

May 25, 2011  
Nos. 17-18

# **STATE OF NEW HAMPSHIRE**

Web Site Address: [www.gencourt.state.nh.us](http://www.gencourt.state.nh.us)



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

## **SENATE JOURNAL**

**ADJOURNMENT – MAY 18, 2011 SESSION**  
**COMMENCEMENT – MAY 25, 2011 SESSION**

# SENATE JOURNAL 17 *(continued)*

*May 18, 2011*

## HOUSE MESSAGE

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

**SB 20**, relative to shoreland protection permits.

**SB 30**, relative to including a parent's residence in the parenting plan.

**SB 32**, relative to water withdrawals for snow making.

**SB 36**, relative to the permanent siting of the Hampton-Exeter District Court.

**SB 38**, relative to extensions for wetland and shoreland permits.

**SB 47**, extending the commission to study water infrastructure sustainability funding.

**SB 54**, relative to the definition of declarant under the condominium act and the duties of the committee to study laws relating to condominium and homeowners' associations.

**SB 86**, requiring the department of labor to warn employers of certain violations prior to imposing a fine.

**SB 96**, relative to amending the charter of The Pinkerton Academy.

**SB 105**, exempting highway trail crossing from evaluation requirements for certain all terrain and trail bike trails.

**SB 107**, establishing a committee to study the effectiveness of criteria for establishing ATV and trail bike trails on state lands.

**SB 111**, relative to short sales of a homeowner's residence.

**SB 121**, relative to the application of the worker adjustment and retraining notification act.

**SB 128-FN-A**, establishing a committee to study sources of funding for the search and rescue operations of the fish and game department.

**SB 179**, relative to qualified purchasing alliances.

**SB 180**, establishing a committee to study the availability of community supervision programs for prisoners released on probation or parole.

## 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 30**, relative to qualifications for licensure by the board of veterinary medicine.

**HB 31**, relative to insurance payments for ambulance services and relative to coverage for the cost of testing for bone marrow donation.

**HB 47**, relative to inactive license status for real estate brokers and salespersons and the use of limited electronic media.

**HB 90**, relative to enforcement of the requirement of boaters to have a safe boater education certificate.

**HB 149**, designating segments of the Lamprey, North Branch, Pawtuckaway, North, Little, and Piscassic Rivers as protected rivers and exempting certain portions of the Lamprey River from the provisions of the comprehensive shoreland protection act.

**HB 175**, relative to technical changes in life, accident, and health insurance.

**HB 178**, establishing a committee to study issues regarding Financial Resources Mortgage, Inc.

**HB 295**, relative to the use of long-term antibiotics for the treatment of Lyme disease.

**HB 381**, authorizing net metering for micro-combined heat and power systems.

**HB 397**, relative to image display devices in motor vehicles.

**HB 419-FN**, relative to language in insurance certificates.

**HB 424**, relative to surplus lines tax collection.

**HB 544**, relative to state authority over firearms and ammunition.

#### 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 524-FN**, relative to the release of prisoners on probation or parole.

#### HOUSE MESSAGE

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

**SB 27**, relative to speed limitations for boats.

**SB 109**, establishing a committee to study the foreclosure process in New Hampshire.

**SB 197**, regulating guaranteed price plans and prepaid contracts for heating oil, kerosene, or liquefied petroleum gas.

**May 6, 2011**

**2011-1789-EBA**

**05/03**

#### Enrolled Bill Amendment to SB 81-FN

The Committee on Enrolled Bills to which was referred SB 81-FN

AN ACT relative to powers and duties of commissioners of executive branch agencies, and relative to the extension of the expired term of a commissioner or agency head.

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 81-FN

This enrolled bill amendment makes a typographical correction.

#### Enrolled Bill Amendment to SB 81-FN

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

1 Executive Branch Organization; Powers and Duties of Commissioners; Authority for Transfer

**Sen. Prescott moved adoption of the Enrolled Bill Amendment. Adopted.**

**May 10, 2011**

**2011-1827-EBA**

**06/09**

#### Enrolled Bill Amendment to SB 147-FN

The Committee on Enrolled Bills to which was referred SB 147-FN

AN ACT relative to Medicaid managed care.

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 147-FN

This enrolled bill amendment makes a technical correction to a federal citation.

Enrolled Bill Amendment to SB 147-FN

Amend RSA 126-A:5 as inserted by section 1 of the bill by replacing line 3 with the following:  
throughout New Hampshire consistent with the provisions of 42 U.S.C. 1396u-2. Models for

**Sen. Prescott moved adoption of the Enrolled Bill Amendment. Adopted.**

**May 9, 2011**  
**2011-1804-EBA**  
**04/09**

Enrolled Bill Amendment to HB 44

The Committee on Enrolled Bills to which was referred HB 44

AN ACT designating segments of the Oyster River as a protected river and exempting certain portions of the Oyster River from the provisions of the comprehensive shoreland protection act.

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 44

This enrolled bill amendment inserts a contingency provision to avoid a numbering conflict with HB 336 of the 2011 legislative session.

Enrolled Bill Amendment to HB 44

Amend the bill by inserting after section 1 the following and renumbering the original section 2 to read as 3:

2 Contingent Renumbering. If HB 336 of the 2011 legislative session becomes law, RSA 483:15, XVII as inserted by section 1 of this act shall be renumbered as RSA 483:15, XVIII.

**Sen. Prescott moved adoption of the Enrolled Bill Amendment. Adopted.**

**May 6, 2011**  
**2011-1794-EBA**  
**06/04**

Enrolled Bill Amendment to HB 132

The Committee on Enrolled Bills to which was referred HB 132

AN ACT adopting and implementing the United States flag code.

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 132

This enrolled bill amendment makes two technical corrections.

Enrolled Bill Amendment to HB 132

Amend section 1 of the bill by replacing lines 1 and 2 with the following:

1 New Sections; Flag Code for New Hampshire. Amend RSA 3-E by inserting after section 1 the following new sections:

**Sen. Prescott moved adoption of the Enrolled Bill Amendment. Adopted.**

**May 11, 2011**  
**2011-1874-EBA**  
**05/09**

Enrolled Bill Amendment to HB 246

The Committee on Enrolled Bills to which was referred HB 246

AN ACT relative to prearranged funeral contracts or burial plans.

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 246

This enrolled bill amendment makes a technical correction.

Enrolled Bill Amendment to HB 246

Amend RSA 325:46-a, I(g)(2) as inserted by section 1 of the bill by replacing it with the following:

(2) The purchaser has the right to make the contract revocable, and that the purchaser has the right to revoke a revocable prearranged funeral contract.

**Sen. Prescott moved adoption of the Enrolled Bill Amendment. Adopted.**

**May 11, 2011**  
**2011-1861-EBA**  
**09/10**

**Enrolled Bill Amendment to HB 262-FN**

The Committee on Enrolled Bills to which was referred HB 262-FN

AN ACT relative to beverage manufacturers.

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 262-FN

This enrolled bill amendment changes the text of RSA 179:13, V as inserted by section 2 of the bill to reflect current law.

Enrolled Bill Amendment to HB 262-FN

Amend RSA 179:13, V as inserted by section 2 of the bill by replacing it with the following:

V. Each wholesale distributor, brew pub licensee, *nano brewery*, or beverage manufacturer shall notify any retailer reported to the commission pursuant to RSA 179:13, I who is delinquent in making payment of accounts. Notification shall be delivered in writing to the licensee by a representative of the wholesaler, brew pub licensee, *nano brewery*, or beverage manufacturer. Proof of notification shall be forwarded to the commission, whose enforcement division shall issue an administrative notice for a violation of the provisions of RSA 179:13, I and shall forward a report of violation for administrative action. Any license issued to any business violating the provisions of RSA 179:13, I may be suspended by the commission for nonpayment of accounts which are delinquent more than 15 days from the date of the wholesale distributor's, brew pub licensee's, *nano brewery's*, or beverage manufacturer's notification, providing the requirements of this section have been met.

**Sen. Prescott moved adoption of the Enrolled Bill Amendment. Adopted.**

**May 10, 2011**  
**2011-1820-EBA**  
**04/03**

**Enrolled Bill Amendment to HB 284-FN**

The Committee on Enrolled Bills to which was referred HB 284-FN

AN ACT relative to contact lens prescriptions.

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 284-FN

This enrolled bill amendment corrects a section to remove a duplicate word and makes a grammatical correction.

Enrolled Bill Amendment to HB 284-FN

Amend RSA 327:1, IV(e) as inserted by section 1 of the bill by replacing line 1 with the following:

(e) [The] Application, **prescribing**, or removal of Food and Drug Administration approved

Amend RSA 327:30, IV as inserted by section 3 of the bill by replacing line 2 with the following:

acting in violation of this chapter. The cease and desist order shall be enforceable in

**Sen. Prescott moved adoption of the Enrolled Bill Amendment. Adopted.**

**May 12, 2011**

**2011-1899-EBA**

**04/01**

Enrolled Bill Amendment to HB 339-FN-A

The Committee on Enrolled Bills to which was referred HB 339-FN-A

AN ACT allowing the state veterinarian to employ a meat inspection services administrator 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 339-FN-A

This enrolled bill amendment makes grammatical and technical corrections to the bill.

Enrolled Bill Amendment to HB 339-FN-A

Amend RSA 427:2, VIII(i)(1) as inserted by section 1 of the bill by replacing it with the following:

(1) The common or usual name of the food, if there is any, and

Amend RSA 427:6, II as inserted by section 1 of the bill by replacing it with the following:

II. Said inspectors shall mark, stamp, tag, or label as "New Hampshire Inspected and Passed" all such products found to be not adulterated.

Amend RSA 427:6, III as inserted by section 1 of the bill by replacing lines 1-2 with the following:

III. Said inspectors shall label, mark, stamp, or tag as "New Hampshire Inspected and Condemned" all such products found adulterated, and all such condemned meat food products shall

Amend the introductory paragraph in RSA 427:24 as inserted by section 6 of the bill by replacing line 7 with the following:

that such article or animal has been, or is intended to be, distributed in violation of this subdivision:

Amend RSA 6:12, I(b)(305) as inserted by section 8 of the bill by replacing it with the following:

(305) Moneys deposited in the meat inspection program fund established under RSA 427:32-b.

Amend section 11 of the bill by replacing paragraph VI with the following:

VI. RSA 428:4, relative to intrastate commercial control of poultry inspection.

**Sen. Prescott moved adoption of the Enrolled Bill Amendment. 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

**HB 43**, relative to the adoption of forms under the administrative procedures act.

**HB 55**, adding members to the exotic aquatic weeds and species committee.

**HB 61**, relative to daylight saving time.

**HB 70**, relative to changes to town charters.

**HB 114**, reinstating and expanding the duties of the joint legislative historical committee.

**HB 150**, relative to benefits of judicial branch employees who transfer from the judicial branch to state service in the executive branch or the legislative branch.

**HB 155**, relative to permits to conduct raffles.

**HB 174**, relative to insurance coverage for court-ordered counseling in divorce proceedings.

**HB 211**, relative to the review and approval of proposed agency rules under the administrative procedures act.

**HB 216**, relative to the instructional authority of school boards.

**HB 278**, setting the natural mean high water mark of Ossipee Lake.

**HB 298**, requiring condominium management companies to make certain disclosures to the condominium board of directors.

**HB 358**, relative to the maintenance, repair, and preservation of burial grounds.

**HB 401**, relative to postsecondary training for workers with disabilities.

**HB 413**, directing the joint legislative oversight committee on the emergency management system to review the duties of certain other committees.

**HB 426**, adding certain entities to the unused prescription drug program.

**HB 431**, relative to psychiatric evaluations.

**HB 488**, relative to criminal records checks for employment with child day care agencies.

**HB 504**, licensing reverse distributors of drugs and requiring manufacturers, wholesalers, distributors, service distributors, and brokers to report changes in ownership.

**HB 521**, relative to meeting dates for county conventions.

**HB 555**, relative to the designation of the Lower Exeter/Squamscott River as a protected river.

**HB 580**, establishing a committee to study collective bargaining by public employees.

**HB 629**, relative to the uninsured health care database.

**HB 651**, allowing the sale and possession of monk parakeets.

**Sen. Prescott moved adoption of the Report of Committee on Enrolled Bills. Adopted.**

**Out of Recess. Call Senate to Order.**

#### **MOTION TO ADJOURN FROM LATE SESSION**

Sen. Bradley moved that the Senate adjourn from the Late Session.

**Adopted. Adjournment from the Late Session.**

# **SENATE JOURNAL 18**

***May 25, 2011***

The Senate reconvened at 10 a.m., a quorum being present.

The Reverend Jason Wells, guest chaplain to the Senate, offered the following meditation and prayer.

I've been thinking a lot about the royal wedding—not the William and Kate one, actually, but the Charles and Diana one. Back when they got engaged in the early '80s, they did a press conference; you might have seen it back then. It's on YouTube if you weren't around then; I wasn't even really watching it at the time. It's on YouTube. And, the person interviewing them in the press conference, at the end, he couldn't contain himself—even though he was British—he couldn't contain himself any more, and said: "You two must be in such love with each other!" And, if you remember seeing it, or have heard, Prince Charles' answer was—well, first of all, he was stunned, like the last thing someone would do is ask him about love in a press conference about his wedding. And he said, "I suppose so; whatever 'love' means."

The more I have been here with you, the more I have been in my own church, I have learned that to lead, to govern, to be policymakers, is an expression of love for the people that we lead and govern and do all of the things we do for. It is an expression of our love. And, I say that not just to have something to pass off in a sense: "Yeah, yeah, I suppose so; whatever 'love' means." But rather, that our expression of love for the people of New Hampshire should be like the love of two spouses; it should be like the love that we have for our very own children. It shouldn't be an "I suppose so; whatever 'love' means." But the Scriptures, in Song of Solomon, describe love. And, it says that love is stronger, even, than death; it is more unyielding than the grave, and there is nothing that we should ever sacrifice that love for. Even if we give up that love for—as it goes on to say—if we give up that love even for the safety and security of our homes, we are most to be pitied. Will we love the people of New Hampshire that we are here to serve? Let us pray.

*Heavenly Father, we ask You to fill our hearts with love for our spouses and for our families. Being filled with that love given from You, may we then be filled to do our jobs and to love, not just New Hampshire, to be filled with Your love for the people of New Hampshire.* Amen.

Sen. Rausch led the Pledge of Allegiance.

### INTRODUCTION OF GUESTS AND PRESENTATIONS

Sen. Carson introduced Heather Martin and Jason Perrin, students from Alvirne High School in Hudson, students serving as Senate Pages today.

Sen. D'Allesandro acknowledged Tom Kennedy, painter for the State of New Hampshire, upon the occasion of his retirement.

Sen. White introduced Bob and Jean Sutton from Manchester, longtime friends and guests in the Senate gallery today. Sen. White also introduced his wife, Emily, and sons Justin and Randy, guests on the Senate floor today.

Sen. D'Allesandro introduced Stuart Lamprey of Moultonborough, former President of the Senate, who addressed the Senate.

**Without objection, President Bragdon authorized Senator Luther to use electronic devices on the floor of the Senate.**

### COMMITTEE REPORTS

#### CAPITAL BUDGET

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

#### Capital Budget

May 16, 2011

2011-1942s

10/01

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

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

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

##### I. Adjutant General

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

##### II. Department of Administrative Services

A. Court Facilities	
1. Rockingham Cty. Courthouse-Reseal Parking Lot/Drainage Repair	\$ 300,000
2. Milford-Site and Plan Design – Court Facilities	<u>50,000</u>
Total state appropriation subparagraph A	\$ 350,000



B. Facilities and Asset Management	
1. Gov. Hugh Gallen SOP-Main Bldg FACP Replacement	\$355,000
2. Lakes Region Facility Campus Site Environmental Survey II *	300,000
3. Driveway/Parking and Walkway Paving Phase 2	575,000
4. Main Building Kitchen Roof Repair	500,000
5. Lakes Region Facility Campus Roof Repair-Multiple Bldgs.	300,000
6. Gov. Hugh Gallen SOP-Main Bldg-ADA Restrooms	425,000
7. Philbrook Center Renovation	<u>3,575,000</u>
Total state appropriation subparagraph B	\$6,030,000
C. Financial Data Management	
1. Critical IT Infrastructure	\$1,500,000
2. Enterprise Resource Planning Phase II, Human Resources and Payroll Systems	<u>3,648,998</u>
Total state appropriation subparagraph C	\$5,148,998
D. General Services	
1. All State Owned Facilities -Emergency Repairs	\$ 1,000,000
2. Statewide Energy Efficiency Improvements	500,000
3. Londergan Hall-New Roof	161,000
4. State House/LOB-Tunnel Elevettes	91,000
5. State House Capitol Dome Repair	1
6. Health and Human Services-Window Repairs	730,000
7. State House Annex-Window Repairs	<u>355,000</u>
Total state appropriation subparagraph D	<u>\$2,837,000</u>
Total state appropriation paragraph II	\$14,365,999
* The appropriation in subparagraph B, 2 shall not be expended, obligated, or encumbered without the prior approval of the capital budget overview committee.	
III. Department of Corrections	
A. Critical Safety and Building Maintenance and Repairs to Concord State Prison	
	<u>\$500,000</u>
Total state appropriation paragraph III	\$500,000
IV. Department of Education	
A. Pre-Engineering Technology Career Pathway	\$100,000
B. Renovation of CTE Center – Pinkerton	7,875,000
C. Renovation of CTE Center – Laconia	<u>7,125,000</u>
Total state appropriation paragraph IV	\$15,100,000
V. Department of Employment Security	
A. Renovation of Tobey Building and Construction of Parking Garage	\$22,500,000
Less Other Funds*	(22,500,000)
Net state appropriation subparagraph A	<u>0</u>
Total state appropriation paragraph V	0
* To provide funds for the appropriation made in subparagraph V, A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$22,500,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes pursuant to subparagraph V, A shall be made from the contingent fund established in RSA 282-A:140. An amount equal to the proceeds derived from the sale of any of the department's currently owned real estate shall be applied to the bonds and notes issued pursuant to subparagraph V.	
VI. Department of Environmental Services	
A. Clean Water State Revolving Fund Loan Program	
	\$16,225,952
Less Other Funds*	<u>(16,225,952)</u>
Net state appropriation subparagraph A	0
B. Drinking Water State Revolving Fund State Match	
	<u>6,420,220</u>
Less Other Funds*	(6,420,220)
Net state appropriation subparagraph B	0

C. Dam Repairs and Reconstruction**	3,300,000
D. Great Bay Oil Spill Protection Strategy	545,000
Less Other Funds*	<u>(545,000)</u>
Net state appropriation subparagraph D	0
E. WRBP Infrastructure Capital Improvements	3,950,000
Less Other Funds*	<u>(3,950,000)</u>
Net state appropriation subparagraph E	0
F. Suncook River Infrastructure Protection Project	<u>1,035,000</u>
Total state appropriation subparagraph F	<u>\$1,035,000</u>
Total state appropriation paragraph VI	\$4,335,000

\*To provide funds for the appropriations made in subparagraphs VI, A, B, D, and E the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$27,141,172 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A.

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

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

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

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

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

A. Fire Protection Sprinklers	\$1,125,000
B. Administration Building Fire Safety/ADA Compliance	385,000
C. Nurse Call System	265,000
D. APS Repairs/Renovations-Roof, Windows and Curtain Wall	4,050,000
E. New Roof-Boiler House Building	103,000
F. New Roof-Campus Edge Building	110,000
G. Incremental Renewal of New HEIGHTS	7,500,000
Less Federal Funds	<u>(3,196,500)</u>
Net state appropriation subparagraph G	4,303,500
H. Electronic Health Record	335,000
I. Regional Assessments Database II (RAD II)	1,000,000
Less Federal Funds	<u>(400,000)</u>
Net state appropriation subparagraph I	600,000
J. Administrative Appeals Unit-Video Conferencing	268,800
Less Federal Funds	<u>(107,520)</u>
Net state appropriation subparagraph J	161,280
K. Warehousing Infrastructure/Inventory Management Proj.	2,000,000
Less Federal Funds	<u>(1,900,000)</u>
Net state appropriation subparagraph K	100,000
L. Replatform Option Application	722,200
Less Federal Funds	<u>(361,100)</u>
Net state appropriation subparagraph L	361,100
M. Handicap Access and Elevator (ADA) Administration Bldg	175,000
N. DPHS Radiochemistry Laboratory Improvements	50,000

O. Glencliff Window Replacement	390,000
P. Howard Recreation Building Renovations – Roof & Brickwork	480,000
Q. Transformation Initiative-ACCESS Front Door Release 2	15,000,000
Less Federal Funds	<u>(13,500,000)</u>
Net state appropriation subparagraph Q	<u>1,500,000</u>
Total state appropriation paragraph VII	\$14,493,880
VIII. Department of Information Technology	
A. Data Center Upgrade	\$1,606,500
B. Network Operations Infrastructure Upgrade and VOIP	4,851,953
C. Business One Stop Center	<u>2,081,984</u>
Total state appropriation paragraph VIII	\$8,540,437
IX. Judicial Branch	
A. Prisoner Video Conference	\$541,085
B. Call Center *	57,500
C. E-Court Initiative	<u>1,951,000</u>
Total state appropriation paragraph IX	\$2,549,585

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

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

\*To provide funds for the appropriations made in subparagraph X, A and B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$8,515,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the liquor commission fund established in RSA 176:16. The appropriation in subparagraph X, A shall not be expended, obligated, or encumbered without the prior approval of the capital budget overview committee.

XI. McAuliffe-Shepard Discovery Center	
A. Original Planetarium – Replace Existing Roofing and Seats	\$149,000
Total state appropriation paragraph XI	\$149,000
XII. Department of Resources and Economic Development	
A. Fire Tower Maintenance	\$170,000
B. State Park Repairs	1,361,500
C. Mt. Washington State Park-Sherman Adams Bldg. Concrete Repair	180,000
D. North Hampton State Beach Redevelopment	450,000
E. Hampton Beach North Seawall Repair	1,000,000
F. Cannon Upgrades/Snowmaking	500,000
Less Other Funds*	<u>(500,000)</u>
Net state appropriation subparagraph F	0
Total state appropriation paragraph XII	\$3,161,500

\*To provide funds for the appropriations made in subparagraph XII, F, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$500,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the Cannon Mountain capital improvement fund established in RSA 12-A:29-c.

XIII. Department of Safety	
A. E-911 Next Generation	\$3,702,000
Less Other Funds*	<u>(3,702,000)</u>
Net state appropriation subparagraph A	0

B. Suncook River Property Acquisition and Hazard Mitigation**	2,000,000
Total state appropriation paragraph XIII	\$2,000,000

\*To provide funds for the appropriations made in subparagraph XIII, A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$3,702,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the enhanced 911 system fund established in RSA 106-H:9.

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

XIV. Department of Transportation

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

XV. Veterans Home

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

XVI. Community College System of New Hampshire

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

\*To provide funds for the appropriations made in subparagraph XVI, A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$6,000,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from student fees.

XVII. Fish and Game Department

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

\*To provide funds for the appropriations made in subparagraph XVII, A, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$450,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the fisheries habitat management account established in RSA 214:1-g.

XVIII. Pease Development Authority, Division of Ports and Harbors

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

\*To provide funds for the appropriations made in subparagraphs XVIII, A and B, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$2,879,310 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from fees relating to wharfage, dockage, and other marine terminal operations under RSA 12-G:42.

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

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

I. Department of Administrative Services	
A. Enterprise Resource Planning Phase 2 Highway Funds	<u>\$398,187</u>
Total state appropriation paragraph I	\$398,187
II. Department of Safety	
A. Standby Generator Replacement Hayes Bldg (33 Hazen Dr.)	<u>\$775,000</u>
Total state appropriation paragraph II	\$775,000
III. Department of Transportation	
A. Underground Fuel Tank Replacement-Statewide	\$2,000,000
B. Statewide Radio Communication Replacement	1,240,000
C. Statewide Salt Sheds	1,100,000
D. New Patrol Shed and Salt Storage PS514 Salem	3,330,000
E. TMC Equipment Room Upgrade to Data Center	<u>580,000</u>
Total state appropriation paragraph III	<u>\$8,250,000</u>
Total state appropriation section 2	\$9,423,187

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

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

#### 5 Bonds Authorized.

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

#### 6 Payments.

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

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

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

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

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

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

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

#### 10 Bureau of Public Works Design and Construction Inspection Services; Davis-Bacon Act Compliance.

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

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

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

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

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

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

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

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

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

**and Investigations Unit**

589,000

Less Other

- 111,910

Net state appropriation subparagraph D

477,090

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

C. Rail - Match\*

500,000

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

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

XIII. Veterans' Home.

A. Life Safety Infrastructure Upgrades

~~[\$7,200,000]~~ **\$6,800,000**

Less Federal

~~[-4,680,000]~~ **-4,420,000**

Net state appropriation subparagraph A

~~[2,520,000]~~ **2,380,000**

B. Master Plan

100,000

C. Central Shipping and Receiving/Multi-purpose Center\*

~~[1,000,000]~~ **1,400,000**

Less Federal

~~[-650,000]~~ **-910,000**

Net state appropriation subparagraph C

~~[350,000]~~ **490,000**

Total state appropriation paragraph XIII

\$2,970,000

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

VIII. Liquor Commission.\*

A. Hampton North Roof Replacement

\$220,000

B. Build Liquor Store – Nashua

~~[4,800,000]~~ **4,423,000**

**C. New Manchester Airport Store**

**80,000**

**D. Relocate Portsmouth Store**

**148,000**

**E. Remodel North Hampton Store****149,000**

Total state appropriation paragraph VIII

\$5,020,000

\* If HB 1-A and/or HB 2-FN-A-LOCAL of the 2009 legislative session become law and contain provisions to dedicate liquor commission revenues to a liquor commission fund, then the state appropriation to the liquor commission for the projects authorized in this paragraph shall be reduced to \$0. Upon such reduction, to provide funds for the appropriations made in subparagraphs A ~~and B~~ **through E**, the state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of \$5,020,000 and for said purpose may issue bonds and notes in the name of and on behalf of the state of New Hampshire in accordance with RSA 6-A. Payments of principal and interest on the bonds and notes shall be made from the said liquor commission fund. ***The appropriations made in subparagraphs VIII, B, C, D, and E shall lapse on July 1, 2012.***

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

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

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

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

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

I. Department of Safety.

A. DMV VISION Project Continuation

8,305,000

B. Dover Point DMV Substation

~~[465,000]~~ **580,000**

Total state appropriation paragraph I

~~[\$8,770,000]~~ **\$8,885,000**

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

Total state appropriation section 2

~~[\$14,105,000]~~ **\$14,220,000**

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

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

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

A. Enhanced Road Toll System

~~[\$1,500,000]~~ **\$1,385,000**

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

Total state appropriation paragraph I

~~[\$3,378,000]~~ **\$3,263,000**

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

Total state appropriation section 4

~~[\$12,383,000]~~ **\$12,268,000**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12. The appropriation made to the department of administrative services, bureau of court facilities, in 2009, 145:1,II, A, 1, for Hillsborough County north-asbestos abatement.

13. The appropriation made to the department of administrative services, bureau of court facilities, in 2009, 145:1, II, A, 2, for master plan for the courts.

14. The appropriation made to the department of administrative services, bureau of general services, in 2009, 145:1, II, B, 1, for Johnson hall renovations/repairs.

15. The appropriation made to the department of administrative services, bureau of general services, in 2009, 145:1, II, B, 2, for LOB-critical maintenance.

16. The appropriation made to the department of administrative services, bureau of general services, in 2009, 145:1, II, B, 4, for Johnson hall-new roof.

17. The appropriation made to the department of administrative services, bureau of general services, in 2009, 145:1, II, B, 5, for state library-repoint brick, internal repairs.

18. The appropriation made to the department of administrative services, bureau of general services, in 2009, 145:1, II, B, 8, for 4 state buildings-cafeteria fire systems.

19. The appropriation made to the department of administrative services, bureau of facilities asset management, in 2009, 145:1, II, C, 1, for Bow Brook Pond dredging and dam stoplog.

20. The appropriation made to the department of administrative services, bureau of facilities asset management, in 2009, 145:1, II, C, 2, for Dollof building drainage improvements.

21. The appropriation made to the department of administrative services, bureau of facilities asset management, in 2009, 145:1, II, C, 3, for main building bakery roof repair.

22. The appropriation made to the department of administrative services, bureau of facilities asset management, in 2009, 145:1, II, C, 4, for Hugh Gallen office park parking.

23. The appropriation made to the department of administrative services, bureau of facilities asset management, in 2009, 145:1, II, C, 5, for Hugh Gallen office park main building Rumford egress stair and interior stairwell.

24. The appropriation made to the department of administrative services in 2009, 145:1, II, E, 1, for state owned facilities energy and lighting improvements.

25. The appropriation made to the department of administrative services, in 2009, 145:1, II, E, 3, for ERP-information technology phase II.

26. The appropriation made to the department of administrative services, bureau of court facilities, in 2009, 145:15, II, B, for northern Carroll County-new roof.

27. The appropriation made to the department of administrative services, in 2009, 145:16, II, A, for supreme court parking lot.

28. The appropriation made to the department of administrative services, in 2009, 145:16, II, B, for supreme court ADA access.

29. The appropriation made to the department of administrative services, in 2009, 145:16, II, D, for state house ice stop system.



30. The appropriation made to the department of administrative services - bureau of court facilities in 2005, 259:1, II, A, 2, as amended by section 14 of 2007 as extended by 2007, 264:29, IX, as extended by 2009, 145:19, 12, for Cheshire and Merrimack County courthouse design.

31. The appropriation made to the department of administrative services - financial data management in 2003, 240:1, II, C, 2, as extended by 2005, 259:25, XVI, as extended by 2007, 264:29, XIX, as extended by 2009, 145:19, 13, for enterprise resource planning.

32. The appropriation made to the department of administrative services in 2006, 258:16, I, as extended by 2007, 264:29, XXI, as extended by 2009, 145:19, 14, for quality assurance evaluation, monitoring and reporting related to the implementation of the ERP system.

33. The appropriation made to the department of administrative services in 2007, 264:1, II, B, 2, as extended by 2009, 145:19, 17, for state house, state library and LOB maintenance and repointing

34. The appropriation made to the community college system in 2009, 145:1, III, A, for critical maintenance.

35. The appropriation made to the community college system in 2009, 145:1, III, E, for health science and tech building, Nashua.

36. The appropriation made to the department of corrections in 2009, 145:1, IV, A, for women's prison and transitional housing site/design.

37. The appropriation made to the department of corrections in 2009, 145:1, IV, B, for MSU, dorms, CCU, SPU, MCS, MCN, repair bathrooms.

38. The appropriation made to the department of corrections in 2009, 145:1, IV, C, for residential treatment unit phase 2.

39. The appropriation made to the department of corrections in 2009, 145:1, IV, D, for admin east wing-upgrade electric wiring.

40. The appropriation made to the department of corrections in 2009, 145:1, IV, E, for MSU and admin buildings-replace sprinkler system.

41. The appropriation made to the department of corrections in 2009, 145:1, IV, F, and transferred to the department of administrative services by section 14 of this act, for stormwater/sewer system-EPA order #05-13.

42. The appropriation made to the department of corrections in 2005, 259:1, IV, A, as extended by 2007, 264:29, XXVII, as extended by 2009, 145:19, 22, for electronic security upgrades-men's prison.

43. The appropriation made to the department of corrections in 2007, 264:1, V, A, as extended by 2009, 145:19, 23, for electronic security upgrades-men's prison.

44. The appropriation made to the department of corrections in 2007, 264:1, V, C, as extended by 2009, 145:19, 24, for structural wall and beam repair-men's prison.

45. The appropriation made to the department of corrections in 2007, 264:1, V, G, as extended by 2009, 145:19, 25, for residential treatment unit, phase 1-Concord.

46. The appropriation made to the department of education in 2009, 145:1, V, A, for pre-engineering technology.

47. The appropriation made to the department of education in 2009, 145:1, V, B, for regional career and technical education-Wolfeboro.

48. The appropriation made to the department of education in 2009, 145:1, V, C, for regional career and technical education center.

49. The appropriation made to the department of education in 2007, 264:1, VI, B, as extended by 2009, 145:19, 29, for renovation regional career and tech ed center-Manchester.

50. The appropriation made to the department of environmental services in 2009, 145:1, VI, A, for WRBP wastewater treatment plant improvements.

51. The appropriation made to the department of environmental services in 2009, 145:1, VI, B, for drinking water SRF matching funds.

52. The appropriation made to the department of environmental services in 2009, 29:4, I, for renovation and repair, Dorrs pond dam, Manchester.

53. The appropriation made to the department of environmental services in 2003, 240:1, V, A, as extended by 2005, 259:25, XXVIII, as extended by 2007, 264:29, XXXVII, as extended by 2009, 145:19, 31, for hazardous waste superfund match.

54. The appropriation made to the department of environmental services in 2005, 259:1, VI, A, as extended by 2007, 264:29, XXXVIII, as extended by 2009, 145:19, 33, for dam repairs, removal and reconstruction.

55. The appropriation made to the department of environmental services in 2005, 259:1, VI, BI, as extended by 2007, 264:29, XXXIX, as extended by 2009, 145:19, 34, for drinking water SRF matching funds.

56. The appropriation made to the department of environmental services in 2005, 259:1, VI, C, as extended by 2007, 264:29, XL, as extended by 2009, 145:19, 35, for wastewater SRF matching funds.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 Effective Date.

- I. Section 18 of this act shall take effect upon its passage.
- I. Section 28 of this act shall take effect June 30, 2011.
- II. The remainder of this act shall take effect July 1, 2011.

**The question is on the adoption of the Committee Amendment. Adopted.**

**The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.**

## COMMERCE

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

**Commerce**  
**May 17, 2011**  
**2011-1979s**  
**06/01**

### Amendment to HB 173

Amend the bill by replacing section 1 with the following:

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

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

**The question is on the adoption of the Committee Amendment. Adopted.**

**Sens. De Blois, Sanborn, and White assert Rule 2-15 on HB 173.**

**The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.**

**Sens. De Blois, Sanborn, and White assert Rule 2-15 on HB 173.**

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

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

### Amendment to HB 322

Amend the bill by replacing section 1 with the following:

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

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

**2011-1980s****AMENDED ANALYSIS**

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

**The question is on the adoption of the Committee Amendment. Adopted.**

**The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.**

**HCR 22**, declaring that although a trademarked name may include a New Hampshire geographic location such as "Mount Washington," no single business, firm, or association shall have sole authority or exclusive use of the name of such geographic location. Ought to Pass, Vote 3-1. Senator Sanborn for the committee.

**The question is on the adoption of the Committee recommendation of Ought to Pass. Adopted, bill ordered to Third Reading.**

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 119**, relative to agency membership on the information technology council. Ought to Pass with Amendment, Vote 5-0. Senator Luther for the committee.

**Senate Executive Departments and Administration****May 19, 2011****2011-2038s****05/09****Amendment to HB 119**

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

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

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

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

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

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

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

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

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

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

I. Computer system consolidations, implementation, and operation.

II. Implementation and operation of centralized services.

III. Implementation and operation of technology security.

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

**2011-2038s****AMENDED ANALYSIS**

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

**The question is on the adoption of the Committee Amendment. Adopted.**

**The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.**

**HB 355**, enabling state and local fire and building officials to issue citations for violations of the fire code, and for fireworks, gas fitting, and electric code violations. Ought to Pass with Amendment, Vote 5-0. Senator Groen for the committee.

**Senate Executive Departments and Administration**

**May 19, 2011**

**2011-2040s**

**05/04**

#### **Amendment to HB 355**

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

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

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

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

**2011-2040s**

#### **AMENDED ANALYSIS**

This bill enables state and local fire and building officials to issue citations for violations of fire safety rules adopted under RSA 153 and RSA 160-C, the permissible fireworks law. The bill also allows building officials and code enforcement officers to issue citations for violations of licensing requirements for fuel gas fitters, electricians, and plumbers.

This bill is a request of the department of safety.

**The question is on the adoption of the Committee Amendment. Adopted.**

**The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.**

**HB 392**, clarifying responsibilities of the division of homeland security and emergency management, and expanding responsibilities of the advisory committee on emergency preparedness and security. Ought to Pass, Vote 5-0. Senator Luther for the committee.

**The question is on the adoption of the Committee recommendation of Ought to Pass. Adopted, bill ordered to Third Reading.**

#### **FINANCE**

**HB 74**, relative to the ticketing and season passes at Cannon Mountain. Ought to Pass, Vote 7-0. Senator Barnes for the committee.

**The question is on the adoption of the Committee recommendation of Ought to Pass. Adopted, bill ordered to Third Reading.**

**HB 191**, relative to the community mental health system. Ought to Pass with Amendment, Vote 7-0. Senator Morse for the committee.

**Senate Finance**

**May 19, 2011**

**2011-2042s**

**01/10**

#### **Amendment to HB 191**

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

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

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

Amend the bill by replacing section 6 with the following:

6 Effective Date.

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

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

**The question is on the adoption of the Committee Amendment. Adopted.**

**The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.**

**HB 337-FN-L**, relative to the calculation and distribution of adequate education grants. Ought to Pass with Amendment, Vote 7-0. Senator Morse for the committee.

**Senate Finance**

**May 18, 2011**

**2011-2023s**

**04/10**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~[Excess Education Property Tax Payment]~~

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

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

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

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

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

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

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

9 Repeal. The following are hereby repealed:

I. RSA 198:40-c, relative to fiscal capacity disparity aid.

II. RSA 198:46, relative to excess education tax payments.

III. RSA 198:47, relative to forms used for the reporting and remitting of excess education tax payments.

IV. RSA 198:39, I(g), relative to excess education tax payments deposited into the education trust fund.

10 Effective Date.

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

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

## **2011-2023s**

### **AMENDED ANALYSIS**

This bill:

I. Sets the amount of differentiated aid at \$1,725 for each pupil eligible for the free or reduced-price meal program.

II. Repeals the calculation and distribution of fiscal capacity disparity aid.

III. Provides a grant in the amount of \$2,000 for chartered public school pupils.

IV. Provides \$675 for each third grade pupil who has not tested at the proficient level or above in the reading component of the state assessment and who is not eligible to receive special education, English as a second language, or free or reduced-price meal program funds.

V. Beginning July 1, 2013, provides that a municipality's total education grant shall not exceed 105.5 percent of the total education grant received in the previous fiscal year.

VI. Provides a stabilization grant to certain municipalities in fiscal year 2012 equal to the decrease from the municipality's fiscal year 2011 total education grant, and provides that a municipality shall continue to receive this stabilization grant in fiscal year 2013 and each fiscal year thereafter.

VII. Repeals the statutory provisions requiring that excess education tax payments be remitted to the department of revenue administration thereby permitting municipalities to retain any excess education tax revenues.

**The question is on the adoption of the Committee Amendment. Adopted.**

**Sen. Kelly is in opposition to the adoption of the Committee Amendment to HB 337-FN-L.**

**The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.**

**Sen. Kelly is in opposition to the Committee recommendation of Ought to Pass as Amended on HB 337-FN-L.**

**HB 478-FN-L**, relative to testimony by video teleconference. Ought to Pass, Vote 7-0. Senator Odell for the committee.

**The question is on the adoption of the Committee recommendation of Ought to Pass. Adopted, bill ordered to Third Reading.**

**HB 508-FN**, establishing a performance measurement system for state agencies. Re-refer to committee, Vote 7-0. Senator Forrester for the committee.

**The question is on the adoption of the Committee recommendation of Re-refer to committee. Adopted.**

**HB 520-FN**, requiring certain bills to have performance standard notes. Re-refer to committee, Vote 7-0. Senator Barnes for the committee.

**The question is on the adoption of the Committee recommendation of Re-refer to committee. Adopted.**

**HB 635-FN-A**, requiring the governor to consolidate certain agency functions and making an appropriation therefor. Ought to Pass, Vote 7-0. Senator Morse for the committee.

**The question is on the adoption of the Committee recommendation of Ought to Pass. Adopted, bill ordered to Third Reading.**

**Sen. De Blois asserts Rule 2-15 on HB 635-FN-A.**

**HB 642-FN**, requiring the departments of health and human services and administrative services to jointly issue a certain request for information. Ought to Pass, Vote 7-0. Senator Morse for the committee.

**The question is on the adoption of the Committee recommendation of Ought to Pass. Adopted, bill ordered to Third Reading.**

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

**HJR 4**, prohibiting the implementation of certain rules of the board of medicine. Re-refer to committee, Vote 5-0. Senator De Blois for the committee.

**Sen. De Blois moved to Lay on the Table HJR 4. Adopted.**

#### **INTERNAL AFFAIRS**

**HCR 9**, urging Congress to support H.R. 6416 or similar legislation relative to airport security. Ought to Pass with Amendment, Vote 5-0. Senator Bradley for the committee.

#### **Internal Affairs**

**May 18, 2011**

**2011-2021s**

**05/03**

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

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

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

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

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

Resolved by the House of Representatives, the Senate concurring:

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

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

**2011-2021s**

**AMENDED ANALYSIS**

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

**The question is on the adoption of the Committee Amendment. Adopted.**

**The question is on the adoption of the Committee recommendation of Ought to Pass as Amended. Adopted, bill ordered to Third Reading.**

**HCR 19**, affirming States' powers based on the Constitution for the United States and the Constitution of New Hampshire. Re-refer to committee, Vote 5-0. Senator Bradley for the committee.

**Sen. Bradley moved to Lay on the Table HCR 19.**

**A roll call was requested by Sen. Larsen, seconded by Sen. Houde.**

**The following Senators voted Yes: Gallus, Forrester, Bradley, Houde, Odell, Kelly, Luther, Lambert, Carson, Larsen, Boutin, Barnes, De Blois, Rausch, D'Allesandro, Merrill, Morse, Prescott, Stiles, Bragdon.**

**The following Senators voted No: Forsythe, Groen, Sanborn, White.**

**Yeas: 20 - Nays: 4**

**Adopted.**

**Sen. Groen is in opposition to the motion to Lay on the Table HCR 19.**

**JUDICIARY**

**HB 254**, relative to offers of judgments. Inexpedient to Legislate, Vote 4-0. Senator Houde for the committee.

**The question is on the adoption of the Committee recommendation of Inexpedient to Legislate. Adopted.**

**HB 305**, relative to the homestead right. Inexpedient to Legislate, Vote 4-0. Senator Luther for the committee.

**Sen. Luther moved to Lay on the Table HB 305. Adopted.**

**Recess. Out of recess.**

**HB 329-FN**, requiring parental notification before abortions may be performed on unemancipated minors. Ought to Pass, Vote 3-1. Senator Groen for the committee.

**The question is on the adoption of the Committee recommendation of Ought to Pass.**

**Sen. Houde offered a floor amendment.**

**Sen. Houde, Dist. 5**

**Sen. Stiles, Dist. 24**

**Sen. Gallus, Dist. 1**

**May 20, 2011**

**2011-2052s**

**01/09**

**Floor Amendment to HB 329-FN**

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

AN ACT concerning parental notification of the decision of an unmarried minor to seek an abortion.

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

1 Legislative Findings.

I. The legislature believes that, in most circumstances, it is beneficial for a minor to involve a parent in her decision to seek an abortion.

II. The legislature also realizes that not all minors have parents that are supportive, that parental notification might endanger the minor, or that the minor may not have contact with her parents.

2 New Subdivision; Parental Notification of the Abortion Decision of a Minor. Amend RSA 132 by inserting after section 31 the following new subdivision:

Parental Notification of the Abortion Decision of a Minor

132:32 Definitions. In this subdivision:

I. "Abortion" means the intentional interruption of a pregnancy by the application of external agents, whether chemical or physical, or the ingestion of chemical agents with an intention other than to produce a live birth or to remove a dead fetus.

II. "Medical emergency" means a condition that endangers a pregnant woman's life, mental status, or impairment of a major bodily function.

132:33 Parental Notice Required. Except as provided in RSA 132:34, a medical provider shall not perform an abortion on an unmarried minor unless the medical provider first gives notice to a parent or guardian of the minor.

132:34 Exceptions.

I. The medical provider may perform the abortion without notice to a parent or guardian if:

- (a) The minor does not live with a parent or guardian; and
- (b) A reasonable effort to give notice to a parent or guardian is unsuccessful.

II. The medical provider may perform the abortion, without notice to a parent or guardian of a minor if, in the professional judgment of the medical provider:

- (a) The minor is experiencing a medical emergency;
- (b) Notice to the parent or guardian may lead to physical or emotional abuse of the minor;
- (c) The minor is mature and capable of giving informed consent to an abortion; or
- (d) Notification would not be in the best interest of the minor.

III. The medical provider shall not be liable for civil damages or subject to a criminal penalty for a decision not to give notice under this section.

132:35 Notice Letter.

I. The medical provider shall include in the medical record the written statement of a parent or guardian that the person has been informed that the minor intends to obtain an abortion.

II. The postal receipt that shows an article of mail was sent by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the last known address of a parent or guardian and that is attached to a copy of the notice letter that was sent in that article of mail shall be conclusive evidence of notice or a reasonable effort to give notice.

III. The medical provider shall not provide notice to a parent or guardian if the minor decides not to have the abortion.

3 Effective Date. This act shall take effect January 1, 2012.

**2011-2052s**

AMENDED ANALYSIS

This bill establishes procedures for parental notification of an unmarried minor seeking an abortion.

**The question is on the adoption of the Floor Amendment.**

**A roll call was requested by Sen. White, seconded by Sen. Barnes.**

**The following Senators voted Yes: Gallus, Houde, Odell, Kelly, Larsen, D'Allesandro, Merrill, Stiles.**

**The following Senators voted No: Forrester, Bradley, Forsythe, Groen, Sanborn, White, Luther, Lambert, Carson, Boutin, Barnes, De Blois, Rausch, Morse, Prescott, Bragdon.**

**Yeas: 8 - Nays: 16**

**Failed.**

**Sen. Houde offered a floor amendment.**

**Sen. Houde, Dist. 5**

**Sen. Merrill, Dist. 21**

**Sen. D'Allesandro, Dist. 20**

**May 24, 2011**

**2011-2170s**

**01/04**

**Floor Amendment to HB 329-FN**

Amend RSA 132:32, VI as inserted by section 2 of the bill by replacing it with the following:

VI. "Minor" means any person under the age of 17 years.

Amend RSA 132:32, VIII as inserted by section 2 of the bill by replacing it with the following:

VIII. "Medical emergency" means a condition that, on the basis of the physician's good-faith clinical judgment, so complicates the medical condition of a pregnant woman as to necessitate the immediate abortion of her pregnancy to avert her death or for which a delay will create serious risk of substantial impairment of a major bodily function.

Amend RSA 132:34, II(a) and (b) as inserted by section 2 of the bill by replacing it with the following:

(a) Such a pregnant minor may participate in proceedings in the court on her own behalf, and the court may appoint a guardian ad litem for her. Any guardian ad litem appointed under this subdivision shall maintain the confidentiality of the proceedings. The court shall inform the minor that she has the right to an attorney, that an attorney shall be appointed to her at no cost, and that the court shall provide court-appointed counsel unless the minor specifies that she does not want an appointed counsel to represent her interests.

(b) Proceedings under this section shall be held in closed court, in a court with private access where available. Proceedings under this section shall be confidential and shall ensure the anonymity of the minor. All court proceedings under this section shall be sealed. The minor shall have the right to file her petition in the court using a pseudonym or using solely her initials. All documents related to this petition shall be confidential and shall not be available to the public. These proceedings shall be given such precedence over other pending matters so that the court may reach a decision promptly and without delay so as to serve the best interest of the pregnant minor. In no case shall the court fail to rule within 48 hours from the time the petition is filed, except that the 48-hour limitation may be extended at the request of the minor. A judge of the court who conducts proceedings under this section shall make in writing specific factual findings and legal conclusions supporting the decision and shall order a record of the evidence to be maintained including the judge's own findings and conclusions. If the court fails to rule within the 48-hour period and an extension was not requested, then the petition shall be deemed to have been granted, and the notice requirement shall be waived.

**The question is on the adoption of the Floor Amendment.**

**A roll call was requested by Sen. Groen, seconded by Sen. Houde.**

**The following Senators voted Yes: Gallus, Houde, Sanborn, Odell, Kelly, Larsen, D'Allesandro, Merrill, Stiles.**

**The following Senators voted No: Forrester, Bradley, Forsythe, Groen, White, Luther, Lambert, Carson, Boutin, Barnes, De Blois, Rausch, Morse, Prescott, Bragdon.**

**Yeas: 9 - Nays: 15**

**Failed.**

**Recess. Out of recess.**

**The question is on the adoption of the Committee recommendation of Ought to Pass.**

**A roll call was requested by Sen. Groen, seconded by Sen. Houde.**

**The following Senators voted Yes: Gallus, Forrester, Bradley, Forsythe, Groen, Sanborn, White, Luther, Lambert, Carson, Boutin, Barnes, De Blois, Rausch, Morse, Prescott, Bragdon.**

**The following Senators voted No: Houde, Odell, Kelly, Larsen, D'Allesandro, Merrill, Stiles.**

**Yeas: 17 - Nays: 7**

**Adopted, bill ordered to Third Reading.**

**HB 510**, requiring marital masters to be New Hampshire residents. Inexpedient to Legislate, Vote 4-0. Senator Houde for the committee.

**The question is on the adoption of the Committee recommendation of Inexpedient to Legislate. Adopted.**

## **TRANSPORTATION**

### **SUSPENSION OF SENATE RULES**

**Sen. Rausch moved that the Senate Rules be suspended in order to allow HB 540-FN to be reported out of the Transportation Committee, as the Committee acted after the Senate deadline.**

**The question is on the motion to suspend the rules. Adopted by necessary 2/3 vote.**

**HB 540-FN**, relative to motor vehicle inspections. Inexpedient to Legislate, Vote 4-0. Senator Rausch for the committee.

**The question is on the adoption of the Committee recommendation of Inexpedient to Legislate.**

**A roll call was requested by Sen. Larsen, seconded by Sen. Barnes.**

**The following Senators voted Yes: Forrester, Bradley, Houde, Odell, Kelly, Luther, Lambert, Carson, Larsen, Boutin, Barnes, De Blois, Rausch, D'Allesandro, Merrill, Morse, Prescott, Stiles, Bragdon.**

**The following Senators voted No: Gallus, Forsythe, Groen, Sanborn, White.**

**Yeas: 19 - Nays: 5**

**Adopted.**

## **HOUSE MESSAGES**

**Without objection the Clerk was instructed to read the first complete House Message and thereafter only the title of each bill shall be read.**

### **HOUSE MESSAGE**

The House of Representatives refuses to concur with the Senate in the adoption of the amendment(s) to the following entitled Bill sent down from Senate:

**HB 33**, relative to the care of memorials in Franconia Notch state park.

and requests a Committee of Conference.

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

REPRESENTATIVES: Baldasaro, Swinford, Bolster, Parkhurst.

### **SENATE ACCEDES TO REQUEST OF COMMITTEES OF CONFERENCE**

**HB 33**, relative to the care of memorials in Franconia Notch state park.

**Sen. Odell moves to accede to House Request. Adopted.**

**The President appointed Senators Gallus, Barnes, Merrill.**

### **HOUSE MESSAGES REQUESTING COMMITTEES OF CONFERENCE SENATE ACCEDES TO REQUEST OF COMMITTEES OF CONFERENCE**

**HB 26-FN**, relative to the definition of gross misconduct for purposes of unemployment compensation.

**House Conferees:** Daniels, Infantine, Laware, Goley.

**Sen. Prescott moves to accede to House Request. Adopted.**

**The President appointed Senators White, Sanborn, Houde.**

**HB 299-FN**, relative to the method of financing for the judicial retirement plan.

**House Conferees:** Hawkins, Cohn, Winter, Sanborn.

**Sen. Carson moves to accede to House Request. Adopted.**

**The President appointed Senators Carson, Luther, Larsen.**

**HB 380**, exempting the commission on the status of men from repeal on June 30, 2011 and adding a duty to the commission.

**House Conferees:** Winter, Hansen, Whitehead, Bowers.

**Sen. Carson moves to accede to House Request. Adopted.**

**The President appointed Senators Carson, Groen, Larsen.**

**HB 483-FN-L**, relative to mosquito control.

**House Conferees:** Sterling, Ferrante, K. Roberts, Burt.

**Sen. Bradley moves to accede to House Request. Adopted.**

**The President appointed Senators Barnes, Lambert, Kelly.**

**HB 622**, relative to adjustments to the semi-annual and quarterly collection of property taxes in towns and cities.

**House Conferees:** Patten, Ferrante, Sterling, Hooper.

**Sen. Barnes moves to accede to House Request. Adopted.**

**The President appointed Senators Barnes, Stiles, Merrill.**

#### **HOUSE MESSAGES**

**Without objection the Clerk was instructed to read the first complete House Message and thereafter only the title of each bill shall be read.**

#### **HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

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

#### **SENATE NONCONCURS WITH HOUSE AMENDMENT**

**Sen. Stiles moves nonconcurrence. Adopted.**

#### **HOUSE MESSAGES REQUESTS CONCURRENCE WITH AMENDMENTS**

#### **SENATE NONCONCURS WITH HOUSE AMENDMENT**

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

**Sen. Odell moves nonconcurrence. Adopted.**

#### **HOUSE MESSAGES**

**Without objection the Clerk was instructed to read the first complete House Message and thereafter only the title of each bill shall be read.**

#### **HOUSE MESSAGE**

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

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

#### **SENATE CONCURS WITH HOUSE AMENDMENT**

**Sen. Prescott moves concurrence. Adopted.**

**Sen. White asserts Rule 2-15 on SB 116.**

#### **HOUSE MESSAGES REQUESTS CONCURRENCE WITH AMENDMENTS**

#### **SENATE CONCURS WITH HOUSE AMENDMENTS**

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



**Sen. Prescott moves concurrence. Adopted.**

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

**Sen. Carson moves concurrence. Adopted.**

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

**Sen. Odell moves concurrence. Adopted.**

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

**Sen. Odell moves concurrence. Adopted.**

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

**Sen. Odell moves concurrence. Adopted.**

#### HOUSE MESSAGES

Without objection the Clerk was instructed to read the first complete House Message and thereafter only the title of each bill shall be read.

#### HOUSE MESSAGE

The House of Representatives concurs with the Senate in the passage of the following entitled Bill, with amendment, in the passage of which amendment the House asks the concurrence of the Senate:

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

#### SENATE NONCONCURS AND REQUESTS COMMITTEE OF CONFERENCE

**Sen. Prescott moves nonconcurrence and requests Committee of Conference. Adopted.**

**Sen. White asserts Rule 2-15 on SB 89.**

**President appoints Senators Bragdon, Carson, Houde.**

#### HOUSE MESSAGES REQUESTS CONCURRENCE WITH AMENDMENTS

#### SENATE NONCURS WITH HOUSE AMENDMENTS,

#### REQUESTS COMMITTEES OF CONFERENCE

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

**Sen. Prescott moves nonconcurrence and requests Committee of Conference. Adopted.**

**President appoints Senators Prescott, De Blois, Houde.**

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

**Sen. Carson moves nonconcurrence and requests Committee of Conference. Adopted.**

**President appoints Senators Carson, Groen, D'Allesandro.**

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

**Sen. Carson moves nonconcurrence and requests Committee of Conference. Adopted.**

**President appoints Senators Carson, Sanborn, Larsen.**

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

**Sen. Barnes moves nonconcurrence and requests Committee of Conference. Adopted.**

**Sen. Prescott asserts Rule 2-15 on SB 91.**

**President appoints Senators Barnes, Boutin, Merrill.**

**MOTION TO ADJOURN FROM EARLY SESSION**

Sen. Bradley moved that the Senate adjourn from the Early Session, that the business of the Late Session be in order at the present time, that all bills and resolutions ordered to Third Reading be, by this resolution, read a third time, all titles be the same as adopted, and that they be passed at the present time.

**Adopted. Adjournment from the Early Session.**

**LATE SESSION****Third Reading and Final Passage**

**HB 25-FN-A**, making appropriations for capital improvements.

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

**HB 119**, relative to agency membership on the information technology council and relative to the duties of the chief information officer.

**HB 173**, relative to service of process on commercial tenants.

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

**HB 322**, relative to occupancy fees charged by manufactured housing park owners.

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

**HB 337-FN-L**, amending the calculation and distribution of adequate education grants, repealing fiscal capacity disparity aid, and providing stabilization grants to certain municipalities.

**HB 355**, enabling state and local fire and building officials to issue citations for violations of certain fire safety rules and licensing violations for gas fitters, electricians, and plumbers.

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

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

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

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

**HCR 9**, urging the President and Congress to address the privacy, constitutional, safety, and religious freedom concerns presented by advanced imaging technology employed by the Transportation Security Agency at the nation's airports.

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

**LIST OF RULE 2-15'S FOR THE DAY**

Sen. De Blois: HB 173, HB 635-FN-A.

Sen. Sanborn: HB 173.

Sen. Prescott: SB 91.

Sen. White: SB 89, SB 116, HB 173.

**ANNOUNCEMENTS****MOTION TO RECESS TO CALL OF THE CHAIR**

Sen. Bradley moved that the business of the day being completed, that the Senate recess to the Call of the Chair for the purposes of introducing legislation, referring bills to committee, scheduling hearings, sending and receiving messages, and processing enrolled bill reports and amendments and when we recess, we recess to the Call of the Chair.

**Adopted. The Senate is in recess to the Call of the Chair.**