XIII, F, as amended by section 20 of this act, for railroad acquisition, right of first refusal, rail match.

LXXXI. The appropriation made to the department of transportation in 2005, 259:4, II, A, renovation and addition district 4 office - Swanzey.

LXXXII. The appropriation made to the department of transportation in 2005, 259:4, II B, renovate patrol shed - Franconia.

LXXXIII. The appropriation made to the department of transportation in 2005, 259:4, II, C, new patrol shed - Conway.

LXXXIV. The appropriation made to the department of transportation in 2005, 259:4, II, D, as amended by section 19 of this act, for district 5 office – Bedford, and renovate for Manchester trooper barracks.

LXXXV. The appropriation made to the department of transportation in 2005, 259:4, II, E, salt storage sheds - statewide.

LXXXVI. The appropriation made to the department of transportation in 2005, 259:4, II, H, energy/environmental renovations-statewide.

LXXXVII. The appropriation made to the department of transportation in 2005, 259:4, II, I, Chesterfield welcome center and Antrim rest area.

LXXXVIII. The appropriation made to the department of transportation in 2005, 259:20, for underground fuel tank storage.

LXXXIX. The appropriation made to the New Hampshire veterans' home in 2003, 240:1, XII, A, as extended by 2005, 259:25, LIII, for upgrade fire safety and renovation project.

XC. The appropriation made to the New Hampshire veterans' home in 2005, 259:1, XII, A, for HVAC, Tarr unit roof, life safety updates.

XCI. The appropriation made to the New Hampshire veterans' home in 2006, 307:8, I, for recreation room storm repairs.

XCII. The appropriation made to the New Hampshire veterans' home in 2006, 307:8, II, for recreation room renovation.

XCIII. The appropriation made to the judicial branch in 2001, 130:14, VII, as extended by 2003, 240:34, LXVI, for information technology projects.

30 Effective Date.

I. Section 29 of this act shall take effect June 30, 2007.

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

The signatures below attest to the authenticity of this Report on HB 25-FN-A, an act making appropriations for capital improvements.

Conferees on the Part of the Senate

Sen. Hassan, Dist. 23
Sen. D'Allesandro, Dist. 20
Sen. Clegg, Dist. 14

Conferees on the Part of the House

Rep. Bouchard, Merr. 11
Rep. Campbell, Hills. 24
Rep. Gould, Rock. 5
Rep. Graham, Hills. 18

The question is on the adoption of the Committee of Conference Report.

A roll call was requested by Senator Gatsas.

Seconded by Senator Barnes.

The following Senators voted Yes: Gallus, Reynolds, Sgambati, Burling, Cilley, Janeway, Odell, Roberge, Kelly, Bragdon, Gottesman, Foster, Clegg, Larsen, DeVries, Letourneau, D'Allesandro, Estabrook, Downing, Hassan, Fuller Clark.

The following Senators voted No: Kenney, Gatsas, Barnes.

Yeas: 21 - Nays: 3

Adopted.

Senator Burling Rule #44.

**June 19, 2007
2007-2195-CofC
04/01**

Committee of Conference Report on HB 37, an act relative to notification requirements for criminal offenders.

Recommendation:

That the House recede from its position of nonconcurrency with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by inserting after section 3 the following and renumbering the original section 4 to read as 5:

4 New Paragraph; School Boards; School Employee and Volunteer Background Investigations. Amend RSA 189:13-a by inserting after paragraph VII the following new paragraph:

VIII. A school administrative unit, school district, charter school, or school official acting pursuant to a policy establishing procedures for certain volunteers shall be immune from civil or criminal liability, provided the school administrative unit, school district, charter school, or school official has in good faith acted in accordance with said policy. Nothing in this paragraph shall be deemed to grant immunity to any person for that person's reckless or wanton conduct.

The signatures below attest to the authenticity of this Report on HB 37, an act relative to notification requirements for criminal offenders.

Conferees on the Part of the Senate

Sen. Gottesman, Dist. 11
Sen. Letourneau, Dist. 19
Sen. Foster, Dist. 13

Conferees on the Part of the House

Rep. Hess, Merr. 9
Rep. B. Shaw, Hills. 16
Rep. J. Day, Rock. 13
Rep. Welch, Rock. 8

2007-2195-CofC

AMENDED ANALYSIS

This bill:

I. Requires a school administrative unit, school district, or charter school to adopt a policy designating certain categories of volunteers as "designated volunteers" who may be required to undergo a background investigation and a criminal history records check.

II. Allows local law enforcement agencies to notify schools within its jurisdiction of the address of a registered criminal offender.

III. Provides limited liability to a school administrative unit, school district, or charter school for acting in good faith in accordance with a policy on volunteers.

Adopted.

July 2, 2007

2007-2384-EBA

05/10

Enrolled Bill Amendment to SB 52

The Committee on Enrolled Bills to which was referred SB 52

AN ACT relative to authorizing the attorney general to bring actions for violations of New Hampshire combination and monopolies law.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 52

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 52

Amend RSA 356:4-b as inserted by section 2 of the act by replacing line 7 with the following:

determined by the court, the costs of the suit and reasonable attorney's fees. If the trier of

Adopted.

June 19, 2007

2007-2187-CofC

01/09

Committee of Conference Report on HB 83, an act relative to the deliberations of the board of tax and land appeals under the right-to-know law.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 71-B:7-b as inserted by section 1 of the bill by replacing it with the following:

71-B:7-b Board Meetings. The board's deliberative processes in adjudicatory proceedings held pursuant to RSA 541-A shall be exempt from the public meeting and notice provisions of RSA 91-A. Decisions and orders in adjudicatory proceedings shall be publicly available, but only after they have been reduced to writing, signed by a quorum of the board, and served upon the parties, and shall set forth the board's rulings of law and findings of fact in support of its decisions. Discussions and actions by the board concerning procedural, administrative, legal, and internal matters shall be exempt from the meeting and notice provisions of RSA 91-A:2.

The signatures below attest to the authenticity of this Report on HB 83, an act relative to the deliberations of the board of tax and land appeals under the right-to-know law.

Conferees on the Part of the Senate

Sen. Hassan, Dist. 23

Sen. Burling, Dist. 5

Sen. Barnes, Dist. 17

Conferees on the Part of the House

Rep. Lasky, Hills. 26

Rep. G. Richardson, Merr. 4

Rep. Baxley, Merr. 6

Rep. Mooney, Hills. 19

Adopted.

June 21, 2007
2007-2315-CofC
06/09

Committee of Conference Report on HB 95-LOCAL, an act relative to the treatment of charter school pupils in the definition of average daily membership in residence.

Recommendation:

having considered the same, report the committee is unable to reach agreement.

The signatures below attest to the authenticity of this Report on HB 95-LOCAL, an act relative to the treatment of charter school pupils in the definition of average daily membership in residence.

Conferees on the Part of the Senate

Sen. Burling, Dist. 5

Sen. Kelly, Dist. 10

Sen. Barnes, Dist. 17

Conferees on the Part of the House

Rep. Dunn, Ches. 3

Rep. Casey, Rock. 11

Rep. Reeve, Belk. 4

Rep. Price, Hills. 26

Adopted.

June 19, 2007
2007-2217-CofC
01/09

Committee of Conference Report on HB 134, an act relative to electronic prescription for prescription drugs.

Recommendation:

That the House recede from its position of nonconcurrency with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 318:47-c, II(e) as inserted by section 2 of the bill by replacing it with the following:

(e) No person who has access to electronic prescription information solely by transmitting or facilitating the transmission of prescriptions between the licensed prescriber generating the prescription and the pharmacy receiving the prescription, or any intermediary, shall retain the prescription or any information it contains for longer than is mandated by federal or state law, after which time the prescription information shall be destroyed. No such person shall sell, use, or otherwise make available the prescription information for any purpose other than transmission of prescriptions, prescription refills, and clinical information displayed to the prescriber or pharmacist.

The signatures below attest to the authenticity of this Report on HB 134, an act relative to electronic prescription for prescription drugs.

Conferees on the Part of the Senate

Sen. Estabrook, Dist. 21

Sen. Janeway, Dist. 7

Sen. Gallus, Dist. 1

Conferees on the Part of the House

Rep. Rosenwald, Hills. 22

Rep. E. Merrick, Coos 2

Rep. Butcher, Ches. 3

Rep. Case, Rock. 1

Senator Fuller Clark Rule #42 on HB 134.

Adopted.

June 20, 2007
2007-2260-CofC
09/01

Committee of Conference Report on HB 187, an act establishing that sheriffs' departments have sole jurisdiction to enforce civil orders.

Recommendation:

That the House recede from its position of nonconcurrency with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House each pass the bill as amended by the Senate.

The signatures below attest to the authenticity of this Report on HB 187, an act establishing that sheriffs' departments have sole jurisdiction to enforce civil orders.

Conferees on the Part of the Senate

Sen. Foster, Dist. 13
Sen. Reynolds, Dist. 2
Sen. Letourneau, Dist. 19

Conferees on the Part of the House

Rep. Tholl, Coos 2
Rep. Welch, Rock. 8
Rep. Fontas, Hills. 24
Rep. Movsesian, Hills. 22

Adopted.

June 18, 2007

2007-2164-CofC

05/04

Committee of Conference Report on HB 202, an act relative to a point system for automobile dealer and inspection station violations.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing all after section 4 with the following:

5 Inspection Stations; Electronic Data; Municipal and County Government Inspection Stations. Amend RSA 266:1, VII-a(a)(4) to read as follows:

(4) Municipal and county government inspection stations ~~[for non-OBD II vehicles]~~.

6 Inspection Stations; Electronic Data; Municipal and County Government Inspection Stations. RSA 266:1, VII-a(a)(4) is repealed and reenacted to read as follows:

(4) Municipal and county government inspection stations for non-OBD II vehicles.

7 Effective Date.

I. Section 6 of this act shall take effect July 1, 2009.

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

The signatures below attest to the authenticity of this Report on HB 202, an act relative to a point system for automobile dealer and inspection station violations.

Conferees on the Part of the Senate

Sen. Letourneau, Dist. 19
Sen. Kelly, Dist. 10
Sen. DeVries, Dist. 18

Conferees on the Part of the House

Rep. Ryan, Merr. 2
Rep. Packard, Rock. 3
Rep. Nedeau, Belk. 3
Rep. R. Williams, Merr. 11

2007-2164-CofC

AMENDED ANALYSIS

This bill:

I. Permits the director of motor vehicles to adopt rules establishing a point system for automobile dealer and inspection station violations.

II. Removes term limits for members of the motor vehicle industry board.

III. Includes snowmobiles in the definition of motor vehicle in RSA 357-C, relative to business practices between motor vehicle manufacturers, distributors, and dealers, and clarifies the reference to snowmobiles in the definition of motor vehicle in RSA 357-D, New Hampshire's New Vehicle Arbitration Law.

IV. Provides that, if the division of motor vehicles requires electronic submission of inspection data, municipal and county government inspection stations shall not be required to submit data electronically until July 1, 2009. Current law limits their exemption to non-OBD II vehicles.

Senator Foster Rule #42 on HB 202.

Adopted.

June 21, 2007

2007-2319-CofC

08/10

Committee of Conference Report on HB 229, an act relative to licensing requirements for operators of games of chance.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 287-D:2-b, VII as inserted by section 8 of the bill by replacing it with the following:

VII. ~~[Only]~~ The treasurer of the charitable organization or a ~~[bona fide member of the charitable organization]~~ **designee approved by the pari-mutuel commission**, designated by the treasurer, shall ~~[handle]~~ **be responsible for** any monetary transactions related to the game of chance.

Amend RSA 287-D:3, V-IX as inserted by section 12 of the bill by replacing it with the following:

V. No single wager by a player, on any game of chance, **where chips have monetary value**, shall exceed the amount of \$2.

VI. ~~[Any contract for the rental of a facility for a game of chance shall be independent of any contract for the rental of equipment. Those contracts shall not be contingent upon the charitable organization's agreement that it will contract with a particular business for a particular facility or equipment.]~~

VII. ~~A charitable organization shall only rent a facility by means of a fixed rental payment. The fixed rental payment shall not be based on a percentage of what the charitable organization receives from the game of chance and it shall reflect fair rental value of the property for any use not just as a place to hold a game of chance. Any rental entered into by the charitable organization shall be submitted with the charitable organization's license application for review by the pari-mutuel commission.~~

VIII. ~~The charitable organization shall retain no less than 35 percent of the gross revenues from any game of chance minus any prizes paid on any game date in which game operators licensed under RSA 287-D:2-c are involved in any capacity.]~~ **In games where chips have no monetary value, a minimum of 6 percent of the first \$25,000 and a minimum of 8.75 percent of all funds exceeding \$25,000 collected from players on each game date in which game operators are involved in any capacity shall be retained by the charity. The money retained by the charity shall not be used for any expenses associated with the operation of the games of chance.** Such revenues shall be **made available to the charity within one business day of each game date and** used by the organization to advance its charitable purpose.

VII. In games where chips do have monetary value, the charity shall retain not less than 35 percent of rake or house winnings. The money retained by the charity shall not be used for any expenses associated with the operation of games of chance. Such revenues shall be used by the organization to advance its charitable purpose.

Amend the bill by deleting section 17 and renumbering the original sections 18-26 to read as 17-25.

Amend the bill by replacing section 25 with the following:

25 Effective Date.

I. Sections 12 and 13 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect 60 days after its passage.

The signatures below attest to the authenticity of this Report on HB 229, an act relative to licensing requirements for operators of games of chance.

Conferees on the Part of the Senate

Sen. D'Allesandro, Dist. 20

Sen. Reynolds, Dist. 2

Sen. Odell, Dist. 8

Conferees on the Part of the House

Rep. Hawkins, Hills. 18

Rep. Butynski, Ches. 4

Rep. Velez, Hills. 12

Rep. F. Sullivan, Hills. 12

Adopted.

June 21, 2007

2007-2323-CofC

10/04

Committee of Conference Report on HB 261, an act prohibiting the Carroll County attorney from engaging in the private practice of law.

Recommendation:

having considered the same, report the committee is unable to reach agreement.

The signatures below attest to the authenticity of this Report on HB 261, an act prohibiting the Carroll County attorney from engaging in the private practice of law.

Conferees on the Part of the Senate

Sen. Foster, Dist. 13

Sen. Clegg, Dist. 14

Sen. Gottesman, Dist. 12

Conferees on the Part of the House

Rep. Patten, Carr. 4

Rep. Stohl, Coos 1

Rep. Simon, Hills. 11

Rep. Osborne, Merr. 12

Adopted.

June 19, 2007

2007-2188-CofC

08/09

Committee of Conference Report on HB 293, an act allowing municipalities to establish agricultural commissions.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 673:4-b, II as inserted by section 3 of the bill by replacing it with the following:

II. Each agricultural commission member shall be a resident of the city or town which establishes the commission. One commission member may be a member of the local governing body. One commission member may be a member of the planning board. Not more than 5 alternate members may be appointed. When an alternate sits in absence or disqualification of a regular member, the alternate shall have full voting powers. In determining each member's qualifications, the appointing authority shall take into consideration the appointee's demonstrated interest and ability to understand, appreciate, and promote the purpose of the agricultural commission.

The signatures below attest to the authenticity of this Report on HB 293, an act allowing municipalities to establish agricultural commissions.

Conferees on the Part of the Senate

Sen. Hassan, Dist. 23

Sen. DeVries, Dist. 18

Sen. Barnes, Dist. 17

Conferees on the Part of the House

Rep. Theberge, Coos 4

Rep. Bennett Moore, Rock. 15

Rep. Patten, Carr. 4

Rep. Stohl, Coos 1

Adopted.

June 18, 2007
2007-2157-CofC
05/10

Committee of Conference Report on HB 306, an act establishing a task force on work and family.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on HB 306, an act establishing a task force on work and family.

Conferees on the Part of the Senate

Sen. Cilley, Dist. 6

Sen. Fuller Clark, Dist. 24

Sen. Roberge, Dist. 9

Conferees on the Part of the House

Rep. J. Knowles, Hills. 27

Rep. Lasky, Hills. 26

Rep. Infantine, Hills. 13

Rep. Bishop, Rock. 2

Adopted.

June 19, 2007
2007-2219-CofC
08/09

Committee of Conference Report on HB 365, an act establishing a commission to study foreclosures of home mortgages and the foreclosure rescue scam industry.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 479-B:3, II (e) as inserted by section 1 of the bill by replacing it with the following:

(e) Contain a statement, located in immediate proximity to the space reserved for the homeowner's signature, stating: "You have a right to cancel this transaction within 5 business days until midnight of _____ (insert date). If you cancel, you must pay within 60 days \$_____, which is the amount paid to your lender to stop the foreclosure sale or to the municipality, county, or state to prevent execution of a tax deed."

(f) Contain an itemization of amounts expended on the homeowner's behalf to the homeowner's lender to stop the foreclosure sale or to the municipality, county, or state to prevent execution of a tax deed.

Amend RSA 479-B:4, VII as inserted by section 1 of the bill by replacing it with the following:

VII. As part of the cancellation of a foreclosure consulting contract or pre-foreclosure conveyance, the homeowner shall repay, within 60 days from the date of cancellation or such longer period of time as may be deemed equitable by the court, any funds actually paid by a foreclosure consultant or pre-foreclosure purchaser to delay or prevent a mortgage default or delinquency, foreclosure, or execution of a tax deed in the form of mortgage arrearage, property tax arrearage, current mortgage payments, current tax payments, late fees, penalties, and any other out-of-pocket expenditures necessary to avoid the loss of the home by the homeowner. The amount to repay shall not include any fees or interest charged by the pre-foreclosure purchaser.

Amend RSA 479-B:5, II as inserted by section 1 of the bill by replacing it with the following:

II. A foreclosure consultant may not:

(a) Enter any agreement or provide any services on behalf of a homeowner until the homeowner has executed a foreclosure consulting contract;

(b) Claim, demand, charge, collect, or receive any compensation until after the foreclosure consultant has fully performed each and every service the foreclosure consultant contracted to perform or represented that the foreclosure consultant would perform;

(c) Take any wage assignment, any lien of any type on real or personal property, or other security to secure the payment of compensation. Any such security is null and void;

(d) Receive any consideration from any third party in connection with foreclosure consulting services provided to a homeowner unless the consideration is first fully disclosed in writing to the homeowner and the third party's interest do not conflict with the homeowner's or create a conflict between the consultant and the homeowner;

(e) Acquire any interest, directly or indirectly, or by means of a subsidiary, affiliate, or corporation in which the foreclosure consultant or a member of the foreclosure consultant's immediate family is a primary stockholder, in a residence in foreclosure from a homeowner with whom the foreclosure consultant has contracted;

(f) Take any power of attorney from a homeowner for any purpose, except to inspect documents as provided by law;

(g) Induce or attempt to induce any homeowner to enter into a foreclosure consulting contract that does not comply in all respects with this chapter; or

(h) Create or facilitate a transaction which would violate a homeowner's current deed of trust or other security interest, or which would constitute a default or cause a foreclosure or an acceleration of the debt secured by those agreements.

Amend RSA 479-B:5, III(d)(3) as inserted by section 1 of the bill by replacing it with the following:

(3) Make payment to the homeowner within 90 days of any resale of the property so that the homeowner receives cash payments or consideration in an amount equal to at least 90 percent of the net proceeds from any resale of the property should a property subject to a pre-foreclosure conveyance be sold within 36 months after entering into a pre-foreclosure conveyance agreement. As used in this subparagraph, the term "net proceeds from any resale" means the resale price minus any necessary funds actually expended by the pre-foreclosure purchaser on the homeowner's behalf in order to delay or prevent the mortgage default of delinquency, foreclosure, or execution of a tax deed;

Amend RSA 479-B:7 as inserted by section 1 of the bill by replacing it with the following:

479-B:7 Maintenance of Rights Against Transferee.

I. Any agreement, encumbrance, assignment or transfer of any interest in violation of this chapter shall be voidable at the option of the homeowner, until the time of a completed conveyance to a third party.

II. No action shall be brought under this chapter more than 3 years from the date of the violation.

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Banking Department; New Hampshire Housing Finance Authority. Report Required.

I. The banking department, New Hampshire housing finance authority, and New Hampshire legal assistance shall compile available information and analysis and prepare a report identifying any foreclosure rescue scam or scheme not covered by RSA 479-B.

II. The entities in paragraph I shall make the report, together with any recommendations for legislation, to the president of the senate, the speaker of the house of representatives and the chairs of the senate and house commerce committees on November 1, 2007 and again on November 1, 2008.

The signatures below attest to the authenticity of this Report on HB 365, an act establishing a commission to study foreclosures of home mortgages and the foreclosure rescue scam industry.

Conferees on the Part of the Senate

Sen. Gottesman, Dist. 12

Sen. Reynolds, Dist. 2

Sen. Barnes, Dist. 17

Conferees on the Part of the House

Rep. Reardon, Merr. 11

Rep. DeStefano, Merr. 13

Rep. Spratt, Hills. 3

Rep. Pelkey, Ches. 7

Senator Foster Rule #42 on HB 365.

Adopted.

June 21, 2007

2007-2316-CofC

01/09

Committee of Conference Report on HB 377-FN-LOCAL, an act relative to the right-to-know law.

Recommendation:

having considered the same, report the committee is unable to reach agreement.

The signatures below attest to the authenticity of this Report on HB 377-FN-LOCAL, an act relative to the right-to-know law.

Conferees on the Part of the Senate

Sen. Foster, Dist. 13
Sen. Burling, Dist. 5
Sen. Downing, Dist. 22

Conferees on the Part of the House

Rep. Shurtleff, Merr. 10
Rep. Weber, Ches. 2
Rep. Lasky, Hills. 26
Rep. Jasper, Hills. 27

Adopted.

June 19, 2007
2007-2199-CofC
03/01

Committee of Conference Report on HB 429, an act relative to nominations by multiple parties.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and

That the Senate recede from its position in adopting its amendment to the bill, and

That the Senate and House each pass the bill as passed by the House.

The signatures below attest to the authenticity of this Report on HB 429, an act relative to nominations by multiple parties.

Conferees on the Part of the Senate

Sen. Burling, Dist. 5
Sen. DeVries, Dist. 18
Sen. Foster, Dist. 13

Conferees on the Part of the House

Rep. Clemons, Hills. 24
Rep. Perry, Straf. 3
Rep. Pierce, Graf. 9
Rep. D. Cote, Hills. 23

The question is on the adoption of the Committee of Conference Report.

A roll call was requested by Senator Letourneau.

Seconded by Senator Barnes.

The following Senators voted Yes: Reynolds, Sgambati, Burling, Janeway, Kelly, Gottesman, Foster, Larsen, DeVries, D'Allesandro, Estabrook, Hassan, Fuller Clark.

The following Senators voted No: Gallus, Kenney, Cilley, Odell, Roberge, Bragdon, Clegg, Gatsas, Barnes, Letourneau, Downing.

Yeas: 13 - Nays: 11

Adopted.

Senator Burling Rule #44.

June 21, 2007
2007-2322-CofC
04/10

Committee of Conference Report on HB 488-FN-A-LOCAL, an act relative to the state chief medical examiner and medico-legal death investigations and making an appropriation to the department of justice for autopsy costs.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 611-B:27, II as inserted by section 1 of the bill by replacing it with the following:

II. Assistant deputy medical examiners shall submit all claims for telephone consultation fees, death investigation fees and expenses, and pre-cremation examination fees to the office of the chief medical examiner, which shall authorize such claims and submit them for payment to the state treasurer, chargeable to the medico-legal investigation fund established pursuant to RSA 611-B:28. On a monthly basis, the office of the chief medical examiner shall bill each of the counties for the services provided to that county by the assistant deputy medical examiners during the previous month, and any body transportation costs associated with the billed services, as provided under RSA 611-B:15, I. Services shall be billed at the following rates: telephone consultation - \$25; death investigation - \$140; travel expenses – the state mileage rate. The county treasurer shall submit payment to the state treasurer, for deposit in the medico-legal investigation fund.

Amend RSA 611-B:27-a as inserted by section 1 of the bill by replacing it with the following:

611-B:27-a Autopsy Expenses.

I. All autopsy-related bills shall be submitted to the office of the chief medical examiner, which shall authorize them and submit them for payment to the state treasurer, chargeable to the medico-legal investigative fund established pursuant to RSA 611-B:28.

II. For purposes of this section, autopsy expenses shall include morgue costs, microscopic processes, toxicology, body transportation, x-ray costs, and other ancillary testing costs.

The signatures below attest to the authenticity of this Report on HB 488-FN-A-LOCAL, an act relative to the state chief medical examiner and medico-legal death investigations and making an appropriation to the department of justice for autopsy costs.

Conferees on the Part of the Senate

Sen. D'Allesandro, Dist. 20

Sen. Cilley, Dist. 6

Sen. Downing, Dist. 22

Conferees on the Part of the House

Rep. Franklin, Sull. 2

Rep. W. Knowles, Straf. 6

Rep. King, Coos 1

Rep. Welch, Rock. 8

Adopted.

June 20, 2007

2007-2249-CofC

10/04

Committee of Conference Report on HB 498-FN-A, an act dedicating certain OHRV and snowmobile unrefunded road tolls to the fish and game department.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

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

2 Land and Community Heritage Investment Program; Administrative Fund. Amend RSA 227-M:7-a, I to read as follows:

I. There is established in the office of the state treasurer a fund to be known as the land and community heritage investment program administrative fund into which the state treasurer shall credit any revenue generated pursuant to RSA 261:97-b, I-a. ~~[For the biennium ending June 30, 2007]~~ There shall also be deposited, on a monthly basis, interest income generated on appropriations made to the land and community heritage investment program trust fund pursuant to RSA 227-M:7. The total revenues generated to the administrative fund from these 2 sources ~~[for each year of said biennium]~~ shall not exceed \$335,000 **for each fiscal year. Any revenue generated from these 2 sources in excess of the \$335,000 maximum per year shall be credited by the treasurer to the land and community heritage investment program trust fund in RSA 227-M:7. The authority shall include in its annual report the amount of revenues exceeding the maximum which are credited to the trust fund.**

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

The signatures below attest to the authenticity of this Report on HB 498-FN-A, an act dedicating certain OHRV and snowmobile unrefunded road tolls to the fish and game department.

Conferees on the Part of the Senate

Sen. D'Allesandro, Dist. 20

Sen. Janeway, Dist. 7

Sen. Clegg, Dist. 14

Conferees on the Part of the House

Rep. Bouchard, Merr. 11

Rep. Benn, Graf. 9

Rep. Tupper, Merr. 6

Rep. Kurk, Hills. 7

2007-2249-CofC

AMENDED ANALYSIS

This bill credits a portion of the unrefunded road tolls from licensed OHRVs and snowmobiles for the use of the fish and game department.

The bill also extends the funding of the land and community heritage investment program administrative fund at \$335,000 each year.

Adopted.

June 21, 2007

2007-2321-CofC

10/04

Committee of Conference Report on HB 533, an act relative to Occupational Safety and Health Administration certification requirements for state contracts.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend paragraph I of section 5 of the bill by replacing it with the following:

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

- (a) Two members of the senate, appointed by the president of the senate.
- (b) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The commissioner of the department of safety, or designee.
- (d) The commissioner of transportation, or designee.
- (e) One member of the automobile insurance industry, appointed by the insurance commissioner.
- (f) One member from the New Hampshire Medical Society, appointed by the society.
- (g) One member from the New Hampshire Emergency Nurses Association, appointed by such association.
- (h) One member from the New Hampshire Association of Emergency Medical Technicians, appointed by such association.
- (i) One representative of the New Hampshire Association of Fire Chiefs, appointed by such association.
- (j) One representative of the New Hampshire Association of Chiefs of Police, appointed by such association.
- (k) One member of the Brain Injury Association of New Hampshire, appointed by such association.
- (l) One member of the New Hampshire Civil Liberties Union, appointed by such organization.
- (m) One member of Safe Kids New Hampshire, appointed by such organization.

(n) One member from the American Automobile Association, appointed by such association.

(o) Two members of the public, one of whom shall have expertise in the field of public relations, appointed by the president of the senate.

(p) Three members of the public, one of whom shall be a member of an organization that opposes mandatory seatbelts, appointed by the speaker of the house of representatives.

(q) One member of the public, appointed by the governor.

The signatures below attest to the authenticity of this Report on HB 533, an act relative to Occupational Safety and Health Administration certification requirements for state contracts.

Conferees on the Part of the Senate

Sen. Foster, Dist. 13

Sen. Larsen, Dist. 15

Sen. Gallus, Dist. 1

Conferees on the Part of the House

Rep. S. Kelly, Merr. 7

Rep. S. Johnson, Hills. 13

Rep. Ryan, Merr. 2

Rep. Bedrick, Rock. 4

Adopted.

June 21, 2007

2007-2325-CofC

10/09

Committee of Conference Report on HB 653, an act relative to the determination of benefits, funding, and administration of the New Hampshire retirement system.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 4 with the following:

4 Board of Trustees; Quorum. Amend RSA 100-A:14, IV to read as follows:

IV. Each trustee shall be entitled to one vote in the board of trustees, ***provided, however, that the chairman shall be non-voting except in the event of a tie vote.*** ~~[Six]~~ **Seven** trustees shall constitute a quorum for the transaction of any business. ~~[Six]~~ **Seven** votes shall be necessary for any resolution or action by the board at any meeting.

Amend the concluding unnumbered paragraph following RSA 100-A:16, II(h)(7) as inserted by section 8 of the bill by replacing it with the following:

The special account shall be used only to fund or partially fund additional benefits as follows: first, to provide supplemental allowances, or COLAs, pursuant to RSA 100-A:41-a and, second, ~~[to the extent that funds may be available in the special account in excess of a 3-year 5 percent COLA reserve,]~~ to provide additional benefits to retired members and beneficiaries of the retirement system with the specific approval of the appropriate policy committees and approval of the general court. ~~[Nothing in this section shall preclude the appropriate legislative policy committees and the general court from adopting legislation that provides additional benefits in the event that the special account does not contain a 3-year, 5 percent COLA reserve.]~~

Amend the bill by replacing all after section 8 with the following:

9 Employer Contributions. Amend RSA 100-A:16, III to read as follows:

III. EMPLOYER CONTRIBUTIONS.

(a) On or before the first day of October next preceding each regular session of the state legislature, the board of trustees shall certify to the commissioner of administrative services the amounts which will become due and payable by the state during the biennium next following to the retirement system and it shall be the duty of the commissioner of administrative services in preparing the executive budget for each ensuing biennium to include in the budget the amounts so certified which amounts shall be appropriated by the legislature. The amounts so certified under this subparagraph shall include the unfunded accrued li-

ability of the retirement system. ***The annual employer contribution requirements effective July 1, 2008 and as calculated each year thereafter shall not be less than the employee contribution rates under RSA 100-A:16, I(a).***

(b) A county, city, town, school district or other political subdivision of the state having any employee members who are paid directly by the state but for whom the staff is later reimbursed for the part of their compensation not chargeable to state funds shall likewise reimburse the state for that part of the contribution made by the state to this system which is based on such part of compensation not chargeable to state funds.

(c) At the beginning of each year commencing on the first day of July the board of trustees shall certify to each employer other than the state the percentage rates of contribution due the system from each such employer, and shall assess upon each such employer such percentages of the earnable compensation of members in its employ, and it shall be the duty of the treasurer or other disbursing officer of each such employer to pay to the board of trustees such portion of the annual amount so assessed at such times and in such manner as the board of trustees may prescribe. Each such employer is hereby authorized to appropriate the sums necessary for the payment of such assessments. ***The annual employer contribution requirements effective July 1, 2008 and as calculated each year thereafter shall not be less than the employee contribution rates under RSA 100-A:16, I(a).***

10 Supplemental Allowance for 2007.

I. Notwithstanding the provisions of RSA 100-A:41-a, any retired member of the New Hampshire retirement system or any of its predecessor systems, who has been retired for at least 12 months, or any beneficiary of such member who is receiving an allowance, shall receive a supplemental allowance, or COLA, for 2007 on the retired member's latest anniversary date. The amount of such supplemental allowance effective July 1, 2007 shall be 2-1/4 percent.

II. The supplemental allowance granted by this section shall become a permanent addition to the beneficiary's base retirement allowance, and shall be included in the monthly annuity paid to the retired member, or to the member's beneficiary if the member is deceased and the beneficiary is receiving an allowance under RSA 100-A:8, 100-A:9, 100-A:12, 100-A:13, 100-A:19, the provisions of former RSA 100-A:16, I(c)(2) relative to additional contributions, or similar provisions of predecessor systems.

III. Terminal funding of the supplemental allowance shall be from the special account established under RSA 100-A:16, II(h).

11 Repeal. The following are repealed:

I. RSA 100-A:4, VII, relative to purchase of nonqualified service credit.

II. RSA 100-A:16, II(d) relative to the procedure for determining contribution rates.

12 Effective Date. This act shall take effect June 30, 2007.

The signatures below attest to the authenticity of this Report on HB 653, an act relative to the determination of benefits, funding, and administration of the New Hampshire retirement system.

Conferees on the Part of the Senate

Sen. Burling, Dist. 5

Sen. Janeway, Dist. 7

Sen. Downing, Dist. 22

Conferees on the Part of the House

Rep. Irwin, Hills. 3

Rep. P. McMahon, Merr. 3

Rep. Hawkins, Hills. 18

Rep. Beauchesne, Merr. 8

2007-2325-CofC

AMENDED ANALYSIS

This bill:

I. Adds a local government member to the board of trustees.

II. Changes the procedure for calculating and financing benefits.

III. Repeals the authority for nonqualified service credit.

IV. Grants COLAs to retirees and beneficiaries for 2007.

Senator DeVries Rule #42 on HB 653.

Senator Downing Rule #42 on HB 653.

Senator Roberge Rule #42 on HB 653.

Senator Sgambati Rule #42 on HB 653.

Adopted.

June 19, 2007

2007-2190-CofC

03/10

Committee of Conference Report on HB 659-FN, an act exempting certain motor vehicles manufactured prior to 1941 from vehicle equipment and inspection requirements.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 New Section; Equipment of Vehicles; Motor Vehicles Manufactured Prior to 1949. Amend RSA 266 by inserting after section 62 the following new section:

266:62-a Motor Vehicles Manufactured Prior to 1949. Any motor vehicle whose model year is prior to the year 1949 shall be exempt from all motor vehicle equipment and inspection requirements if the motor vehicle is equipped as it was manufactured or in accordance with the motor vehicle's original equipment specifications.

The signatures below attest to the authenticity of this Report on HB 659-FN, an act exempting certain motor vehicles manufactured prior to 1941 from vehicle equipment and inspection requirements.

Conferees on the Part of the Senate

Sen. DeVries, Dist. 18

Sen. Hassan, Dist. 23

Sen. Clegg, Dist. 14

Conferees on the Part of the House

Rep. Jennifer Brown, Straf. 5

Rep. Packard, Rock. 3

Rep. O'Brien, Hills. 26

Rep. R. Williams, Merr. 11

2007-2190-CofC

AMENDED ANALYSIS

This bill exempts motor vehicles manufactured prior to 1949 from vehicle equipment and inspection requirements if the vehicles are equipped as manufactured or in accordance with the vehicle's original equipment specifications.

Adopted.

June 20, 2007

2007-2272-CofC

01/09

Committee of Conference Report on HB 723, an act extending the moratoriums on nursing home beds and rehabilitation.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing paragraph III of section 12 with the following:

III. The remainder of this act shall take effect January 1, 2008.

The signatures below attest to the authenticity of this Report on HB 723, an act extending the moratoriums on nursing home beds and rehabilitation.

Conferees on the Part of the Senate

Sen. Estabrook, Dist. 21

Sen. Sgambati, Dist. 4

Sen. Kenney, Dist. 3

Conferees on the Part of the House

Rep. Rosenwald, Hills. 22

Rep. Donovan, Sull. 4

Rep. McLeod, Graf. 2

Rep. MacKay, Merr. 11

Adopted.

June 18, 2007

2007-2163-CofC

03/01

Committee of Conference Report on HB 735, an act relative to the form of the presidential primary election ballot.

Recommendation:

That the House recede from its position of nonconcurrency with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House each pass the bill as amended by the Senate.

The signatures below attest to the authenticity of this Report on HB 735, an act relative to the form of the presidential primary election ballot.

Conferees on the Part of the Senate

Sen. Burling, Dist. 5

Sen. Letourneau, Dist. 19

Sen. DeVries, Dist. 18

Conferees on the Part of the House

Rep. Clemons, Hills. 24

Rep. Jasper, Hills. 27

Rep. Weed, Ches. 3

Rep. C. Chase, Hills. 2

Adopted.

June 15, 2007

2007-2153-CofC

03/10

Committee of Conference Report on HB 767, an act relative to insurance for volunteer drivers.

Recommendation:

That the House recede from its position of nonconcurrency with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 239-B:2, I(h)-(i) as inserted by section 2 of the bill by replacing them with the following:

(h) Eight representatives from transportation providers, the business community, and statewide organizations, such as Granite State Independent Living, AARP, Easter Seals, and the UNH Institute on Disability, appointed by the governor and council.

The signatures below attest to the authenticity of this Report on HB 767, an act relative to insurance for volunteer drivers.

Conferees on the Part of the Senate

Sen. D'Allesandro, Dist. 20

Sen. Gallus, Dist. 1

Sen. Foster, Dist. 13

Conferees on the Part of the House

Rep. Reardon, Merr. 11

Rep. DeStefano, Merr. 13

Rep. Matthew Quandt, Rock. 13

Rep. Spratt, Hills. 3

Adopted.

June 20, 2007
2007-2240-CofC
06/01

Committee of Conference Report on HB 796, an act relative to civil liability for damaging highway protective barriers.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House each pass the bill as amended by the Senate.

The signatures below attest to the authenticity of this Report on HB 796, an act relative to civil liability for damaging protective barriers.

Conferees on the Part of the Senate

Sen. Clegg, Dist. 14

Sen. Reynolds, Dist. 2

Sen. Foster, Dist. 13

Conferees on the Part of the House

Rep. Cloutier, Sull. 4

Rep. Cyr, Straf. 3

Rep. G. Richardson, Merr. 4

Rep. Chandler, Carr. 1

Adopted.

June 19, 2007
2007-2226-CofC
05/10

Committee of Conference Report on HB 828-FN, an act relative to a state ethics officer.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend the bill by replacing section 1 with the following:

1 Corrupt Practices; Scope of Chapter. Amend RSA 640:1 to read as follows:

640:1 Scope of Chapter. Nothing in this chapter shall be construed to prohibit the giving or receiving of campaign contributions made for the purpose of defraying the costs of a political campaign, ***or the giving or receiving of any other thing exempt from the prohibition on gifts pursuant to RSA 15-B.*** No person shall be convicted of an offense solely on the evidence that a campaign contribution, ***or any other thing exempt from the prohibition on gifts pursuant to RSA 15-B*** was made ***to a public official***, and that ***a vote***, an appointment, or ***a nomination*** was subsequently made by the person to whose campaign or political party the contribution was made ***or who received the thing exempt from the prohibition on gifts pursuant to RSA 15-B.***

The signatures below attest to the authenticity of this Report on HB 828-FN , an act relative to a state ethics officer.

Conferees on the Part of the Senate

Sen. Burling, Dist. 5

Sen. Clegg, Dist. 14

Sen. Foster, Dist. 13

Conferees on the Part of the House

Rep. Harding, Graf. 11

Rep. M. Rollo, Straf. 2

Rep. Manney, Hills. 7

Rep. Millham, Belk. 5

Adopted.

June 21, 2007
2007-2310-CofC
10/03

Committee of Conference Report on HB 876-FN-LOCAL, an act establishing a commission to make recommendations to ensure the long-term viability and sustainability of the New Hampshire retirement system.

Recommendation:

That the House recede from its position of nonconcurrency with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend paragraph I of section 2 of the bill by inserting after subparagraph (g) the following new subparagraph:

(h) Two retired members of the retirement system currently receiving benefits, one of whom shall be a group I retiree and one of whom shall be a group II retiree, appointed jointly by the speaker of the house of representatives and the president of the senate.

The signatures below attest to the authenticity of this Report on HB 876-FN-LOCAL, an act establishing a commission to make recommendations to ensure the long-term viability and sustainability of the New Hampshire retirement system.

Conferees on the Part of the Senate

Sen. Burling, Dist. 5

Sen. Kelly, Dist. 10

Sen. Downing, Dist. 22

Conferees on the Part of the House

Rep. Irwin, Hills. 3

Rep. P. McMahon, Merr. 3

Rep. Hawkins, Hills. 18

Rep. Beauchesne, Merr. 8

Senator DeVries Rule #42 on HB 876-FN-L.

Senator Downing Rule #42 on HB 876-FN-L.

Senator Sgambati Rule #42 on HB 876-FN-L.

Adopted.

June 19, 2007

2007-2220-CofC

06/01

Committee of Conference Report on HB 882-FN, an act relative to limitations on tort liability of government units.

Recommendation:

That the House recede from its position of nonconcurrency with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 507-B:4, I as inserted by section 1 of the bill by replacing it with the following:

I. Liability of a governmental unit for bodily injury, personal injury or property damage sustained by any one person in actions brought under this chapter is limited to [~~\$150,000~~] **\$275,000**. Such limit applies in the aggregate to any and all actions to recover for bodily injury, personal injury or property damage arising out of bodily injury, personal injury or property damage sustained by one person in a single incident or occurrence. Liability of a governmental unit for bodily injury, personal injury or property damage sustained by any number of persons in a single incident or occurrence is limited to [~~\$500,000~~] **\$925,000**. ***The limits applicable to any action shall be the limits in effect at the time of the judgment or stipulated settlement.***

Amend RSA 541-B:14, I as inserted by section 2 of the bill by replacing it with the following:

I. All claims arising out of any single incident against any agency for damages in tort actions shall be limited to an award not to exceed [~~\$250,000~~] **\$475,000** per claimant and [~~\$2,000,000~~] **\$3,750,000** per any single incident, or the proceeds from any insurance policy procured pursuant to RSA 507-B, whichever amount is greater; except that no claim for punitive damages may be awarded under this chapter. ***The limits applicable to any action shall be the limits in effect at the time of the judgment or stipulated settlement.***

The signatures below attest to the authenticity of this Report on HB 882-FN, an act relative to limitations on tort liability of government units.

Conferees on the Part of the Senate

Sen. Foster, Dist. 13
Sen. Gottesman, Dist. 12
Sen. Clegg, Dist. 14

Conferees on the Part of the House

Rep. Lasky, Hills. 26
Rep. Morrison, Belk. 2
Rep. Baxley, Merr. 6
Rep. Sorg, Graf. 3

Adopted.

June 19, 2007

2007-2212-CofC

08/09

Committee of Conference Report on HB 903-FN, an act prohibiting delivery of oil to non-compliant underground storage facilities.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

Amend RSA 339:79, I as inserted by section 4 of the bill by replacing it with the following:

I. A contract with a consumer that offers a guaranteed price plan, requires prepayment by the consumer, or similar contracts shall be in writing and shall disclose the terms and conditions of the plan. A solicitation for such a guaranteed price plan that could become a contract upon response from a consumer shall also be in writing with the terms and conditions disclosed in plain language.

Amend RSA 339:79, III(a)-(b) as inserted by section 4 of the bill by replacing them with the following:

(a) Shall not require consumers to commit for a term of more than one heating oil season. Such contracts shall be offered no earlier than January 1 of the year in which the heating oil season begins.

(b) Shall require dealers to reimburse consumers at the contract price for any undelivered pre-purchased oil, within 30 days after the contract ends, unless the dealer and consumer agree to different terms.

The signatures below attest to the authenticity of this Report on HB 903-FN, an act prohibiting delivery of oil to non-compliant underground storage facilities.

Conferees on the Part of the Senate

Sen. Fuller Clark, Dist. 24
Sen. Janeway, Dist. 12
Sen. Barnes, Dist. 17

Conferees on the Part of the House

Rep. Spang, Straf. 7
Rep. Spratt, Hills. 3
Rep. Houde, Sull. 1
Rep. C. Christensen, Hills. 19

Adopted.

June 21, 2007

2007-2334-CofC

01/09

Committee of Conference Report on HB 927-FN, an act relative to the specific criteria and substantive educational program that define an adequate education.

Recommendation:

That the House recede from its position of nonconcurrence with the Senate amendment, and concur with the Senate amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the Senate, and pass the bill as so amended:

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

1 Statement of Purpose.

I. The general court embraces its duty to define the opportunity for a constitutionally adequate public education for every child in the state. The Encouragement of Literature clause of the New Hampshire constitution declares that knowledge and learning spread through a community are “essential to the preservation of a free government,” and that “spreading the opportunities and advantages of education” is a means to preserving a free, democratic state. Beyond competencies in reading, writing, and arithmetic, a broad exposure to the social, economic, scientific, technological, and political realities of today’s society is essential for New Hampshire students to compete, contribute and flourish in the twenty-first century.

II. The general court finds that the opportunity for a constitutionally adequate education in New Hampshire consists of the substantive education programs from kindergarten through twelfth grade that deliver the essential opportunities to acquire skills, competencies, and knowledge in the subject areas of English/language arts and reading, mathematics, science, social studies, the arts, world languages, technology, information and communication technologies, health and physical education. The general court finds that an adequate education shall provide every child in New Hampshire with the opportunity to receive these substantive education programs in accordance with the specific criteria and high standards for such education programs that are set forth in the applicable school approval standards. The opportunity for an adequate education includes a range of services, educational supports, and instructional resources.

III. In September 2006, the New Hampshire supreme court ruled in Londonderry School District SAU #12 & a. v. State of New Hampshire that the state had not met its duty to define a constitutionally adequate education for New Hampshire’s public school students by not identifying the specific criteria and the substantive education program that delivers the opportunity for an adequate education.

IV. In responding to its responsibility to determine the specific criteria and substantive education program that delivers the opportunity for an adequate education, the general court analyzed the current education delivery system established jointly through the legislative and executive branches. Specifically, the general court reviewed the standards for public school approval and the state’s curriculum frameworks. As part of its review, the general court determined which of the standards and curriculum frameworks provide the opportunity for an adequate education. In analyzing the school approval standards and curriculum frameworks, the general court recognized that they were developed with the widespread participation of educators, business people, government officials, community representatives, and parents. As a result of the quality of both the standards and the frameworks, the general court identifies the standards in RSA 193-E:2-a and the curriculum frameworks that support those standards as the specific criteria for an adequate education.

V. The general court reviewed and debated numerous bills attempting to determine the specific criteria which constitutes the opportunity for an adequate education. An integral part of this legislative process was the gathering of public input through forums throughout the state at which educators, government officials, and members of the public offered their opinions on draft legislation.

VI. The specific criteria for an adequate education, as enacted in this act, are formulated to permit common understanding, foster meaningful application, and allow for objective measurement and assessment.

VII. This act is not intended to stand in isolation from the other statutes and rules relating to educating New Hampshire students as required by state and federal law.

2 New Sections; Substantive Educational Content of an Adequate Education; cost of an Adequate Education; Resource Elements; Legislative Committee on Costing an Adequate Education. Amend RSA 193-E by inserting after section 2 the following new sections:

193-E:2-a Substantive Educational Content of an Adequate Education.

I. Beginning in the school year 2008-2009, the specific criteria and substantive educational program that delivers the opportunity for an adequate education shall be defined and identified as the school approval standards in the following areas:

- (a) English/language arts and reading.
- (b) Mathematics.
- (c) Science.
- (d) Social studies.
- (e) Arts education.

- (f) World languages.
- (g) Health education.
- (h) Physical education.
- (i) Technology education, and information and communication technologies.

II. The standards shall cover kindergarten through twelfth grade and shall clearly set forth the opportunities to acquire the communication, analytical and research skills and competencies, as well as the substantive knowledge expected to be possessed by students at the various grade levels, including the credit requirement necessary to earn a high school diploma.

III. Public schools and public academies shall adhere to the standards identified in paragraph I.

IV. The school approval standards for the areas identified in paragraph I shall constitute the opportunity for the delivery of an adequate education. The general court shall periodically, but not less frequently than every 10 years, review, revise and update, as necessary, the standards identified in paragraph I and shall ensure that the high quality of the standards is maintained. Changes made by the board of education to the school approval standards through rulemaking after the effective date of this section shall not be included within the standards that constitute the opportunity for the delivery of an adequate education without prior adoption by the general court. The board of education shall provide written notice to the speaker of the house of representatives, the president of the senate, and the chairs of the house and senate education committees of any changes to the school approval standards adopted pursuant to RSA 541-A.

V. The general court requires the state board of education and the department of education to institute procedures for maintaining, updating, improving, and refining curriculum frameworks for each area of education identified in paragraph I. The curriculum frameworks shall present educational goals, broad pedagogical approaches and strategies for assisting students in the development of the skills, competencies and knowledge called for by the academic standards for each area of education identified in paragraph I. The curriculum frameworks shall serve as a guide and reference to what New Hampshire students should know and be able to do in each area of education. The frameworks do not establish a statewide curriculum. It is the responsibility of local teachers, administrators, and school boards to identify and implement approaches best suited for the students in their communities to acquire the skills and knowledge included in the frameworks, to determine the scope, organization, and sequence of course offerings, and to choose the methods of instruction, the activities, and materials to be used.

VI. In this section, "school approval standards" shall mean the applicable criteria that public schools and public academies shall meet in order to be an approved school, as adopted by the state board of education through administrative rules.

193-E:2-b Cost of an Adequate Education.

I. The general court shall use the definition of the opportunity for an adequate education in RSA 193-E:2-a to determine the resources necessary to provide essential programs, considering educational needs. The general court shall make an initial determination of the necessary specific resource elements to be included in the opportunity for an adequate education.

II. The general court shall create a process for the periodic determination of the specific resource elements essential to providing the substantive educational content of an adequate education. This review should occur no less frequently than every 10 years.

III. The general court shall complete the determination of the cost of an adequate education in accordance with the provisions of this chapter as expeditiously as possible following submission of the findings and recommendations of the joint legislative oversight committee pursuant to RSA 193-E:2-d but no later than the end of the 2008 fiscal year.

193-E:2-c Resource Elements. The general court recognizes that schools with greater educational challenges will benefit from varying resources. Schools with varying educational challenges often exist within a single school district. The general court is committed to addressing the varying educational challenges that exist among the schools of the state.

193-E:2-d Legislative Committee on Costing an Adequate Education.

I. There is hereby established the joint legislative oversight committee on costing an adequate education. The members of the committee shall be as follows:

(a) Five members of the house of representatives, which shall include at least 2 members of the house education committee and at least 2 members of the house finance committee, appointed by the speaker of the house of representatives.

(b) Five members of the senate, which shall include at least 2 members of the senate education committee and at least 2 members of the senate finance committee, appointed by the president of the senate.

(c) The governor or designee as ex officio member of the committee.

II. The committee shall review and study the analytical models and formulae for determining the cost of an adequate education and the educational needs and resources needed to deliver an adequate education for children throughout the state.

III. The committee shall also study and review transition assistance for school districts that as of the effective date of this section do not provide public kindergarten in order to enable those school districts to provide public kindergarten in accordance with RSA 193-E:2-a.

IV. The general court recognizes that the ability to benefit from educational opportunity varies from school to school. Schools with varying educational challenges often exist within a single school district. The committee shall develop and propose criteria for identifying schools with enhanced needs and identify and propose any resources these schools may need.

V. Following a public hearing, the committee shall report its findings and recommendations as required by this section, no later than February 1, 2008 to the governor, the speaker of the house, the president of the senate, and the state librarian.

3 Reference Changes. Amend the following RSA provisions by replacing "equitable" with "adequate": RSA 21-N:1, II(c); RSA 193:1, I(c); RSA 193-E:1, II; the section heading and introductory paragraph of RSA 193-E:2; the section heading of RSA 193-E:3; RSA 194-B:3, II(i); RSA 195:14, I(c); RSA 195:14, I(d)(2)-(3); RSA 195:14-a, I; RSA 198:41, II(b); RSA 198:41, III; the section heading of RSA 198:42; RSA 198:42, I-II; RSA 198:43; RSA 198:48; and RSA 198:48-a, VII-VIII.

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

The signatures below attest to the authenticity of this Report on HB 927-FN, an act relative to the specific criteria and substantive educational program that define an adequate education.

Conferees on the Part of the Senate

Sen. Estabrook, Dist. 21

Sen. Foster, Dist. 13

Sen. Odell, Dist. 8

Conferees on the Part of the House

Rep. Rous, Straf. 7

Rep. Casey, Rock. 11

Rep. Dunn, Ches. 3

Rep. Wallner, Merr. 12

2007-2334

AMENDED ANALYSIS

This bill:

I. Sets forth the substantive educational content of an adequate education.

II. Requires the establishment of criteria to identify schools with greater educational challenges for the provision of additional education aid.

III. Establishes a joint legislative oversight committee on costing education.

The question is on the adoption of the Committee of Conference Report.

A roll call was requested by Senator Barnes.

Seconded by Senator Kenney.

The following Senators voted Yes: Reynolds, Sgambati, Burling, Cilley, Janeway, Odell, Kelly, Gottesman, Foster, Larsen, DeVries, D'Allesandro, Estabrook, Hassan, Fuller Clark.

The following Senators voted No: Gallus, Kenney, Roberge, Bragdon, Clegg, Gatsas, Barnes, Letourneau, Downing.

Yeas: 15 - Nays: 9

Adopted.

HOUSE MESSAGE

The House of Representatives refuses to adopt the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 91, relative to political contributions by corporations, partnerships, and labor unions.

June 20, 2007
2007-2284CofC
05/03

Committee of Conference Report on SB 35-FN-A, an act making an appropriation for disaster relief assistance in response to the May 2006 floods and establishing a committee to study the distribution of financial disaster assistance.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 35-FN-A, an act making an appropriation for disaster relief assistance in response to the May 2006 floods and establishing a committee to study the distribution of financial disaster assistance.

Conferees on the Part of the Senate

Sen. Hassan, Dist. 23

Sen. Janeway, Dist. 7

Sen. Burling, Dist. 5

Conferees on the Part of the House

Rep. King, Coos 1

Rep. D. Smith, Hills. 22

Rep. Stepanek, Hills. 6

Rep. Foster, Hills. 4

The question is on the adoption of the Committee of Conference Report.

A roll call was requested by Senator Barnes.

Seconded by Senator Kenney.

The following Senators voted Yes: Reynolds, Sgambati, Burling, Cilley, Janeway, Kelly, Gottesman, Foster, Larsen, D'Allesandro, Estabrook, Hassan, Fuller Clark.

The following Senators voted No: Gallus, Kenney, Odell, Roberge, Bragdon, Clegg, Gatsas, Barnes, DeVries, Letourneau, Downing.

Yeas: 13 - Nays: 11

Adopted.

June 21, 2007
2007-2327-CofC
06/01

Committee of Conference Report on SB 52, an act relative to authorizing the attorney general to bring actions for violations of New Hampshire combination and monopolies law.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and

That the House recede from its position in adopting its amendment to the bill, and

That the Senate and House each pass the bill as passed by the Senate.

The signatures below attest to the authenticity of this Report on SB 52, an act relative to authorizing the attorney general to bring actions for violations of New Hampshire combination and monopolies law.

Conferees on the Part of the Senate

Sen. Gottesman, Dist. 12

Sen. Reynolds, Dist. 2

Sen. Clegg, Dist. 14

Conferees on the Part of the House

Rep. DeStefano, Merr. 3

Rep. Butler, Carr. 1

Rep. Reardon, Merr. 11

Rep. Marshall Quandt, Rock. 13

Adopted.

June 19, 2007
2007-2196-CofC
05/10

Committee of Conference Report on SB 67, an act relative to implementation of the recommendations of the YDC master plan and making an appropriation therefor.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 67, an act relative to implementation of the recommendations of the YDC master plan and making an appropriation therefor.

Conferees on the Part of the Senate

Sen. D'Allesandro, Dist. 20

Sen. Hassan, Dist. 23

Sen. Gatsas, Dist. 16

Conferees on the Part of the House

Rep. Rausch, Rock. 5

Rep. Long, Hills. 10

Rep. Cloutier, Sull. 4

Rep. Emerton, Hills. 7

Adopted.

June 20, 2007
2007-2269-CofC
10/01

Committee of Conference Report on SB 143, an act naming Jericho Mountain state park and establishing ATV and trail bike trails in such park.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

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

1 New Paragraphs; Jericho Mountain State Park. Amend RSA 215A:43 by inserting after paragraph V the following new paragraphs:

VI. The property acquired for the purposes of developing ATV and trail bike trails in the city of Berlin by the department of resources and economic development, division of parks and recreation, bureau of trails, and any abutting land donated or acquired after the effective date of this paragraph, shall hereby be known as Jericho Mountain state park.

VII. Notwithstanding the provisions of this section to the contrary, at Jericho Mountain state park:

(a) An ATV or trail bike trail may be established and subsequently maintained within Jericho Mountain state park even though it:

(1) Is within 330 feet of a known raptor nest provided that it is not within 650 feet of trees with eagle or osprey nests; or

(2) Fails to comply with the criteria in RSA 215-A:43, II(o) and (q) to the extent that it is utilizing an existing surface roadway located within the protected area which would reduce adverse environmental impacts.

(b) Site specific waivers of the criteria specified in RSA 215-A:43, II(o) and (q) are only allowed on trails in Jericho Mountain state park provided that all of the following criteria are met:

(1) There is no practicable alternative location of the trail that would meet the criteria in RSA 215-A:43, II;

(2) The proposed trail location and construction is the least impacting alternative; and

(3) Conditions of the site specific waiver are authorized in writing by:

(A) The department of resources and economic development, in agreement with the fish and game department, for waivers at Jericho Mountain state park that will have no impact on water quality; or

(B) The department of resources and economic development, in agreement with the fish and game department and the department of environmental services for waivers at Jericho Mountain state park that may have an impact on water quality.

(c) A person may operate an OHRV within Jericho Mountain state park which weighs up to 1200 pounds and is no wider than 60 inches.

VIII. This section shall not apply to department of transportation property required for trail crossing or connector permits at, or which directly connect to, Jericho Mountain state park.

2 Effective Date. This act shall take effect July 1, 2007.

The signatures below attest to the authenticity of this Report on SB 143, an act naming Jericho Mountain state park and establishing ATV and trail bike trails in such park.

Conferees on the Part of the Senate

Sen. Fuller Clark, Dist. 24

Sen. Cilley, Dist. 6

Sen. Gallus, Dist. 1

Conferees on the Part of the House

Rep. Brueggemann, Merr. 12

Rep. Gottling, Sull. 3

Rep. Kepner, Rock. 15

Rep. D. Russell, Belk. 6

2007-2269-CofC

AMENDED ANALYSIS

This bill allows waivers of certain criteria in the evaluation process for establishment of ATV and trail bike trails relative to Jericho Mountain state park in Berlin.

Adopted.

June 18, 2007

2007-2158-CofC

08/09

Committee of Conference Report on SB 161-FN, an act relative to the registration fees for mortgage servicing companies.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 3 with the following:

3 Debt Adjustment; Definition. RSA 399-D:2, IV is repealed and reenacted to read as follows:

IV. "Debt adjustment" means:

(a) Providing debt management advice or counseling to consumers for direct or indirect compensation;

(b) Creating debt management plans for consumers for direct or indirect compensation;

(c) Negotiating with creditors on behalf of consumers for direct or indirect compensation; or

(d) Receiving, for a fee or compensation and as agent of a debtor, money or evidences thereof for the purpose of distributing such money or evidences thereof among creditors in full or partial payment of obligations of the debtor.

The signatures below attest to the authenticity of this Report on SB 161-FN, an act relative to the registration fees for mortgage servicing companies.

Conferees on the Part of the Senate

Sen. Gottesman, Dist. 12

Sen. Foster, Dist. 13

Sen. Barnes, Dist. 17

Conferees on the Part of the House

Rep. Reardon, Merr. 11

Rep. Hunt, Ches. 7

Rep. DeStefano, Merr. 13

Rep. Nord, Rock. 1

Adopted.

June 20, 2007
2007-2273-CofC
09/10

Committee of Conference Report on SB 170-FN, an act establishing an office of mediation and arbitration within the judicial branch.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by inserting after section 4 the following and renumbering the original sections 5-8 to read as 6-9, respectively:

5 Funding for Alternative Dispute Resolution. Any amounts appropriated to PAU 02-01-01-01, classes 50, 60, and 92 in the state operating budget for fiscal years 2008 and 2009 for salary and benefits for the part-time alternative dispute resolution coordinator and for alternative dispute resolution, shall be transferred by the department of administrative services to the mediation and arbitration fund, established under RSA 490-E:4, pursuant to section 2 of this act.

The signatures below attest to the authenticity of this Report on SB 170-FN, an act establishing an office of mediation and arbitration within the judicial branch.

Conferees on the Part of the Senate

Sen. Foster, Dist. 13

Sen. Gottesman, Dist. 12

Sen. Clegg, Dist. 14

Conferees on the Part of the House

Rep. Lasky, Hills. 26

Rep. Baxley, Merr. 6

Rep. Shurtleff, Merr. 10

Rep. Mooney, Hills. 19

Adopted.

June 19, 2007
2007-2216-CofC
01/09

Committee of Conference Report on SB 176-FN, an act relative to lead paint poisoning and establishing a commission to study the current childhood lead poisoning prevention law, policies, and standards.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 130-A:6, I as inserted by section 2 of the bill by replacing it with the following:

I. The commissioner may, as part of an investigation conducted under RSA 130-A:5 [~~and after making reasonable efforts to notify the owner or the owner's agent~~], conduct an inspection of any leased or rented dwelling or dwelling unit during business hours, or at a time mutually agreed [~~to~~] **upon with the owner or the owner's agent**, for the purposes of identifying the presence of lead base substances. The findings of the inspection shall be provided to the occupant, the health authority, the child's health care provider and to the owner or the owner's agent. ***If the leased or rented dwelling has multiple units, and if a lead exposure hazard is determined to exist during an investigation conducted under RSA 130-A:5, the commissioner shall conduct inspections of all other dwelling units of the leased or rented dwelling with the owner or owner's agent for the purposes of identifying the presence of lead base substances. The findings of these inspections shall be provided to the occupant, the health authority, and the owner or the owner's agent.*** When a lead exposure hazard is determined to exist per RSA 130-A:1, XVI(a), (b) or (c), the commissioner shall issue an order requiring lead hazard reduction to the owner and, if appropriate, to the owner's agent. When a lead exposure hazard is determined to exist per RSA 130-A:1, XVI(d), the

commissioner may issue an order requiring lead hazard reduction to the owner and, if appropriate, to the owner's agent. A copy of the order shall be provided to the occupants of the dwellings or dwelling unit, to the occupants of any adjacent or attached dwellings or dwelling units having the same owner and where a child resides, and to the health authority. An order shall be issued in accordance with RSA 130-A:7.

Amend the bill by replacing section 16 with the following:

16 Effective Date.

I. Sections 10-14 of this act shall take effect upon its passage.

II. The remainder of this act shall take effect January 1, 2008.

The signatures below attest to the authenticity of this Report on SB 176-FN , an act relative to lead paint poisoning and establishing a commission to study the current childhood lead poisoning prevention law, policies, and standards.

Conferees on the Part of the Senate

Sen. Estabrook, Dist. 21

Sen. DeVries, Dist. 18

Sen. Barnes, Dist. 17

Conferees on the Part of the House

Rep. Rosenwald, Hills. 22

Rep. Bridgham, Carr. 2

Rep. Carolyn Brown, Carr. 1

Rep. Emerton, Hills. 7

The question is on the adoption of the Committee of Conference Report.

A roll call was requested by Senator Gatsas.

Seconded by Senator Barnes.

The following Senators voted Yes: Reynolds, Sgambati, Burling, Cilley, Janeway, Odell, Kelly, Gottesman, Foster, Larsen, DeVries, D'Allesandro, Estabrook, Hassan, Fuller Clark.

The following Senators voted No: Gallus, Kenney, Roberge, Bragdon, Clegg, Gatsas, Barnes, Letourneau, Downing.

Yeas: 15 - Nays: 9

Adopted.

June 19, 2007

2007-2200-CofC

03/01

Committee of Conference Report on SB 187, an act relative to motor vehicles operated in parades.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 265:108-a, I(a) as inserted by section 1 of the bill by replacing it with the following:

(a) No person may use any type of vehicle with protruding or outrigger wheels in a parade unless the vehicle is suitably modified to protect both riders and pedestrians from the wheel assembly.

The signatures below attest to the authenticity of this Report on SB 187, an act relative to motor vehicles operated in parades.

Conferees on the Part of the Senate

Sen. Letourneau, Dist. 19

Sen. DeVries, Dist. 18

Sen. Burling, Dist. 5

Conferees on the Part of the House

Rep. Ryan, Merr. 2

Rep. R. Williams, Merr. 11

Rep. Nedeau, Belk. 3

Rep. Cunningham, Carr. 3

Adopted.

June 20, 2007
2007-2255-CofC
04/09

Committee of Conference Report on SB 188, an act relative to unfair claim settlement practices by insurers.

Recommendation:

having considered the same, report the committee is unable to reach agreement.

The signatures below attest to the authenticity of this Report on SB 188, an act relative to unfair claim settlement practices by insurers.

Conferees on the Part of the Senate

Sen. Gottesman, Dist. 12

Sen. Reynolds, Dist. 2

Sen. Foster, Dist. 13

Conferees on the Part of the House

Rep. Houde, Sull. 1

Rep. Butler, Carr. 1

Rep. Martin, Carr. 5

Rep. Reardon, Merr. 11

Adopted.

June 19, 2007
2007-2211-CofC
08/09

Committee of Conference Report on SB 204-FN-A, an act relative to collection of debts owed the state.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House each pass the bill as amended by the House.

The signatures below attest to the authenticity of this Report on SB 204-FN-A, an act relative to collection of debts owed the state.

Conferees on the Part of the Senate

Sen. Kelly, Dist. 10

Sen. Downing, Dist. 22

Sen. Burling, Dist. 5

Conferees on the Part of the House

Rep. Harding, Graf. 11

Rep. Hawkins, Hills. 18

Rep. Beck, Hills. 2

Rep. E. Anderson, Merr. 3

Adopted.

June 20, 2007
2007-2288-CofC
10/03

Committee of Conference Report on SB 215-FN-A, an act making an appropriation for AIDS services.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 2 with the following:

2 Department of Health and Human Services; Grants to AIDS Services Organizations. The department shall distribute to the specified agencies the total sum of \$500,000 in the fiscal year ending June 30, 2008 and the total sum of \$500,000 in the fiscal year ending June 30, 2009 for grants to the following AIDS services organizations: a Community Resource Network (ACORN) in Lebanon; AIDS Response-Seacoast in Portsmouth; AIDS Services for Monadnock in Keene; the Greater Manchester AIDS Project; and Southern New Hampshire HIV/AIDS Task Force in Nashua. The department shall fund said grants from funds appro-

priated to the department in the state operating budget in fiscal years 2008 and 2009. The awarding of such grants to the specified agencies by the department of health and human services shall be on a per capita basis. The administration of these grants by the department of health and human services shall follow the procedures established by the Boston Public Health Commission AIDS Program, both for eligibility and billing.

The signatures below attest to the authenticity of this Report on SB 215-FN-A , an act making an appropriation for AIDS services.

Conferees on the Part of the Senate

Sen. Fuller Clark, Dist. 24

Sen. Hassan, Dist. 23

Sen. Gallus, Dist. 1

Conferees on the Part of the House

Rep. Donovan, Sull. 4

Rep. J. Tilton, Merr. 6

Rep. MacKay, Merr. 11

Rep. Mitchell, Ches. 7

Adopted.

June 20, 2007

2007-2287CofC

05/03

Committee of Conference Report on SB 217-FN-A, an act establishing the New Hampshire housing and conservation planning program.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 4-C:29, III(a) and (b) as inserted by section 1 of the bill by replacing it with the following:

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

(b) One member of the senate, appointed by the senate president.

The signatures below attest to the authenticity of this Report on SB 217-FN-A, an act establishing the New Hampshire housing and conservation planning program.

Conferees on the Part of the Senate

Sen. Fuller Clark, Dist. 24

Sen. Barnes, Dist. 17

Sen. Cilley, Dist. 6

Conferees on the Part of the House

Rep. Osborne, Merr. 12

Rep. Cooney, Graf. 7

Rep. Butterworth, Ches. 4

Rep. Barody, Hills. 13

Adopted.

June 19, 2007

2007-2225-CofC

03/09

Committee of Conference Report on SB 233-FN, an act relative to sales by beverage manufacturers and relative to the definition of specialty beer.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend the bill by replacing section 5 with the following:

5 New Section; Specialty Beer Label Requirements. Amend RSA 179 by inserting after section 40 the following new section:

179:40-a Specialty Beer Label Requirements. No person shall sell any specialty beer having an alcohol content greater than 12 percent unless the label on the container and any packaging for the consumer clearly states the percent of alcohol by volume of the specialty beer.

The signatures below attest to the authenticity of this Report on SB 233-FN, an act relative to sales by beverage manufacturers and relative to the definition of specialty beer.

Conferees on the Part of the Senate

Sen. Burling, Dist. 5
Sen. Fuller Clark, Dist. 24
Sen. Downing, Dist. 22

Conferees on the Part of the House

Rep. Reardon, Merr. 11
Rep. Hunt, Ches. 7
Rep. Butler, Carr. 1
Rep. DeStefano, Merr. 13

Senator Foster Rule #42 on SB 233-FN.

Adopted.

June 20, 2007

2007-2283-CofC

05/09

Committee of Conference Report on SB 235-FN-A, an act relative to milk support for dairy farmers.

Recommendation:

That the Senate recede from its position of nonconcurrence with the House amendment, and concur with the House amendment, and

That the Senate and House adopt the following new amendment to the bill as amended by the House, and pass the bill as so amended:

Amend RSA 184:110, IV as inserted by section 1 of the bill by replacing it with the following:

IV. The board, using fund moneys with the approval of the governor and council, may employ legal counsel as necessary to perform its duties in administering the emergency milk producers relief fund.

The signatures below attest to the authenticity of this Report on SB 235-FN-A, an act relative to milk support for dairy farmers.

Conferees on the Part of the Senate

Sen. Fuller Clark, Dist. 24
Sen. Kelly, Dist. 10
Sen. Kenney, Dist. 3

Conferees on the Part of the House

Rep. Phinizy, Sull. 7
Rep. O'Connell, Hills. 6
Rep. Sad, Ches. 2
Rep. Hamm, Merr. 4

Adopted.

Senator Barnes Rule #44.

AMENDMENT TO SENATE RULES

Senator D'Allesandro offered the following change:

Amendment to Senate Rule 48

Amend Senate Rule 48 by inserting (j)-(l) after (i):

48. Deadlines:

(j.) Monday, September 10, 2007 – First day to file legislation for 2008 Session

(k.) The Office of Legislative Services shall not draft a Senate Bill or Resolution, unless a request by a member for drafting with complete information has been received not later than 3:00 p.m., on Wednesday, October 24, 2007 for the 2008 Session.

(l.) The last day to sign-off legislation for the above filing period shall be at noon on Wednesday, November 21, 2007.

Adopted by unanimous vote.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 67-FN-A, relative to implementation of the recommendations of the YDC master plan and making an appropriation therefor.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 143, naming Jericho Mountain state park and establishing ATV and trail bike trails in such park.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 161-FN, relative to the registration fees for mortgage servicing companies.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 170-FN, establishing an office of mediation and arbitration within the judicial branch.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 176-FN, relative to lead paint poisoning and establishing a commission to study the current childhood lead poisoning prevention law, policies, and standards.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 187, relative to motor vehicles operated in parades.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 188, relative to unfair claim settlement practices by insurers.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 204-FN-A, relative to collection of debts owed the state.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 215-FN-A, making an appropriation for AIDS services.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 217-FN-A, establishing the New Hampshire housing and conservation planning program.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 233-FN, relative to sales by beverage manufacturers and relative to the definition of specialty beer.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 235-FN-A, relative to milk support for dairy farmers.

HOUSE MESSAGE

The House of Representatives refuses to adopt the recommendation of the Committee of Conference to which was referred the following entitled Bill:

SB 106, allowing lobbyists and those connected with lobbyists to sit on committees established by the judicial branch.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

HB 25-FN-A, making appropriations for capital improvements.

HB 37, relative to notification requirements for criminal offenders.

HOUSE MESSAGE

The House of Representatives has adopted the recommendation of the Committee of Conference to which was referred the following entitled Bill:

HB 83, relative to the deliberations of the board of tax and land appeals under the right-to-know law.

HB 95-L, relative to the treatment of charter school pupils in the definition of average daily membership in residence.

HB 134, relative to electronic prescribing for prescription drugs.

HB 187, establishing that sheriffs' departments have authority to enforce civil orders.

HB 202, relative to a point system for automobile dealer and inspection station violations, appointments to the motor vehicle industry board, and the regulation of snowmobiles as motor vehicles in certain circumstances.

HB 261, prohibiting the Carroll county attorney from engaging in the private practice of law.

HB 293, allowing municipalities to establish agricultural commissions and relative to the ratification of a vote taken by the town of Barrington.

HB 306, establishing a task force on work and family.

HB 365, regulating the practice of foreclosure consultants and pre-foreclosure conveyances.

HB 377, relative to the right-to-know law.

HB 488-FN-A-L, relative to the state chief medical examiner and medico-legal death investigations.

HB 498-FN-A, dedicating certain OHRV and snowmobile unrefunded road tolls to the fish and game department, and appropriating certain motor vehicle number plates revolving funds for department of safety employee benefits and building projects.

HB 533, relative to Occupational Safety and Health Administration certification requirements for state contracts and establishing a commission to recommend a comprehensive program for increasing the use of passenger restraints in New Hampshire.

HB 653, relative to the determination of benefits, funding, and administration of the New Hampshire retirement system.

HB 659-FN, exempting certain motor vehicles manufactured prior to 1948 from vehicle equipment and inspection requirements.

HB 723, extending the moratoriums on nursing home beds and rehabilitation and relative to long-term care.

HB 735, relative to the form of the presidential primary election ballot, relative to administration of official oaths, and relative to assistant election officials.

HB 767, relative to insurance for volunteer drivers and establishing a state coordinating council for community transportation.

HB 796, relative to civil liability for damaging highway protective barriers.

HB 828-FN, relative to corrupt practices as defined in RSA 640 and state reporting requirements for gifts, honorariums, and expenses.

HB 876-FN-L, establishing a commission to make recommendations to ensure the long-term viability of the New Hampshire retirement system, and making an appropriation therefor.

HB 882-FN, relative to limitations on tort liability of government units.

HB 903-FN, prohibiting delivery of oil to non-compliant underground storage facilities and establishing requirements for guaranteed price plans and prepaid contracts for home heating oil, kerosene, or liquid petroleum gas.

HB 927-FN, relative to the specific criteria and substantive educational program that define an adequate education, the resources required to provide an adequate education, and the establishment of a timetable for costing an adequate education.

HOUSE MESSAGE

The House of Representatives refuses to adopt the recommendation of the Committee of Conference to which was referred the following entitled Bills:

HB 229, relative to licensing requirements for operators of games of chance.

HB 429, relative to nominations by multiple parties.

June 28, 2007
2007-2372-EBA
04/01

Enrolled Bill Amendment to HB 2-FN-A

The Committee on Enrolled Bills to which was referred HB 2-FN-A

AN ACT relative to state fees, funds, revenues, and expenditures.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 2-FN-A

This enrolled bill amendment makes technical corrections, changes a reference, and corrects section 104 of the bill to avoid a statutory numbering conflict.

Enrolled Bill Amendment to HB 2-FN-A

Amend RSA 485-A:17, II-b as inserted by section 30 of the bill by replacing lines 1-3 with the following:

II-b. In processing an application for permits under RSA 485-A:17:***(a) Within 50 days of receipt of the application, the department shall request any additional***

Amend paragraph I of section 44 of the bill by replacing line 5 with the following:

further legislative action from the committee, the recording surcharge established in section 45 of

Amend section 104 of the bill by replacing lines 1-4 with the following:

104 New Subdivision; Division of Economic Development; Technology Development and Telecommunications Planning. Amend RSA 12-A by inserting after section 58 the following new subdivision:

Technology Development and Telecommunications Planning

12-A:59 Technology Development and Telecommunications Planning. There is established

Amend RSA 162-N:6 as inserted by section 120 of the bill by replacing it with the following:

162-N:6 Determination of Economic Revitalization Zone Tax Credits Eligible Amount. For the purpose of determining the economic revitalization zone tax credit that the taxpayer is eligible to receive, the amount of the credit to be taken shall be the lesser of the following:

I. The maximum amount of the economic revitalization zone tax credit as stated in the agreement as specified by RSA 162-N:4, I(e); or

II. The sum of the following:

(a) 4 percent of the salary for each new job created in the fiscal year with a wage less than or equal to 1.75 times the then current state minimum wage.

(b) 5 percent of the salary for each new job created in the fiscal year with a wage greater than 1.75 times the then current state minimum wage and less than or equal to 2.5 times the then current state minimum wage.

(c) 6 percent of the salary for each new job created in the fiscal year with a wage greater than 2.5 times the then current state minimum wage.

(d) 4 percent of the lesser of the following:

(1) The actual cost incurred in the fiscal year of creating a new facility or renovating an existing facility, and expenditures for machinery, equipment, or other materials, except inventory.

(2) \$20,000 for each new job created in the fiscal year.

Adopted.

**June 28, 2007
2007-2375-EBA
04/01**

Enrolled Bill Amendment to HB 25-FN-A

The Committee on Enrolled Bills to which was referred HB 25-FN-A

AN ACT making appropriations for capital improvements.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 25-FN-A

This enrolled bill amendment inserts a contingency to address the reorganization of the community-technical college system as prescribed in SB 82-FN of the 2007 legislative session.

Enrolled Bill Amendment to HB 25-FN-A

Amend the bill by inserting after section 29 the following and renumbering the original section 30 to read as 31:

30 Contingency. If SB 82-FN of the 2007 legislative session becomes law, all general references to the community-technical college system in this bill shall mean the community college system of New Hampshire as established by, and in accordance with SB 82-FN.

Adopted.

June 26, 2007
2007-2361-EBA
03/01

Enrolled Bill Amendment to SB 41

The Committee on Enrolled Bills to which was referred SB 41

AN ACT relative to the authority of law enforcement officers to obtain registration checks on motor vehicles for official purposes and prohibiting the use of automated number plate scanning devices.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 41

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 41

Amend RSA 236:130, III(e) as inserted by section 2 of the bill by replacing it with the following:

(e) *Is undertaken for purposes of operation of the E-Z Pass system; or*

Adopted.

June 13, 2007
2007-2146-EBA
09/01

Enrolled Bill Amendment to HB 54

The Committee on Enrolled Bills to which was referred HB 54

AN ACT establishing a commission to study automobile recycling issues.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 54

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to HB 54

Amend subparagraph I(f) of section 2 of the bill by replacing line 1 with the following:

(f) One representative from the Auto & Truck Recyclers Association of New Hampshire,

Amend section 3 of the bill by replacing line 2 with the following:

industry infrastructure currently used to recycle and dispose of end-of-life motor vehicles and

Amend section 4 of the bill by replacing line 3 with the following:

The first meeting of the commission shall be held within 45 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

Adopted.

June 21, 2007
2007-2312-EBA
03/09

Enrolled Bill Amendment to SB 66

The Committee on Enrolled Bills to which was referred SB 66

AN ACT relative to involuntary civil commitment of sexually violent predators and relative to payment of the sex offender registration fee by criminal offenders.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE
Explanation to Enrolled Bill Amendment to SB 66

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to SB 66

Amend section 11 of the bill by replacing lines 2-3 with the following:

the section heading of RSA 135-E:15 to read as follows:

135-E:15 Release of Records [~~to Agencies~~].

Adopted.

June 25, 2007
2007-2356-EBA
04/01

Enrolled Bill Amendment to SB 75-FN

The Committee on Enrolled Bills to which was referred SB 75-FN

AN ACT relative to establishing a New Hampshire rail transit authority that will have responsibility for developing and providing commuter rail and related public rail transportation services in New Hampshire.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE
Explanation to Enrolled Bill Amendment to SB 75-FN

This enrolled bill amendment makes grammatical corrections to the bill.

Enrolled Bill Amendment to SB 75-FN

Amend RSA 238-A:6, II as inserted by section 1 of the bill by replacing line 2 with the following:

shall approve an annual report of the authority and elect a chairperson and vice-chairperson of the

Amend RSA 238-A:12, I as inserted by section 1 of the bill by replacing line 4 with the following:

house of representatives having jurisdiction over transportation matters. The report shall include

Amend RSA 238-A:12, II as inserted by section 1 of the bill by replacing line 4 with the following:

of the executive council, and the standing committees of the senate and house of representatives

Adopted.

June 26, 2007
2007-2357-EBA
03/01

Enrolled Bill Amendment to SB 82-FN

The Committee on Enrolled Bills to which was referred SB 82-FN

AN ACT reorganizing the administration and governance of the regional community-technical college system.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE
Explanation to Enrolled Bill Amendment to SB 82-FN

This enrolled bill amendment makes grammatical and technical corrections, clarifies certain references in the bill, deletes sections of the bill amending statutes previously repealed by SB 97 of the 2007 regular legislative session, and makes other changes to statutes previously amended or enacted by SB 53 and SB 97 of the 2007 regular legislative session.

Enrolled Bill Amendment to SB 82-FN

Amend RSA 188-F:4, I as inserted by section 2 of the bill by replacing lines 2-3 with the following:

president of each college within the community college system, and the commissioners of the departments of resources and economic development, employment security, and education, all of whom shall be nonvoting

Amend RSA 188-F:4, V as inserted by section 2 of the bill by replacing line 3 with the following:

F:4, II(j) and subparagraph III(b). The appointment of successors for the filling of vacancies for unexpired terms shall be by

Amend RSA 188-F:6, III(c) as inserted by section 2 of the bill by replacing line 3 with the following:

administrative officer of his or her institution. The president, who shall report to the chancellor,

Amend RSA 188-F:6, VIII as inserted by section 2 of the bill by replacing line 5 with the following:

fiscal committee of the general court by November 1 of each year. Copies of such reports

Amend RSA 188-F:9, II as inserted by section 2 of the bill by replacing line 1 with the following:

II. All sums so credited are appropriated to the community college system of New Hampshire for

Amend RSA 188-F:9, II as inserted by section 2 of the bill by replacing line 4 with the following:

periodicals, the making of necessary repairs and replacements, the building of roads and walks,

Amend RSA 188-F:11, I as inserted by section 2 of the bill by replacing line 1 with the following:

I. The chancellor and the chairperson of the board of trustees of the community college system

Amend RSA 188-F:11, I as inserted by section 2 of the bill by replacing lines 6-8 with the following:

data, and program administration. Such report shall be completed by October 15 of each year. A copy of this report shall be delivered to the chairmen of the house education committee and senate education committee, the speaker of the house of representatives, president of the senate, the governor, the senate

Amend RSA 188-F:11, II as inserted by section 2 of the bill by replacing lines 2-4 with the following:

one representative from the board of trustees and the president of each institution shall appear before the house finance committee and the senate finance committee to review the system's programs, cost analysis, revenue projections, and any other information detailed in the written

Amend RSA 188-F:20 as inserted by section 2 of the bill by replacing lines 3-4 with the following:

procedure relative to state-owned motor vehicles as promulgated by governor and council as may be amended. The annual report of motor vehicle operations shall be filed in the same manner and

Amend section 18 of the bill by replacing line 1 with the following:

18 Reference Change; Automotive Technology Curriculum and Advisory Council. Amend the introductory paragraph of

Amend RSA 188-F:25 as inserted by section 22 of the bill by replacing line 5 with the following:

college system of New Hampshire subject to the provisions prescribed by RSA 21-G:10.

Amend RSA 188-F:25 as inserted by section 22 of the bill by replacing line 8 with the following:

be subject to RSA 7:8, RSA 541-B, and RSA 99-D, and shall be subject to attorney general

Amend the bill by deleting sections 26-33 and renumbering the original sections 34-47 to read as 26-39, respectively.

Amend the bill by deleting section 29 and renumbering the original sections 30-39 to read as 29-38, respectively.

Amend RSA 100-A:1, IV as inserted by section 36 of the bill by replacing lines 8-14 with the following:

employ, [and] (e) any political subdivision that has elected to participate under RSA 100-A:20, ***and (f) the community college system of New Hampshire***; provided, however, that in no instance shall any employer contribute or participate in the retirement system unless by a reasonable determination of the board of trust-

ees such employer qualifies as a governmental entity, political subdivision, agency, or instrumentality eligible to participate in the retirement system as a governmental plan within the meaning of section 414(d) of the United States Internal Revenue Code of 1986, as amended.

Amend section 37 of the bill by replacing lines 1-2 with the following:

37 Community College System Legislative Oversight Committee Established; Effective November 1, 2008.

Amend the bill by replacing all after section 37 with the following:

38 Reference Changed. Amend RSA 12-A:54, II(b)(3) to read as follows:

(3) The ~~[commissioner of the department of regional community-technical colleges]~~ **chancellor of the community college system of New Hampshire**, or designee.

39 References Changed. Amend RSA 12-A:57, I-II to read as follows:

I. So long as it is feasible, training shall be provided by the ~~[department of regional community-technical colleges]~~ **community college system of New Hampshire**, which may charge full market value for the training provided.

II. When the ~~[department of regional community-technical colleges]~~ **community college system of New Hampshire** cannot provide desired training, the training grant recipient will be free to contract with some other training entity approved by the ~~[department]~~ **community college system of New Hampshire**.

40 Effective Date.

I. Paragraphs I-III of section 35 of this act shall take effect July 1, 2009.

II. Section 37 of this act shall take effect November 1, 2008.

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

Adopted.

**June 26, 2007
2007-2364-EBA
03/01**

Enrolled Bill Amendment to HB 87

The Committee on Enrolled Bills to which was referred HB 87

AN ACT relative to the exceptions to compulsory school attendance.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 87

This enrolled bill amendment integrates provisions previously enacted in SB 18-FN of the 2007 regular legislative session.

Enrolled Bill Amendment to HB 87

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

2 School Attendance; Compulsory Attendance by Pupil. Amend RSA 193:1, I to read as follows:

I. A parent of any child at least 6 years of age and under 18 years of age shall cause such child to attend the public school to which the child is assigned in the child's resident district. Such child shall attend full time when such school is in session unless:

(a) The child is attending a New Hampshire public school outside the district to which the child is assigned or an approved New Hampshire private school for the same time;

(b) The child is receiving home education pursuant to RSA 193-A **and is therefore exempt from this requirement**;

(c) The relevant school district superintendent has excused a child from attendance because the child is physically or mentally unable to attend school, or has been temporarily excused upon the request of the parent for purposes agreed upon by the school authorities and the parent. Such excused absences shall not

be permitted if they cause a serious adverse effect upon the student's educational progress. Students excused for such temporary absences may be claimed as full-time pupils for purposes of calculating state aid under RSA 186-C:18 and equitable education grants under RSA 198:41; ~~or~~

(d) The child is attending a public or private school located in another state which has been approved by the state education agency of the state in which the school is located[-] ;

(e) The pupil has been exempted from attendance pursuant to RSA 193:5;

(f) The pupil has successfully completed all requirements for graduation and the school district is prepared to issue a diploma or the pupil has successfully achieved the equivalent of a high school diploma by either:

(1) Obtaining a GED certificate; or

(2) Documenting the completion of a home school program at the high school level by submitting a certificate or letter to the department of education;

(g) The pupil has been accepted into an accredited postsecondary education program; or

(h) The pupil obtains a waiver from the superintendent, which shall only be granted upon proof that the pupil is 16 years of age or older and has an alternative learning plan for obtaining either a high school diploma or its equivalent.

(1) Alternative learning plans shall include age-appropriate academic rigor and the flexibility to incorporate the pupil's interests and manner of learning. These plans may include, but are not limited to, such components or combination of components of extended learning opportunities as independent study, private instruction, performing groups, internships, community service, apprenticeships, and on-line courses.

(2) Alternative learning plans shall be developed, and amended if necessary, in consultation with the pupil, a school guidance counselor, the school principal and at least one parent or guardian of the pupil, and submitted to the school district superintendent for approval.

(3) If the superintendent does not approve the alternative learning plan, the parent or guardian of the pupil may appeal such decision to the local school board. A parent or guardian may appeal the decision of the local school board to the state board of education consistent with the provisions of RSA 21-N:11, III.

3 School Attendance; Bylaws as to Nonattendance. Amend RSA 193:16 to read as follows:

193:16 Bylaws as to Nonattendance. Districts may make bylaws, not repugnant to law, concerning habitual truants and children between the ages of 6 and ~~[16]~~ **18** years not attending school ~~[and not having a regular and lawful occupation,]~~ **or who are not participating in an alternative learning plan under RSA 193:1, I(h)**, and to compel the attendance of such children at school; failure to comply with such bylaws shall constitute a violation for each offense.

4 Truant Officers; Duties. Amend RSA 189:36 to read as follows:

189:36 Duties. Truant officers shall, when directed by the school board, enforce the laws and regulations relating to truants and children between the ages of 8 and ~~[16]~~ **18** years not attending school ~~[and without any regular and lawful occupation]~~ **or who are not participating in an alternative learning plan under RSA 193:1, I(h)**; and the laws relating to the attendance at school of children between the ages of 8 and 18 years; and shall have authority without a warrant to take and place in school any children found employed contrary to the laws relating to the employment of children, or violating the laws relating to the compulsory attendance at school of children under the age of 18 years, and the laws relating to child labor. **No home school pupil nor any person between the ages of 6 and 18 who meets any of the requirements of RSA 193:1, I(c)-(h) shall be deemed a truant.**

5 Contingency. If SB 18-FN of the 2007 regular legislative session becomes law, sections 2-4 of this act shall take effect July 1, 2009 and sections 1-3 of SB 18-FN shall not take effect. If SB 18-FN of the 2007 regular legislative session does not become law, sections 2-4 of this act shall not take effect.

6 Effective Date.

I. Sections 2-4 of this act shall take effect as provided in section 5 of this act.

II. The remainder of this act shall take effect 60 days after its passage.

Adopted.

June 27, 2007
2007-2369-EBA
05/09

Enrolled Bill Amendment to SB 92

The Committee on Enrolled Bills to which was referred SB 92

AN ACT relative to the definition of employee and clarifying the criteria for exempting workers from employee status.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 92

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 92

Amend RSA 281-A:2, VI(c) as inserted by section 9 of the bill by replacing line 1 with the following:

(c) Prima facie evidence that the criteria prescribed in subparagraphs (b)(1)(A)-(L)

Adopted.

June 18, 2007
2007-2160-EBA
06/10

Enrolled Bill Amendment to SB 93-FN

The Committee on Enrolled Bills to which was referred SB 93-FN

AN ACT relative to insurance coverage for children's early intervention therapy services.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 93-FN

This enrolled bill amendment inserts a contingency provision to avoid duplicate RSA numbering.

Enrolled Bill Amendment to SB 93-FN

Amend the bill by inserting after section 4 the following and renumbering the original section 5 to read as 6:

5 Contingency. If HB 921 of the 2007 legislative session becomes law, then RSA 420-B:8-q as inserted by section 4 of this act shall be renumbered as RSA 420-B:8-r.

Adopted.

June 27, 2007
2007-2363-EBA
04/10

Enrolled Bill Amendment to SB 118

The Committee on Enrolled Bills to which was referred SB 118

AN ACT increasing fines for certain dog violations.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 118

This enrolled bill amendment inserts a contingency provision to incorporate language from HB 44 of the 2007 legislative session.

Enrolled Bill Amendment to SB 118

Amend the bill by replacing all after section 2 with the following:

3 Dogs; Penalties. Amend RSA 466:31-a, II to read as follows:

II. Any person who violates any of the provisions of RSA 466:31 shall be liable for a civil forfeiture, which shall be paid to the clerk of the town or city wherein such dog is owned or kept within 96 hours of the date and time notice is given by any law enforcement officer or other person authorized by the town to the owner or keeper of a dog in violation of RSA 466:31. If the forfeiture is paid, said payment shall be in full satisfaction of the assessed penalty. The forfeiture shall be in the amount as specified for the following violations:

(a) \$25 for the first nuisance offense under RSA 466:31, II(a), (b), (c) or (d); [~~\$50~~] **\$100** for the second **or subsequent** nuisance offense committed within 12 months of the first nuisance offense under RSA 466:31, II(a), (b), (c) or (d).

(b) \$50 for the first menace offense under RSA 466:31, II(e) or (f); [~~\$100~~] **\$200** for the second or subsequent menace offense committed within 12 months of the first menace offense under RSA 466:31, II(e) or (f).

(c) \$100 for the first vicious offense under RSA 466:31, II(g).

(d) [~~\$200~~] **\$400** for the second or subsequent vicious offense committed within 12 months of the first vicious offense under RSA 466:31, II(g).

4 Contingency. If HB 44 of the 2007 legislative session becomes law, then section 3 of this act shall take effect January 1, 2008 and section 2 of this act shall not take effect. If HB 44 of the 2007 legislative session does not become law, then section 2 of this act shall take effect January 1, 2008 and section 3 of this act shall not take effect.

5 Effective Date.

I. Sections 2 and 3 of this act shall take effect as provided in section 4 of this act.

II. The remainder of this act shall take effect January 1, 2008.

Adopted.

June 19, 2007
2007-2208-EBA
04/10

Enrolled Bill Amendment to SB 123

The Committee on Enrolled Bills to which was referred SB 123

AN ACT relative to pole attachments.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 123

This enrolled bill amendment makes 2 grammatical corrections.

Enrolled Bill Amendment to SB 123

Amend RSA 374:34-a as inserted by section 1 by replacing line 2 with the following:

I. In this subdivision, a "pole" means any pole, duct, conduit, or right-of-way that is used

Amend section 3 of the bill by replacing it with the following:

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

Adopted.

June 21, 2007
2007-2314-EBA
03/01

Enrolled Bill Amendment to SB 134-FN-A
 The Committee on Enrolled Bills to which was referred SB 134-FN-A

AN ACT establishing a research and development credit against business taxes and requiring the commission of resources and economic development to report on the research and development tax credit program.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 134-FN-A

This enrolled bill amendment makes typographical corrections.

Enrolled Bill Amendment to SB 134-FN-A

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

AN ACT establishing a research and development credit against business taxes and requiring the commissioner of resources and economic development to report on the research and development tax credit program.

Amend RSA 77-A:5, XIII(b)(1)(A) as inserted by section 1 of the bill by replacing line 2 with the following: section 41(b) of the United States Internal Revenue Code.

Adopted.

June 29, 2007
2007-2379-EBA
05/10

Enrolled Bill Amendment to HB 134
 The Committee on Enrolled Bills to which was referred HB 134

AN ACT relative to electronic prescribing for prescription drugs.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 134

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 134

Amend RSA 318:47-c, II(c) as inserted by section 2 of the act by replacing line 5 with the following:

shall not be triggered by or in specific response to the input, selection, or act of a prescribing

Adopted.

June 21, 2007
2007-2324-EBA
04/09

Enrolled Bill Amendment to SB 138-FN-A
 The Committee on Enrolled Bills to which was referred SB 138-FN-A

AN ACT relative to the waiting list for services to persons with developmental disabilities and acquired brain disorders.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 138-FN-A

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 138-FN-A

Amend RSA 171-A:1-d, II(b)(2) as inserted by section 3 of the bill by replacing line 2 with the following:
to the rate increase specified in subparagraph I(b).

Adopted.

June 19, 2007
2007-2183-EBA
06/09

Enrolled Bill Amendment to HB 140

The Committee on Enrolled Bills to which was referred HB 140

AN ACT establishing the New Hampshire commission on deafness and hearing loss.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 140

This enrolled bill amendment renumbers an RSA chapter to avoid duplicate numbering with HB 688.

Enrolled Bill Amendment to HB 140

Amend the bill by inserting after section 2 the following and renumbering the original section 3 to read as 4:

3 Contingency. If HB 688 of the 2007 legislative session becomes law, RSA 125-P as inserted by section 1 of this act shall be renumbered as RSA 125-Q.

Adopted.

June 29, 2007
2007-2377-EBA
04/09

Enrolled Bill Amendment to SB 143

The Committee on Enrolled Bills to which was referred SB 143

AN ACT relative to ATV and trail bike trails in Jericho Mountain park.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 143

This enrolled bill amendment changes the title of the bill to reflect its contents.

Enrolled Bill Amendment to SB 143

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

AN ACT naming Jericho Mountain state park and establishing ATV and trail bike trails in such park.

Adopted.

June 18, 2007
2007-2159-EBA
04/01

Enrolled Bill Amendment to SB 162

The Committee on Enrolled Bills to which was referred SB 162

AN ACT establishing a commission to oversee and negotiate issues relative to the North American Free Trade Agreement (NAFTA) and the World Trade Organization (WTO).

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE
Explanation to Enrolled Bill Amendment to SB 162

This enrolled bill amendment makes technical corrections to the bill.

Enrolled Bill Amendment to SB 162

Amend RSA 19-L:1, II(a) as inserted by section 1 of the bill by replacing line 2 with the following:

house of representatives, including one member of the commerce committee and one member of

Amend RSA 19-L:1, II(b) as inserted by section 1 of the bill by replacing line 3 with the following:

the energy, environment, and economic development committee.

Adopted.

July 2, 2007

2007-2386-EBA

05/10

Enrolled Bill Amendment to SB 176-FN

The Committee on Enrolled Bills to which was referred SB 176-FN

AN ACT relative to lead paint poisoning and establishing a commission to study the current childhood lead poisoning prevention law, policies, and standards.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE
Explanation to Enrolled Bill Amendment to SB 176-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 176-FN

Amend section 13 of the bill by replacing line 1 with the following:

13 Chairperson. The members of the commission shall elect a chairperson from among

Adopted.

June 26, 2007

2007-2360-EBA

03/10

Enrolled Bill Amendment to SB 192-FN

The Committee on Enrolled Bills to which was referred SB 192-FN

AN ACT establishing an outreach program in the children's health insurance program.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE
Explanation to Enrolled Bill Amendment to SB 192-FN

This enrolled bill amendment redesignates the provisions of the bill due to the repeal of RSA 126-A:5, XIV by HB 298 of the 2007 regular legislative session. This amendment also corrects a reference in the bill.

Enrolled Bill Amendment to SB 192-FN

Amend the bill by replacing section 1 with the following:

1 New Paragraph; Department of Health and Human Services; Children's Health Insurance Program. Amend RSA 126-A:5 by inserting after paragraph XIV the following new paragraph:

XIV-a.(a) The children's health insurance program shall include a public education and outreach component, the purpose of which shall be to increase enrollment by informing new parents of the program's availability and assisting families in the completion of the application process as necessary.

(b) The department shall, through the New Hampshire healthy kids corporation, allocate funds for the development of a volunteer program to promote the program to eligible families and to identify those families who may require assistance with the application or redetermination process, and provide training and supervision of volunteers. The healthy kids corporation shall coordinate with and utilize the services of Volunteer NH, AmeriCorps, and other volunteer organizations.

(c) The department shall reimburse designated partner agencies, including health and home visiting providers, who had to provide additional follow-up with applicants an enhanced application fee for the outreach assistance to individuals requesting assistance in the application or redetermination process. Such fee shall be equal to twice the regular application fee.

Adopted.

June 28, 2007
2007-2376-EBA
05/10

Enrolled Bill Amendment to SB 197

The Committee on Enrolled Bills to which was referred SB 197

AN ACT relative to continuation of group health insurance in the event of divorce or legal separation.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 197

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 197

Amend section 12 of the bill by replacing lines 1 and 2 with the following:

12 Contingency. If HB 921-FN of the 2007 legislative session becomes law, sections 1 and 2 of this act shall not take effect, sections 3-4 of this act shall take effect January 1, 2008, and sections 5-11 of

Adopted.

June 29, 2007
2007-2378-EBA
06/09

Enrolled Bill Amendment to SB 204-FN-A

The Committee on Enrolled Bills to which was referred SB 204-FN-A

AN ACT relative to collection of debts owed the state.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 204-FN-A

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to SB 204-FN-A

Amend RSA 7:15-a, IV(b) as inserted by section 1 of the bill by replacing line 4 with the following:

administrative services at 150 percent of the total costs and expenses of the debt collection during

Amend RSA 7:15-a, IV(c)(2) as inserted by section 1 of the bill by replacing line 1 with the following:

(2) Recruitment, training, administration, overhead, and supervision of such

Amend RSA 7:15-b as inserted by section 4 of the bill by replacing line 3 with the following:

duties associated with the collection of debt owed to the state. The position shall be funded through

Adopted.

June 18, 2007
2007-2168-EBA
08/10

Enrolled Bill Amendment to HB 205
 The Committee on Enrolled Bills to which was referred HB 205

AN ACT relative to procedures for certain court ordered out-of-district placement.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 205

This enrolled bill amendment inserts a contingency provision to avoid duplicate RSA numbering.

Enrolled Bill Amendment to HB 205

Amend the bill by inserting after section 6 the following and renumbering the original section 7 to read as 8:

7 Contingent Renumbering. If SB 152 of the 2007 session becomes law, then RSA 169-B:19, VIII as inserted by section 2 of this act, shall be renumbered as RSA 169-B:19, IX.

Adopted.

June 25, 2007
2007-2354-EBA
03/01

Enrolled Bill Amendment to SB 206-FN-LOCAL
 The Committee on Enrolled Bills to which was referred SB 206-FN-LOCAL

AN ACT relative to the investment authority of local government entities and authorizing the city of Nashua to purchase Pennichuck Corporation stock.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 206-FN-LOCAL

This enrolled bill amendment makes technical corrections.

Enrolled Bill Amendment to SB 206-FN-LOCAL

Amend section 3 of the bill by replacing lines 1-3 with the following:

3 Refunding Bonds. Amend RSA 33:3-d, II to read as follows:

II. Refunding bonds shall be payable in installments, the first of which shall be not later

Amend section 5 of the bill by replacing line 1 with the following:

5 Purchase of Pennichuck Corporation Stock by the City of Nashua.

Amend section 5 of the bill by replacing line 4 with the following:

agreement with such corporation. The public utilities commission shall make a public interest

Adopted.

June 19, 2007
2007-2221-EBA
06/09

Enrolled Bill Amendment to SB 213-FN-A
 The Committee on Enrolled Bills to which was referred SB 213-FN-A

AN ACT establishing a comprehensive cancer plan fund and making an appropriation therefor, and establishing a comprehensive cancer plan oversight board.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 213-FN-A

This enrolled bill amendment amends the title of the bill to reflect its content and makes technical corrections.

Enrolled Bill Amendment to SB 213-FN-A

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

AN ACT establishing a comprehensive cancer plan fund, requiring master settlement agreement strategic contribution fund payments to be deposited in such fund, and establishing a comprehensive cancer plan oversight board.

Amend section 2 of the bill by replacing line 2 with the following:

RSA 6:12, I(b) by inserting after subparagraph (252) the following new subparagraph:

Amend RSA 6:12, I(b)(253) as inserted by section 2 of the bill by replacing it with the following:

(253) Moneys deposited in the comprehensive cancer plan fund under RSA 126-A:63.

Amend paragraph I of section 3 of the bill by replacing it with the following:

I. RSA 126-A:63, relative to the comprehensive cancer plan fund.

Adopted.

June 29, 2007
2007-2381-EBA
04/10

Enrolled Bill Amendment to SB 217-FN-A

The Committee on Enrolled Bills to which was referred SB 217-FN-A

AN ACT establishing the New Hampshire housing and conservation planning program.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 217-FN-A

This enrolled bill amendment corrects a reference to an RSA paragraph.

Enrolled Bill Amendment to SB 217-FN-A

Amend RSA 4-C:30, IV as inserted by section 1 of the bill by replacing line 4 with the following:
including water resources as provided for in RSA 674:2, III(d).

Adopted.

June 26, 2007
2007-2359-EBA
05/01

Enrolled Bill Amendment to SB 223-FN

The Committee on Enrolled Bills to which was referred SB 223-FN

AN ACT establishing a New Hampshire medal of honor and prohibiting funeral protests.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 223-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 223-FN

Amend RSA 110-B:81, IV as inserted by section 1 of this act by replacing line 3 with the following:
house of representatives, or the senator or a member of the house of representatives representing the

Adopted.

June 21, 2007
2007-2326-EBA
06/09

Enrolled Bill Amendment to SB 226-FN

The Committee on Enrolled Bills to which was referred SB 226-FN

AN ACT relative to the temporary assistance to needy families (TANF) program.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 226-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to SB 226-FN

Amend RSA 167:85, IV(h)(3) as inserted by section 14 of the bill by replacing line 2 with the following: commissioner. To the extent possible, Workforce Investment Act funds shall be used.

Adopted.

July 2, 2007
2007-2389-EBA
03/10

Enrolled Bill Amendment to SB 235-FN-A

The Committee on Enrolled Bills to which was referred SB 235-FN-A

AN ACT establishing a milk producers emergency relief fund.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 235-FN-A

This enrolled bill amendment inserts a definition and corrects certain references in the bill.

Enrolled Bill Amendment to SB 235-FN-A

Amend RSA 184:106 as inserted by section 1 of the bill by inserting after paragraph II the following new paragraph and renumbering paragraphs III-VII to read as IV-VIII, respectively:

III. "Board" means the milk producers emergency relief fund board.

Amend RSA 184:109, I(c) as inserted by section 1 of the bill by replacing line 2 with the following: environment and agriculture committee, appointed by the speaker of the house of representatives.

Amend RSA 184:110, III as inserted by section 1 of the bill by replacing line 3 with the following: milk producers emergency relief fund and the state of the milk industry. The report in even-

Amend RSA 184:110, IV as inserted by section 1 of the bill by replacing lines 2-3 with the following: employ legal counsel as necessary to perform its duties in administering the milk producers emergency relief fund.

Amend RSA 6:12, I(b)(253) as inserted by section 3 of the bill by replacing line 1 with the following:

(253) Moneys deposited in the milk producers emergency relief fund established

Adopted.

June 14, 2007
2007-2150-EBA
03/01

Enrolled Bill Amendment to SB 237

The Committee on Enrolled Bills to which was referred SB 237

AN ACT establishing a commission on employment issues affecting veterans.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 237

This enrolled bill amendment corrects certain references in the bill.

Enrolled Bill Amendment to SB 237

Amend section 3 of the bill by replacing subparagraph I(k) with the following:

(k) One person appointed by the United States Department of Labor's New Hampshire office of the Veterans' Employment and Training Service.

Amend section 3 of the bill by replacing subparagraph I(o) with the following:

(o) One person appointed by Disabled American Veterans.

Adopted.

June 8, 2007
2007-2126-EBA
03/09

Enrolled Bill Amendment to SB 260-FN

The Committee on Enrolled Bills to which was referred SB 260-FN

AN ACT relative to the location and budget practices of the lottery commission.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to SB 260-FN

This enrolled bill amendment corrects certain references in the bill.

Enrolled Bill Amendment to SB 260-FN

Amend RSA 284:21-f as inserted by section 2 of the bill by replacing lines 6-10 with the following:

payments. *The state lottery commission shall submit an operating budget based on program appropriation units or other budgetary units required by the general court. The commission shall submit its budget in the same format and at the same time as other state agencies. However, the commission is authorized to transfer funds between line items within and among any budgetary unit. By October 31 of each fiscal year, the commission*

Adopted.

July 2, 2007
2007-2383-EBA
08/01

Enrolled Bill Amendment to HB 306

The Committee on Enrolled Bills to which was referred HB 306

AN ACT establishing a task force on work and family.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE
Explanation to Enrolled Bill Amendment to HB 306

This enrolled bill amendment makes a grammatical correction.

Enrolled Bill Amendment to HB 306

Amend subparagraph (1) as inserted by section 3 of the bill by replacing line 1 with the following:

(1) A representative of the New Hampshire Women's Lobby, appointed by that

Adopted.

**July 2, 2007
 2007-2382-EBA
 06/09**

Enrolled Bill Amendment to HB 365

The Committee on Enrolled Bills to which was referred HB 365

AN ACT regulating the practice of foreclosure consultants and pre-foreclosure conveyances.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE
Explanation to Enrolled Bill Amendment to HB 365

This enrolled bill amendment makes technical and grammatical corrections.

Enrolled Bill Amendment to HB 365

Amend RSA 479-B:1, IV as inserted by section 1 of the bill by replacing line 3 with the following:

result of a pre-foreclosure conveyance, or any person who participates in a joint venture or joint

Amend RSA 479-B:4, II as inserted by section 1 of the bill by replacing line 1 with the following:

II. Notwithstanding any other provision of this chapter, the homeowner's right of

Amend RSA 479-B:5, II(d) as inserted by section 1 of the bill by replacing line 3 with the following:

writing to the homeowner and the third party's interest does not conflict with the homeowner's or

Amend RSA 479-B:5, III(d) as inserted by section 1 of the bill by replacing lines 4-6 with the following:
 reconveyance;

(2) Sell the property, if allowed under the terms of the conveyance, at a bona fide market sale to an unaffiliated third party; or

Amend RSA 479-B:5, III(e) by replacing lines 5-7 with the following:

pre-foreclosure purchaser does not have; or

(3) The foreclosure purchaser is assisting the homeowner to avoid the loss of ownership, to "save the house," or a substantially similar phrase; or

Amend the bill by replacing section 2 with the following:

2 Banking Department; New Hampshire Housing Finance Authority. Reports Required.

I. The banking department, New Hampshire housing finance authority, and New Hampshire legal assistance shall compile available information and analysis and prepare reports identifying any foreclosure rescue scam or scheme not covered by RSA 479-B.

II. The entities in paragraph I shall make reports, together with any recommendations for legislation, to the president of the senate, the speaker of the house of representatives, and the chairs of the senate commerce, labor, and consumer protection committee and the house commerce committee on November 1, 2007 and on November 1, 2008.

Adopted.

June 26, 2007
2007-2358-EBA
03/01

Enrolled Bill Amendment to HB 407-FN-A

The Committee on Enrolled Bills to which was referred HB 407-FN-A

AN ACT relative to assistance for milk producers.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 407-FN-A

This enrolled bill amendment corrects a reference in the bill.

Enrolled Bill Amendment to HB 407-FN-A

Amend RSA 184-B:3, II(a) as inserted by section 1 of the bill by replacing line 1 with the following:

- (a) One member of the house of representatives who serves on the environment and

Adopted.

June 27, 2007
2007-2367-EBA
03/01

Enrolled Bill Amendment to HB 495-FN

The Committee on Enrolled Bills to which was referred HB 495-FN

AN ACT relative to criminal record and central registry checks of prospective foster and adoptive parents and relative to the custody of a child placed by the court in a delinquency proceeding or a proceeding for a child in need of services (CHINS).

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 495-FN

This enrolled bill amendment corrects certain references in the bill and amends provisions previously enacted in SB 152 of the 2007 regular legislative session to conform them to the provisions of this bill.

Enrolled Bill Amendment to HB 495-FN

Amend RSA 170-B:18, VII(b) as inserted by section 3 of the bill by replacing line 2 with the following:

of founded reports of child abuse and neglect under RSA 169-C:35 and shall include a check of the

Amend section 5 of the bill by replacing line 3 with the following:

II-a. In the case of an initial application for a foster family home, the department shall

Amend RSA 170-E:29, II-a(b) as inserted by section 5 of the bill by replacing line 2 with the following:

of founded reports of child abuse and neglect under RSA 169-C:35 and shall include a check of the

Amend RSA 541-A:21, I(z) as inserted by section 6 of the bill by replacing line 2 with the following:

assessment, and RSA 170-E:29, II-a relative to background checks of prospective foster parents.

Amend RSA 169-B:11, II as inserted by section 8 of the bill by replacing line 4 with the following:

crisis home, a shelter care facility, a group home with expenses charged according to

Amend RSA 169-D:13, I(c) as inserted by section 13 of the bill by replacing line 3 with the following:

home, or a shelter care facility with expenses chargeable as provided in RSA 169-D:29[~~;~~~~or~~].

Amend the bill by replacing all after section 15 with the following:

16 Reference Deleted. Amend RSA 169-B:19, VIII to read as follows:

VIII. When a dispositional order places a minor in an out-of-home placement pursuant to RSA 169-B:19, I(e)[;] **or** (f), [~~or~~(g);] prior to concluding the dispositional hearing the court shall set a date for a permanency hearing pursuant to RSA 169-B:31-a, I.

17 Reference Deleted. Amend RSA 169-D: 17, II-b to read as follows:

II-b. When a dispositional order places a minor in an out-of-home placement pursuant to RSA 169-B:19, I (e)[;] **or** (f), [~~or~~(g);] prior to concluding the dispositional hearing the court shall set a date for a permanency hearing pursuant to RSA 169-D:21-a.

18 Authorization to Renumber.

I. The director of legislative services shall renumber RSA 541-A:21, I(z) as inserted by section 6 of this act to accommodate other acts enacted during the 2007 regular legislative session inserting new subparagraphs in RSA 541-A:21, I.

II. RSA 169-D:2, IX-XII, as enacted by SB 152 of the 2007 regular legislative session are hereby renumbered as RSA 169-D:2, X-XIII.

19 Effective Date.

I. Sections 2-6 of this act shall take effect July 1, 2007.

II. Sections 16-17 shall take effect January 1, 2008, at 12:01 a.m.

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

Adopted.

July 2, 2007
2007-2387-EBA
04/09

Enrolled Bill Amendment to HB 498-FN-A

The Committee on Enrolled Bills to which was referred HB 498-FN-A

AN ACT dedicating certain OHRV and snowmobile unrefunded road tolls to the fish and game department, and appropriating certain motor vehicle number plates revolving funds for department of safety employee benefits and building projects.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 498-FN-A

This enrolled bill amendment corrects the title of the bill.

Enrolled Bill Amendment to HB 498-FN-A

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

AN ACT dedicating certain OHRV and snowmobile unrefunded road tolls to the fish and game department, and relative to the land and community heritage investment program administrative fund.

Adopted.

June 29, 2007
2007-2380-EBA
08/10

Enrolled Bill Amendment to HB 659-FN

The Committee on Enrolled Bills to which was referred HB 659-FN

AN ACT exempting certain motor vehicles manufactured prior to 1948 from vehicle equipment and inspection requirements.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 659-FN

This enrolled bill amendment changes the title of the bill to accurately reflect the contents of the bill.

Enrolled Bill Amendment to HB 659-FN

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

AN ACT exempting certain motor vehicles manufactured prior to 1949 from vehicle equipment and inspection requirements.

Adopted.

June 25, 2007
2007-2355-EBA
03/10

Enrolled Bill Amendment to HB 661-FN-A

The Committee on Enrolled Bills to which was referred HB 661-FN-A

AN ACT establishing an executive planning commission on special education.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 661-FN-A

This enrolled bill amendment makes technical and grammatical corrections.

Enrolled Bill Amendment to HB 661-FN-A

Amend RSA 186-C:21, I as inserted by section 2 of the bill by replacing line 1 with the following:

I. There is hereby established an executive planning commission on special

Amend RSA 186-C:21, II(d) as inserted by section 2 of the bill by replacing line 2 with the following:

or both, which school districts can use on a contract or other basis to address temporary

Amend RSA 186-C:21, IV(b) as inserted by section 2 of the bill by replacing lines 2-5 with the following:

and model should apply only to educationally disabled children as defined by RSA 186-C:2 or expanded at the outset or a later point to include other students, such as students at risk of needing special education, dropping out, court placed, or students for whom English is a second language; whether the plan and model should apply to all students; and whether

Adopted.

June 27, 2007
2007-2370-EBA
08/10

Enrolled Bill Amendment to HB 664-FN

The Committee on Enrolled Bills to which was referred HB 664-FN

AN ACT relative to annual dam registration and permit application fees and authorizing the city of Manchester to establish a stormwater utility.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 664-FN

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 664-FN

Amend RSA 482:5 as inserted by section 2 of the bill by replacing line 1 with the following:

482:5 Non-permitted Existing Dams. [F.] Upon written notice from the department, the owner of a

Adopted.

June 28, 2007
2007-2373-EBA
04/01

Enrolled Bill Amendment to HB 822

The Committee on Enrolled Bills to which was referred HB 822

AN ACT relative to enrollment of students in regional vocational schools.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 822

This enrolled bill amendment corrects paragraph numbering in RSA 188-E:5 and incorporates changes to RSA 188-E:6, I as made in SB 101 of the 2007 legislative session.

Enrolled Bill Amendment to HB 822

Amend section 4 of the bill by replacing line 2 with the following:

188-E:5 Program.

I. The program in the regional vocational centers shall be broad enough to serve the

Amend section 4 of the bill by replacing line 10 with the following:

II. Regional vocational centers shall, on a space available basis, enroll any

Amend section 4 of the bill by replacing line 13 with the following:

(a) The student has successfully completed any courses required as a

Amend section 4 of the bill by replacing line 15 with the following:

(b) The prerequisites have been waived by the regional vocational center.

Amend RSA 188-E:6, I as inserted by section 2 of the bill by replacing it with the following:

I. Students shall enroll at their regular high school for nonvocational courses and attend a regional vocational center for purposes of taking vocational courses except ~~[students]~~, ***when it is determined pursuant to department of education rules that it would be in the best interest of the student, both academically and vocationally,*** or where a student has been deemed to be at risk, ***a student*** may~~[-where distance, transportation, or other physical restrictions prohibit,]~~ attend the vocational education center for ~~[their]~~ ***his or her*** entire educational program. Tuition charged for students enrolled part time at the vocational education center shall be prorated on a time basis for both the local district and the state share of the payment.

Adopted.

July 2, 2007
2007-2388-EBA
04/09

Enrolled Bill Amendment to HB 828-FN

The Committee on Enrolled Bills to which was referred HB 828-FN

AN ACT relative to corrupt practices as defined in RSA 640 and state reporting requirements for gifts, honorariums, and expenses.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 828-FN

This enrolled bill amendment corrects a statutory reference in section 6 of the bill.

Enrolled Bill Amendment to HB 828-FN

Amend RSA 15-B:6, II as inserted by section 6 of the bill by replacing line 3 with the following:

official business pursuant to RSA 15-B:2, V(b)(12) shall file a report with the secretary of

Adopted.

June 28, 2007
2007-2374-EBA
03/09

Enrolled Bill Amendment to HB 927-FN

The Committee on Enrolled Bills to which was referred HB 927-FN

AN ACT relative to the specific criteria and substantive educational program that define an adequate education, the resources required to provide an adequate education, and the establishment of a timetable for costing an adequate education.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 927-FN

This enrolled bill amendment makes grammatical corrections.

Enrolled Bill Amendment to HB 927-FN

Amend paragraph IV of section 1 of the bill by replacing line 2 with the following:

education program that deliver the opportunity for an adequate education, the general court

Amend paragraph V of section 1 of the bill by replacing line 2 with the following:

specific criteria which constitute the opportunity for an adequate education. An integral part of this

Amend RSA 193-E:2-a, I as inserted by section 2 of the bill by replacing line 2 with the following:

program that deliver the opportunity for an adequate education shall be defined and identified as

Amend RSA 193-E:2-a, V as inserted by section 2 of the bill by replacing line 12 with the following:

the activities, and the materials to be used.

Adopted.

July 2, 2007
2007-2385-EBA
06/09

Enrolled Bill Amendment to HB 488-FN-A-LOCAL

The Committee on Enrolled Bills to which was referred HB 488-FN-A-LOCAL

AN ACT relative to the state chief medical examiner and medico-legal death investigations.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

Explanation to Enrolled Bill Amendment to HB 488-FN-A-LOCAL

This enrolled bill amendment makes a technical correction; changes the name of the Glencliff home for the elderly to the Glencliff home to reflect the name change made by HB 2-FN-A of the 2007 legislative session; and incorporates language into RSA 5-C:63, I and VIII and RSA 5-C:64, III previously enacted in 2007, 215 (HB 345).

Enrolled Bill Amendment to HB 488-FN-A-LOCAL

Amend RSA 611-B:14, I as inserted by section 1 of the bill by replacing line 3 with the following:

an accurate and detailed description of the location, position, and condition of the body and any

Amend RSA 611-B:17, I as inserted by section 1 of the bill by replacing line 5 with the following:

home, or any other residential facility operated by the department or a contract

Amend RSA 5-C:63, I as inserted by section 3 of the bill by replacing line 5 with the following:

the physician or ARNP who will be responsible for supplying the cause of death information before the body is

Amend RSA 5-C:63, VIII as inserted by section 4 of the bill by replacing lines 1-4 with the following:

VIII. The reverse side of the death certificate shall contain a notice to the physician or ARNP regarding the release of a body in accordance with RSA 290:2-a, the necessity of a pronouncement in accordance with RSA 290:1-b and indication of who can provide alternate signatures in the absence of the attending physician or ARNP, in accordance with RSA 290:1-b. The reverse side of the certificate shall

Amend RSA 5-C:64, III as inserted by section 5 of the bill by replacing line 2 with the following;

attending physician or ARNP unless the death is referred to the medical examiner pursuant to RSA [611:4]

Amend RSA 126-A:5,V as inserted by section 11 of the bill by replacing line 3 with the following:

home, or any other residential facility operated by the department or a contract

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

HB 876-FN-L, establishing a commission to make recommendations to ensure the long-term viability of the New Hampshire retirement system, and making an appropriation therefor.

SB 75-FN, relative to establishing a New Hampshire rail transit authority that will have responsibility for developing and providing commuter rail and related public rail transportation services in New Hampshire.

SB 93-FN, relative to insurance coverage for children's early intervention therapy services.

SB 123, relative to pole attachments.

SB 138-FN-A, relative to the waiting list for services to persons with developmental disabilities and acquired brain disorders.

SB 140, relative to transmission upgrades, the process for siting renewable generation facilities, and the study of demand response programs and distributed generation.

SB 162, establishing a commission to oversee and negotiate issues relative to the North American Free Trade Agreement (NAFTA) and the World Trade Organization (WTO).

SB 213-FN-A, establishing a comprehensive cancer plan fund, requiring master settlement agreement strategic contribution fund payments to be deposited in such fund, and establishing a comprehensive cancer plan oversight board.

SB 223-FN, establishing a New Hampshire medal of honor and prohibiting funeral protests.

SB 226-FN, relative to the temporary assistance to needy families (TANF) program.

Senator D'Allesandro moved adoption.

Senator DeVries Rule #42 on HB 876-FN-L.

Senator Downing Rule #42 on HB 876-FN-L.

Senator Sgambati Rule #42 on HB 876-FN-L.

Senator Foster Rule #42 on SB 213-FN-A.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

SB 134-FN-A, establishing a research and development credit against business taxes and requiring the commission of resources and economic development to report on the research and development tax credit program.

Senator D'Allesandro moved adoption.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

HB 140, establishing the New Hampshire commission on deafness and hearing loss.

HB 205, relative to procedures for certain court ordered out-of-district placements.

HB 337, relative to penalties for failure to have workers' compensation coverage and continually appropriating a special fund.

HB 383, relative to waterfront buffer and woodland buffer requirements in the comprehensive shoreland protection act.

HB 517, establishing a commission to investigate cost drivers in providing health care and establishing the New Hampshire Rx advantage program and continually appropriating a special fund and making an appropriation therefor.

HB 590-FN, changing the state migratory waterfowl stamp into a license issued by the fish and game department.

HB 611, relative to payment of wages by automated pay card.

HB 663-FN-A, relative to the protected shoreland permitting process and establishing and funding positions within the department of environmental services.

HB 895-FN, relative to licensure of court reporters.

SB 27-FN, relative to the display of the POW-MIA flag.

SB 29, updating laws relative to child impact seminars to reflect the implementation of the judicial branch family division.

SB 38, relative to uninsured or hit-and-run motor vehicle coverage.

SB 46, requiring criminal history record checks of all applicants to practice medicine in New Hampshire, and revising the criminal history record checks under the nurse practice act.

SB 58, relative to the recommendation for the town budget.

SB 69, relative to exceptions to the confidentiality provisions for certain department of employment security records.

SB 71, relative to setback requirements for new landfills located near designated rivers.

SB 74-FN, relative to the operation and administration of the state park system.

SB 78, relative to the placement of twins or other multiples in the same classroom.

SB 98, relative to party access to voter information.

SB 109, relative to emergency powers of the supreme court.

SB 125-FN, relative to certificates for architect business organizations.

SB 144-FN, relative to lottery ticket sales and revenue.

SB 159-FN-L, relative to polling place arrangement and accessibility.

SB 160-FN-L, adding members to the Skyhaven airport operation commission and relative to the Skyhaven airport transfer plan.

SB 168-FN, establishing tuition waivers for foster children.

SB 178-FN, relative to the judicial retirement plan.

SB 189, relative to medical benefits under motor vehicle insurance.

SB 216, relative to certification of employee organizations to represent public employees.

SB 222-FN, relative to health insurance for national guard members.

SB 224-FN-A, relative to the telecommunications planning and development advisory committee.

SB 237, establishing a commission on employment issues affecting veterans.

SB 242-FN, establishing the intellectual property business loan development program.

SB 244, relative to employers withholding from employees' wages for certain purposes.

Senator D'Allesandro moved adoption.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009.

HB 293, allowing municipalities to establish agricultural commissions and relative to the ratification of a vote taken by the town of Barrington.

HB 471-FN-A, relative to workers' compensation compliance in the construction sector and continually appropriating a special fund.

HB 653, relative to the determination of benefits, funding, and administration of the New Hampshire retirement system.

SB 64, changing the dates of the reports on court facilities made to the supreme court by the court accreditation commission and made to the commissioner of administrative services by the supreme court.

SB 169-FN-A, establishing a death benefit to be paid to the family of a police officer or firefighter killed in the line of duty and establishing a committee to study the eligibility for and award of the benefit.

Senator D'Allesandro moved adoption.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

HB 2-FN-A, relative to state fees, funds, revenues, and expenditures.

HB 25-FN-A, making appropriations for capital improvements.

HB 927-FN, relative to the specific criteria and substantive educational program that define an adequate education, the resources required to provide an adequate education, and the establishment of a timetable for costing an adequate education.

Senator D'Allesandro moved adoption.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

HB 134, relative to electronic prescribing for prescription drugs.

HB 306, establishing a task force on work and family.

HB 365, regulating the practice of foreclosure consultants and pre-foreclosure conveyances.

HB 488-FN-A-L, relative to the state chief medical examiner and medico-legal death investigations.

HB 498-FN-A, dedicating certain OHRV and snowmobile unrefunded road tolls to the fish and game department, and relative to the land and community heritage investment program administrative fund.

HB 659-FN, exempting certain motor vehicles manufactured prior to 1949 from vehicle equipment and inspection requirements.

HB 822, relative to enrollment of students in regional vocational schools.

HB 828-FN, relative to corrupt practices as defined in RSA 640 and state reporting requirements for gifts, honorariums, and expenses.

SB 52, relative to authorizing the attorney general to bring actions for violations of New Hampshire combination and monopolies law.

SB 143, naming Jericho Mountain state park and establishing ATV and trail bike trails in such park.

SB 176-FN, relative to lead paint poisoning and establishing a commission to study the current childhood lead poisoning prevention law, policies, and standards.

SB 204-FN-A, relative to collection of debts owed the state.

SB 217-FN-A, establishing the New Hampshire housing and conservation planning program.

SB 235-FN-A, establishing a milk producers emergency relief fund.

Senator D'Allesandro moved adoption.

Adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS

The Committee on Enrolled Bills has examined and found correctly Enrolled the following entitled House and/or Senate Bill(s):

HB 37, relative to notification requirements for criminal offenders.

HB 83, relative to the deliberations of the board of tax and land appeals under the right-to-know law.

HB 87, relative to the exceptions to compulsory school attendance.

HB 187, establishing that sheriffs' departments have authority to enforce civil orders.

HB 202, relative to a point system for automobile dealer and inspection station violations, appointments to the motor vehicle industry board, and the regulation of snowmobiles as motor vehicles in certain circumstances.

HB 407-FN-A, relative to assistance for milk producers.

HB 495-FN, relative to criminal record and central registry checks of prospective foster and adoptive parents and relative to the custody of a child placed by the court in a delinquency proceeding or a proceeding for a child in need of services (CHINS).

HB 533, relative to Occupational Safety and Health Administration certification requirements for state contracts and establishing a commission to recommend a comprehensive program for increasing the use of passenger restraints in New Hampshire.

HB 661-FN-A, establishing an executive planning commission on special education.

HB 664-FN, relative to annual dam registration and permit application fees and authorizing the city of Manchester to establish a stormwater utility.

HB 723, extending the moratoriums on nursing home beds and rehabilitation and relative to long-term care.

HB 735, relative to the form of the presidential primary election ballot, relative to administration of official oaths, and relative to assistant election officials.

HB 767, relative to insurance for volunteer drivers and establishing a state coordinating council for community transportation.

HB 796, relative to civil liability for damaging highway protective barriers.

HB 882-FN, relative to limitations on tort liability of government units.

HB 903-FN, prohibiting delivery of oil to non-compliant underground storage facilities and establishing requirements for guaranteed price plans and prepaid contracts for home heating oil, kerosene, or liquid petroleum gas.

SB 35-FN-A, making an appropriation for disaster relief assistance in response to the May 2006 and April 2007 floods and establishing a committee to study the distribution of financial disaster assistance.

SB 41, relative to the authority of law enforcement officers to obtain registration checks on motor vehicles for official purposes and prohibiting the use of automated number plate scanning devices.

SB 66, relative to involuntary civil commitment of sexually violent predators and relative to payment of the sex offender registration fee by criminal offenders.

SB 67-FN-A, relative to implementation of the recommendations of the YDC master plan and making an appropriation therefor.

SB 82-FN, reorganizing the administration and governance of the regional community-technical college system.

SB 92, relative to the definition of employee and clarifying the criteria for exempting workers from employee status.

SB 118, increasing fines for certain dog violations.

SB 161-FN, relative to the registration fees for mortgage servicing companies and relative to debt adjustment services.

SB 170-FN, establishing an office of mediation and arbitration within the judicial branch.

SB 187, relative to motor vehicles operated in parades.

SB 192-FN, establishing an outreach program in the children's health insurance program.

SB 197, relative to continuation of group health insurance in the event of divorce or legal separation.

SB 206-FN-L, relative to the investment authority of local government entities and authorizing the city of Nashua to purchase Pennichuck Corporation stock.

SB 215-FN-A, relative to funding for the human immunodeficiency virus prevention program and certain AIDS services organizations.

SB 233-FN, relative to specialty beer, relative to sales by beverage vendor licensees, and establishing a committee to study flavored malt beverages.

Senator D'Allesandro moved adoption.

Adopted.

RESOLUTION

Senator D'Allesandro moved that the Senate adjourn from the early session, that the business of the late session be in order at the present time.

Adopted.

LATE SESSION

ANNOUNCEMENTS

RESOLUTION

Senator D'Allesandro moved that the Senate recess to the Call of the Chair for the sole purpose of sending and receiving messages, processing enrolled bill reports and enrolled bill amendments.

Adopted.

In recess to the Call of the Chair.