

**HB 2-FN-A-LOCAL - AS INTRODUCED**

2015 SESSION

15-1032  
09/01

HOUSE BILL            ***2-FN-A-LOCAL***

AN ACT                relative to state fees, funds, revenues, and expenditures.

SPONSORS:            Rep. Kurk, Hills 2

COMMITTEE:          Finance

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ANALYSIS

This bill:

1. Authorizes the department of administrative services to consolidate state agency human resources, payroll, and business processing functions.
2. Permits the department of administrative services to transfer funds among accounting units and class codes within the department.
3. Establishes a hiring preference for laid off classified employees.
4. Clarifies that information in a state employee's health risk appraisal is protected health information.
5. Provides for application of the state employees health plan to unrepresented active state employees.
6. Appropriates funds to the department of administrative services for the biennium ending June 30, 2017 for the purpose of implementing the state employee parking benefit agreed to in the collective bargaining agreement.
7. Permits executive councilors to participate at their own expense in the state group health and dental insurance arrangement during their tenure in office.
8. Revises components of the state energy performance contracting program.
9. Requires retired employees to provide proof of enrollment in Medicare Parts A and B to remain eligible to participate in the state retiree benefit plan and the judicial retirement plan.
10. Authorizes the lottery commission to establish an employee recognition and incentive program for the biennium ending June 30, 2017.
11. Requires the liquor commission to reimburse the state for certain legal services provided by the department of justice.
12. Permits the department of justice, bureau of civil law to hire attorney to review contracts.
13. Clarifies the procedures for the transfer of attorneys from other state agencies to the department of justice.
14. Clarifies disclosure of records in accordance with the Nonparticipating Manufacturer Adjustment Settlement Agreement.
15. Limits the number of judicial appointments for the biennium ending June 30, 2017.

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16. Authorizes the judicial branch to transfer funds within accounting units.
17. Authorizes the department of corrections to transfer funds within accounting units of the department.
18. Requires the community college system to remit retiree health care payments to the state.
19. Authorizes the fish and game department to utilize the wildlife habitat account, fisheries habitat account, and the statewide public boat access fund to support staff costs.
20. Establishes the authority of the fish and game department to set the fees under RSA 541-A for licenses and permit issued by the department.
21. Transfers \$5 from each vessel registration fee to the fish and game fund.
22. Establishes the fish and game department environmental review fee.
23. Delays the repeal of the certificate of need until 2018.
24. Modifies requirements for the state health plan.
25. Establishes an assessment on hospitals to fund development of the state health plan.
26. Modifies revenue for the forest management and protection fund.
27. Eliminates the continual appropriation of the state-owned ski area account to the commissioner of the department of resources and economic development and eliminates the requirement for prior approval by the governor and council and the fiscal committee of the general court of expenditures from the state park account.
28. Authorizes transfers of funds by the department of resources and economic development for welcome centers.
29. Requires the department of resources and economic development to deposit revenue derived from Cannon Mountain in the Cannon Mountain capital improvement fund until June 30, 2017.
30. Suspends certain provisions regarding funeral expenses for recipients of public assistance.
31. Allows the commissioner of the department of transportation to transfer funds within accounting units of the department.
32. Establishes a salt application fund.
33. Modifies authorized uses of the site evaluation committee fund.
34. Establishes fees for energy facility evaluation.
35. Modifies veterans' home reporting requirements.
36. Authorizes the department of information technology to transfer funds among accounts for the biennium ending June 30, 2017.
37. Requires the department of information technology to establish statewide standards for information technology including purchasing, network, and cyber security agencies.
38. Clarifies the department of information technology's purchasing policy for state agencies.

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39. Appropriates sums received from the federal government by the department of transportation for reimbursement for costs of emergency response to the department.
40. Continues an appropriation in 2011, 223:1 regarding emergency management for the biennium ending June 30, 2017.
41. Abolishes a position to allow for the transition to an unclassified position within the department of safety for a second assistant commissioner.
42. Establishes the office of substance use disorder and behavioral health within the governor's office.
43. Authorizes state agency heads to accept credit cards or debit cards for payment of taxes, penalties, interest, or fees.
44. Continually appropriates the trust fund for the New Hampshire land and community heritage program.
45. Increases fees for pesticide product registration and increases the percentage of such fees to be deposited into the integrated pest management fund.
46. Requires the governor's commission on disability to adopt certain rules regarding waivers.
47. Repeals 1899, 42 which requires an annual fee to be paid to the University of New Hampshire.
48. Deposits the administrative and enforcement fee for original notices of intent to excavate into the general fund.
49. Changes certain business profits tax laws to prevent the diversion of business income to certain offshore tax havens.
50. Increases the tobacco tax, redefines tobacco products under the tobacco tax to include nicotine vapor products, and taxes premium cigars.
51. Increases the reasonable compensation deduction under the business profits tax.
52. Transfers certain duties and responsibilities of the office of energy and planning.
53. Permits the executive director of the fish and game department to monitor conservation easements.
54. Transfers duties regarding data on population figures for purposes of the tax on meals and rooms from the office of energy and planning to the department of employment security.
55. Repeals the comprehensive state development plan.
56. Deletes a requirement to file certain planning and zoning documents with the office of energy and planning.
57. Removes the director of the office of energy and planning from the membership on the wetlands council and the water council.
58. Removes the director of the office of energy and planning from membership on the rivers management advisory committee and the lakes management advisory committee.
59. Transfers the land conservation investment program to the fish and game commission.

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60. Transfers all functions of the state data center to the department of employment security.
61. Requires the commissioner of the department of employment security to gather and maintain certain demographic statistics for statewide planning purposes.
62. Establishes the office of professional licensure and certification and consolidates the duties and authority of the joint board for licensure and certification, the office of professional licensing in the department of health and human services, and the executive director of the real estate commission, and incorporates the administrative, clerical, and business processing functions of various boards, commissions, and councils into the office of professional licensure and certification under an unclassified executive director.
63. Provides for a consolidated reporting process for departments and divisions of departments.
64. Makes appropriations for salary increases for state employees.
65. Requires any budget surplus under \$13,000,000 for the fiscal year ending June 30, 2015 to remain in the general fund.
66. Requires the state treasurer to transfer to the fish and game department \$750,000 for fiscal year 2016 and \$750,000 for fiscal year 2017.
67. Establishes the position of assistant state veterinarian within the department of agriculture, markets, and food.
68. Requires the pesticide control board to adopt rules relative to late fees for registration certificates for the commercial application of pesticides and pesticide product registration.
69. Requires the commissioner of the department of agriculture, markets, and food to adopt rules relative to the imposition of late fees.
70. Permits all agencies to provide documents by electronic mail in lieu of mail.
71. Requires the lottery commission to appoint an independent accountant to conduct an annual audit to be presented to the fiscal committee of the general court.
72. Requires the fiscal committee to approve the scope of services, audit schedule, estimated number of audit hours, and estimated cost of the audit prior to the beginning of any audit of special fund agencies.
73. Requires the legislative budget assistant to outsource audits based on the lowest cost to the state.
74. Permits agencies to use funds in class 60 budgets to pay penalties imposed under the employer shared responsibility for health coverage under the Internal Revenue Code.
75. Requires the commissioner of the department of administrative services to offer for sale the former Laconia state school land and buildings and the former Laconia state school and training center land and buildings.
76. Permits the transfer of the appropriation for the administration of the client assistance program that is received by the governor's commission on disability for fiscal years 2016 and 2017 to another qualified agency.
77. Repeals the limitation of guarantee of construction bonds for sewage disposal facilities.

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78. Permits certain cash payments made by municipalities toward eligible costs resulting from the acquisition and construction of sewage disposal facilities to also be eligible for state contributions.

79. Repeals certain provisions relative to aid to municipalities for water pollution control.

80. Places a moratorium on new infrastructure projects that would have been eligible for state aid grants under RSA 486, RSA 486-A, and RSA 149-M.

81. Establishes the office of chief operating officer and a government innovation fund within the department of administrative services.

82. Consolidates the racing and charitable gaming commission and the lottery commission, transferring authority over racing and charitable gaming to the lottery commission.

83. Allows for the playing of keno games.

84. Provides for licensing of keno operators by the lottery commission.

85. Directs revenues from keno to the department of health and human services to address problem gamblers and to the education trust fund.

86. Establishes the New Hampshire problem gambler fund in the department of health and human services.

87. Suspends the payment of liquor revenues to the alcohol abuse prevention and treatment.

88. Determines the formula for education grants to municipalities.

89. Funds the distribution of revenue from the meals and rooms tax to cities and towns at no more than the fiscal year 2015 distribution.

90. Apportions cost for municipal bridge aid.

91. Allows the commissioner of the department of health and human services to transfer funds within accounting units of the department.

92. Requires that for the biennium ending June 30, 2017, the department of health and human services shall maintain a limit on benefits for adults with low service utilization of community mental health services, as identified in He-M 401.07.

93. Suspends He-W533 relative to home health rate setting.

94. Requires the department of health and human services to raise the income eligibility for elderly and adult clients under the Social Services Block Grant program each January of the biennium, by the percentage amount of the cost of living increase in social security benefits on a yearly basis.

95. Suspends reimbursements to the foster grandparent program through the senior volunteer grant program.

96. Suspends congregate housing and congregate services.

97. Clarifies the rate of reimbursement for services and programs for a Medicaid-eligible child.

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98. Requires the commissioner of the department of health and human services to submit a Medicaid state plan amendment to suspend direct and indirect graduate medical education payments to hospitals for the biennium ending June 30, 2017.

99. Extends the New Hampshire health protection program.

100. Clarifies the eligibility level for Medicaid coverage regarding resources for a family size equal to the size of the family including a woman, infant, or child.

101. Modifies the provisions for county reimbursements for nursing home services through state fiscal year 2017.

102. Modifies the definition of “assessable” lives for the purpose of the vaccine association.

103. Establishes the food service licensure fund to receive moneys under RSA 143-A.

104. Requires the commissioner of the department of health and human services to submit a state plan amendment to provide substance use disorder services to Title XIX and Title XXI beneficiaries.

105. Establishes a homeland security and emergency management assessment fund.

106. Establishes an emergency management fund for the purpose of funding an interagency transfer from the insurance department to the division of homeland security and emergency management within the department of safety.

107. Revises the reporting requirements for travel and tourism revolving fund and the travel and tourism development fund in the department of resources and economic development.

108. Increases registration fees and certificate of title fees for motor vehicles.

109. Clarifies that penalty assessments are to be an amount additional to the fines or penalties on which the penalty assessments are levied.

110. Makes the state highway safety agency a unit of the department of safety.

111. Suspends revenue sharing with cities and towns for the biennium ending June 30, 2017.

112. Adds an at-large member to the fish and game commission.

113. Repeals an appropriation for state matching funds for disaster assistance grants.

114. Requires the housing finance authority to prioritize housing for veterans.

115. Transfers certain fish and game funds to the general fund.

116. Makes a reduction in the state self-insured health plan reserve.

117. Transfers funds between department of safety restricted funds.

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

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fifteen*

AN ACT                   relative to state fees, funds, revenues, and expenditures.

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

1           1 Department of Administrative Services; Consolidation of Human Resources and Payroll Functions.

2           I. Notwithstanding any law or administrative rule to the contrary, the commissioner of  
3 administrative services, with the prior approval of the fiscal committee of the general court and the  
4 governor and council, may make such transfers of appropriation items and changes in allocations of  
5 funds available for operational purposes to the department of administrative services, from any  
6 other agency, as necessary to effectuate the efficient consolidation of human resource and payroll  
7 functions within state government.

8           II. The commissioner of administrative services may establish the number and classification  
9 of personnel required for human resource and payroll management in state government and, with  
10 the prior approval of the governor and council, may eliminate unnecessary positions and transfer to  
11 the department of administrative services any position in another agency identified by the  
12 commissioner of administrative services as necessary to effectuate the efficient consolidation of  
13 human resource and payroll functions within state government. Such transfers shall include the  
14 transfer of all associated books, papers, records, personnel files, and equipment, including, but not  
15 limited to, work station and information technology equipment, and shall include the transfer of any  
16 unexpended appropriations for any of the foregoing, as well as any unexpended appropriations for  
17 salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel.  
18 All commissioners and department heads shall cooperate with the commissioner of administrative  
19 services to accomplish the intent of this section. Notwithstanding any law or administrative rule to  
20 the contrary, the division of personnel shall be authorized to reclassify positions required for human  
21 resources or payroll consolidation from one class series to a different class series as provided in  
22 RSA 21-I:54 and shall not require the approval of governor and council.

23           III. The commissioner of administrative services may locate personnel whose positions have  
24 been transferred in such work spaces as the commissioner determines will efficiently effectuate the  
25 consolidation of human resource and payroll functions. Such work spaces may include either space  
26 currently owned or rented by the state, or space which may be rented by the commissioner utilizing  
27 amounts which may be saved by the state as the result of the consolidation of human resources and  
28 payroll functions.

29           2 Department of Administrative Services; Consolidation of Business Processing Functions.

30           I. The commissioner of administrative services, with the prior approval of the fiscal  
31 committee of the general court and the governor and council, may make such transfers of

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1 appropriation items and changes in allocations of funds available for operational purposes to the  
2 department of administrative services, from any other agency, as necessary to effectuate the efficient  
3 consolidation of business processing functions within state government. Such business processing  
4 functions shall include:

5 (a) Accounts receivable;

6 (b) Accounts payable;

7 (c) Collection of fines, penalties, fees, restitution, remittances, and other moneys due to  
8 the state; and

9 (d) Such other finance and accounting functions and transactions the commissioner of  
10 administrative services determines would achieve substantial efficiencies from consolidation.

11 II. The commissioner of administrative services may issue a request for proposals or  
12 purchases in accordance with RSA 21-I:22 and RSA 21-I:22-a for the services and assistance of a  
13 qualified consultant to evaluate and identify opportunities for business processing consolidation in  
14 state government and make recommendations, including for a proposed implementation plan, for  
15 consolidation of such functions.

16 III. The commissioner of administrative services may establish the number of total  
17 personnel required for business processing functions in the executive branch of state government  
18 and, with the prior approval of the governor and council, may eliminate unnecessary positions and to  
19 transfer to the department of administrative services any position in another agency identified by  
20 the commissioner of administrative services as necessary to effectuate the efficient consolidation of  
21 business processing functions within state government. Such transfers shall include the transfer of  
22 all associated books, papers, records, personnel files, and equipment, including, but not limited to,  
23 work station and information technology equipment, and shall include the transfer of any  
24 unexpended appropriations for any of the foregoing, and any unexpended appropriations for  
25 salary/payroll, benefits, support costs, or any other costs associated with the transferred personnel.

26 IV. The commissioner of administrative services may locate personnel whose positions have  
27 been transferred in such work spaces as the commissioner determines will efficiently effectuate the  
28 consolidation of business functions. Such work spaces may include either space currently owned or  
29 rented by the state, or space which may be rented by the commissioner utilizing amounts which may  
30 be saved by the state as the result of the consolidation of human resources and payroll functions.

31 3 Department of Administrative Services; Continuation of Appropriation. Any unspent balance  
32 remaining on the \$250,000 appropriation made by 2011, 224:86 to the department of administrative  
33 services for the biennium ending June 30, 2013, for the purpose of selecting and retaining an  
34 independent business processing consultant to evaluate and make recommendations relative to the  
35 consolidation of business processing functions within state government, shall not lapse until June  
36 30, 2017. The department of administrative services may use this balance to fund such projects,  
37 functions, or activities as the commissioner of administrative services may direct relating to the



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1 efficiency of state government, including, but not limited to, the selection and retention of an  
2 independent business processing consultant and/or other projects, functions, or activities relating to  
3 the consolidation of human resource, payroll, finance, business processing and accounting functions.

4       4 Department of Administrative Services; Transfer Among Accounts and Classes.  
5 Notwithstanding any provision of law to the contrary, except RSA 9:17-c, and subject to the approval  
6 of the fiscal committee of the general court and governor and council, for the biennium ending June  
7 30, 2017, the commissioner of the department of administrative services is hereby authorized to  
8 transfer funds within and among all accounting units and/or class codes within the department, with  
9 the exception of class 60 transfers, and is further authorized to create new class codes within the  
10 department into which funds may be transferred or placed, as the commissioner deems necessary  
11 and appropriate to address present or projected budget deficits, or to respond to changes in federal  
12 laws, regulations, or programs, and otherwise as necessary for the efficient management of the  
13 department; provided if a transfer does not include new class codes, only transfers over \$75,000 shall  
14 require prior approval of the fiscal committee of the general court.

15       5 Department of Administrative Services; Rehiring of Laid Off Classified State Employees.

16       I. For purposes of this section, "laid off" means any person in a classified position as  
17 described in RSA 21-I:49 who receives written notice of the state's intent to lay him or her off or who  
18 is laid off between July 1, 2015 and June 30, 2017, as a result of reorganization or downsizing of  
19 state government.

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

25       III. The head of each department or agency shall submit the name and classification of any  
26 individual laid off between July 1, 2015 and June 30, 2017, to the director of the division of personnel  
27 within 10 days of the layoff.

28       6 Health Risk Appraisal; Protected Health Information. All information contained in a state  
29 employee's health risk appraisal as referenced in any collective bargaining agreement shall be  
30 considered protected health information and entitled to all of the non-disclosure and other  
31 restrictions set forth in the Health Insurance Portability and Accountability Act of 1996, as  
32 amended, (HIPAA) Standards for Privacy of Individually Identifiable Health Information at 45  
33 C.F.R. Part 160 and Subparts A and E of Part 164 ("Privacy Rule").

34       7 State Employee Health Plan; Application. The cost sharing and plan design for unrepresented  
35 active state employees who participate in the health plans offered by the state shall be the same as  
36 those for individuals covered by the collective bargaining agreement between the state of  
37 New Hampshire and the State Employees' Association of New Hampshire, Inc. The fiscal committee

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1 of the general court may approve changes to the above plan design cost sharing provisions consistent  
2 with RSA 21-I:30, I. The cost sharing and plan designs for represented active state employees who  
3 participate in the health plans offered by the state shall be in accordance with the provisions of the  
4 collective bargaining agreements between the state and the employee organizations representing  
5 those employees.

6 8 Department of Administrative Services; Appropriation; Parking Benefit. There is hereby  
7 appropriated to the department of administrative services the sum of \$50,000 for the fiscal year  
8 ending June 30, 2016 and the sum of \$50,000 for the fiscal year ending June 30, 2017, for the  
9 purpose of implementing the state employee parking benefit agreed to in the collective bargaining  
10 agreement between the state of New Hampshire and the New Hampshire state employees  
11 association. The governor is authorized to draw a warrant for said sums out of any money in the  
12 treasury not otherwise appropriated.

13 9 New Paragraph; Executive Councilors. Amend RSA 94:1-a by inserting after paragraph IV the  
14 following new paragraph:

15 V.(a) Executive councilors may participate at their own expense in a group health and  
16 dental insurance arrangement during their tenure in office. Such group health and dental insurance  
17 arrangement shall be the state employees group insurance plan afforded full-time state employees.

18 (b) Notwithstanding the terms of any state employee group insurance contract or other  
19 state law to the contrary, executive councilors who have participated in a group health and dental  
20 insurance arrangement during their tenure in office, shall elect, within 30 days after they leave the  
21 executive council, either to continue to participate fully in that arrangement for as long as they  
22 choose to do so at their own expense, or to discontinue their participation.

23 (c) The commissioner of the department of administrative services shall invoice and  
24 collect amounts due from executive councilors and former executive council members. Collected  
25 amounts shall be deposited in the employee and retiree benefit risk management fund, established  
26 in RSA 21-I:30-e.

27 (d) Failure to remit payment for participation pursuant to paragraph I in full within 30  
28 days of billing shall be grounds for terminating benefits, effective with the beginning of the billing  
29 period. Reenrollment shall be dependent upon payment of outstanding participation or other  
30 amounts.

31 (e) Failure to remit payment in full for participation pursuant to paragraph II within 60  
32 days of billing shall be grounds for permanently terminating benefits effective upon the beginning of  
33 the billing period. Either in the billing notice or in a separate notice to the person billed, the  
34 department of administrative services shall advise that failure to pay the specified amount in full  
35 within the required time shall be grounds for permanent termination of benefits.

36 10 Department of Administrative Services; Energy Consumption Reduction Reports. Amend  
37 RSA 21-I:14-c to read as follows:

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1           21-I:14-c Energy Consumption Reduction Goal; Reports.

2           I. Each state department shall identify cost-effective measures to reduce fossil fuel  
3 consumption by 25 percent by 2025 in state buildings, on a square foot basis, compared to a 2005  
4 baseline. Implementation of any measures shall be subject to the appropriate budgetary process and  
5 approval. Cost effectiveness for the purposes of this section shall mean a return on investment  
6 based on energy savings and reduced operational costs within the expected lifetime of the measure.

7           II. Beginning in calendar year ~~[2012]~~ **2016**, each state department shall submit ~~[an annual]~~  
8 **a biennial** report to the commissioner of administrative services on or before ~~[September 1]~~  
9 **October 15** which details any cost-effective measures it is utilizing and those potential measures,  
10 subject to budgetary approval, to comply with the energy consumption reduction goal established in  
11 paragraph I and its annual progress in complying with this goal.

12           III. Beginning in calendar year ~~[2012]~~ **2016**, the commissioner shall submit ~~[an annual]~~ **a**  
13 **biennial** report to be made available to the public on or before ~~[December 1]~~ **January 15** compiling  
14 the annual reports submitted under paragraph II, with findings on the departments' annual progress  
15 in complying with the energy consumption reduction goal established in paragraph I and problems  
16 which may prevent the departments from achieving this goal, to the governor, the senate president,  
17 the speaker of the house of representatives, the chair of the senate energy and natural resources  
18 committee and the chair of the house science, technology and energy committee.

19           11 New Paragraph; Department of Administrative Services; State Facility Energy Cost  
20 Reduction; Definition of Renewable Energy Added. Amend RSA 21-I:19-b by inserting after  
21 paragraph VI the following new paragraph:

22           VII. "Renewable energy," for the purposes of this section, means wind energy; biomass  
23 energy; geothermal energy, if the geothermal energy output is in the form of useful thermal energy;  
24 hydrogen derived from biomass fuels or methane gas; ocean thermal, wave, current, or tidal energy;  
25 methane gas; solar thermal or electric energy; or hydropower.

26           12 Department of Administrative Services; Energy Performance Contracting. Amend RSA 21-  
27 I:19-d, I to read as follows:

28           I. Any state agency or municipality may enter into an energy performance contract for the  
29 purpose of undertaking or implementing energy conservation or alternate energy measures in a  
30 facility. An energy performance contract may include, but shall not be limited to, options such as  
31 joint ventures, shared-savings contracts, positive cash flow financing or energy service contracts, or  
32 any combination thereof, provided that at the conclusion of the contract the agency will receive title  
33 to the energy system being financed, if the agency so desires. ~~[The agency that is responsible for a~~  
34 ~~particular facility shall review and make recommendations regarding energy performance contract~~  
35 ~~arrangements for the facility to the IEEC.]~~

36           13 Department of Administrative Services; Energy Performance Contracting. Amend RSA 21-I:  
37 19-d, II(f) to read as follows:

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1 (f) Any energy performance contract should require the contractor to include all energy  
2 efficiency improvement in selected buildings that are calculated to recover all costs within 20 years  
3 from the date of project implementation at existing energy prices. The contract shall require that  
4 the public utility or energy services provider be repaid only to the extent of energy cost savings  
5 guaranteed by the contractor to accrue over the term of the contract. [~~Repayments to the public~~  
6 ~~utility or energy services provider shall be interest free.~~]

7 14 Department of Administrative Services; Energy Cost Savings. Amend RSA 21-I:19-e to read  
8 as follows:

9 21-I:19-e Energy Cost Savings Revert to [~~General Fund~~] **the Respective State Agency**. The  
10 cost savings remaining after meeting the obligations under an energy performance contract, shared-  
11 savings contract, or lease of energy saving equipment or services or any similar program shall revert  
12 to the [~~general fund~~] **respective state agency**.

13 15 New Paragraph; State Employees Group Insurance; Medical and Surgical Benefits. Amend  
14 RSA 21-I:30 by inserting after paragraph II the following new paragraph:

15 II-a. Retired employees who are eligible for Medicare Part A without premium due to age or  
16 disability shall provide proof of enrollment in Medicare Parts A and B within 30 days of becoming  
17 eligible for Medicare or they shall no longer be eligible to participate in the state retiree benefit plan  
18 for as long as they are not participating in Medicare Parts A and B.

19 16 Department of Administrative Services; State Employees Group Insurance; Medical and  
20 Surgical Benefits. RSA 21-I:30, III is repealed and reenacted to read as follows:

21 III. The state shall pay a partial premium for each retired employee, as defined in  
22 paragraphs VI and VII, who is not eligible for Medicare and for his or her spouse for their lifetimes,  
23 toward group health care coverage within the limits of the funds appropriated at each legislative  
24 session and providing any change in plan is approved by the fiscal committee of the general court  
25 prior to its adoption. Pursuant to paragraph XIII, a portion of the premium shall be paid by each  
26 retiree and his or her spouse. Retired employees who are not eligible for Medicare may voluntarily  
27 cease participation in plan benefits at any time and may reenroll without restriction.

28 17 Department of Administrative Services; State Employees Group Insurance; Medical and  
29 Surgical Benefits. Amend RSA 21-I: 30, XIII to read as follows:

30 XIII. The commissioner of administrative services shall invoice and collect from retired state  
31 employees [~~under the age of 65 years~~] **and/or each applicable spouse who are not Medicare**  
32 **eligible and** receiving medical and surgical benefits provided under this section, who do not receive  
33 a retirement allowance as defined in RSA 100-A:1, XXII, [~~the~~] **a** premium contribution [~~amounts of~~  
34 ~~12.5 percent~~] **amount based on a percentage** of the total monthly premium [~~for each such retiree~~  
35 ~~and 12.5 percent of the total monthly premium for each applicable spouse; provided that the charge~~  
36 ~~to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan participants]~~  
37 **attributable to the applicable retiree and/or spouse, as determined by the commissioner of**

1 *administrative services, with prior approval by the fiscal committee of the general court,*  
 2 *provided the percentage is not lower than 12.5 percent.* The commissioner of administrative  
 3 services is also authorized to invoice and collect from such other participants contribution amounts  
 4 as specified by law. Collected amounts shall be deposited in the employee and retiree benefit risk  
 5 management fund. Failure to remit payment of the contribution amount in full within 30 days of  
 6 billing shall be grounds for terminating benefits, effective from the beginning of the billing period.  
 7 Reenrollment shall be dependent upon payment of any outstanding contribution or other amounts  
 8 within 6 months of the termination date. If a participant fails to remit payment in full for  
 9 participation within 30 days of billing, on the 30th day the participant shall be notified by certified  
 10 mail, return receipt requested, that he or she shall remit payment to the department within 10  
 11 business days of receiving the letter or his or her benefits shall be terminated effective upon the 10th  
 12 business day after receipt of the letter and that reenrollment shall be dependent upon payment of  
 13 any outstanding contribution or other amount within 6 months of the termination date.

14 18 Department of Administrative Services; New Hampshire Retirement System; Medical  
 15 Benefits. Amend RSA 100-A:54, III to read as follows:

16 III. The retirement system shall deduct from the monthly retirement allowance of retired  
 17 state employees ~~[under the age of 65 years]~~ *and/or each applicable spouse who are not*  
 18 *Medicare eligible and* receiving medical and surgical benefits provided pursuant to RSA 21-I:30,  
 19 ~~[the]~~ *a premium contribution [amounts of 12.5 percent] amount based on a percentage* of the  
 20 total monthly premium ~~[for each such retiree and 12.5 percent of the total monthly premium for each~~  
 21 ~~applicable spouse; provided that the charge to each household shall not exceed 12.5 percent of the~~  
 22 ~~total monthly premium for 2 plan participants]~~ *attributable to the applicable retiree and/or*  
 23 *spouse, as determined by the commissioner of administrative services, with prior approval*  
 24 *by the fiscal committee of the general court provided the percentage is not lower than 12.5*  
 25 *percent.* The department of administrative services shall provide information as to the total  
 26 monthly premium cost for each participant to the retirement system for purposes of calculating this  
 27 deduction. Deducted amounts, which shall be in addition to and notwithstanding any amounts  
 28 payable by the retirement system pursuant to RSA 100-A:52, RSA 100-A:52-a, and RSA 100-A:52-b,  
 29 shall be deposited in the employee and retiree benefit risk management fund. In the event the  
 30 retiree's monthly allowance is insufficient to cover the certified contribution amount, the retirement  
 31 system shall so notify the department of administrative services, which shall invoice and collect from  
 32 the retiree *and/or each applicable spouse* the remaining contribution amount. Failure to remit  
 33 payment of the contribution amount in full within 30 days of billing shall be grounds for terminating  
 34 benefits, effective from the beginning of the billing period. Reenrollment shall be dependent upon  
 35 payment of any outstanding contribution or other amounts within 6 months of the termination date.  
 36 The department of administrative services shall provide notice of the termination of benefits as  
 37 provided in RSA 21-I:30, XIII.

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1           19 Department of Administrative Services; Judicial Retirement Plan. Amend RSA 100-C:11-a to  
2 read as follows:

3           100-C:11-a Retiree and Spouse Health Insurance Premium Contribution. Retired judges and  
4 ***their applicable*** spouses [~~under the age of 65 years~~] ***who are not Medicare eligible and***  
5 receiving medical and surgical benefits shall be responsible for payment of a premium contribution  
6 amount [~~of 12.5 percent of the~~] ***based on a percentage of the*** total monthly premium [~~for each such~~  
7 ~~retiree and 12.5 percent of the total monthly premium for each applicable spouse; provided that the~~  
8 ~~charge to each household shall not exceed 12.5 percent of the total monthly premium for 2 plan~~  
9 ~~participants~~] ***attributable to the applicable retiree and/or spouse, as determined by the***  
10 ***commissioner of administrative services, with prior approval by the fiscal committee of the***  
11 ***general court, provided the percentage is not lower than 12.5 percent.*** The department of  
12 administrative services shall provide information as to the total monthly premium cost for each  
13 participant to the judicial retirement plan for purposes of calculating this deduction. The judicial  
14 retirement plan shall deduct the payment required under this section from the retiree's monthly  
15 retirement allowance. Deducted amounts shall be remitted to the administrative office of the courts  
16 within 14 days along with a statement identifying from whom the deduction was made, and shall be  
17 used to pay for plan retiree and spouse health care expenses and any administrative costs related  
18 thereto.

19           20 Lottery Commission; Incentive Program. For the biennium ending June 30, 2017, the lottery  
20 commission may develop and implement an employee recognition program for monetary incentives to  
21 promote increased sales and compensate lottery sales representatives based upon performance and  
22 funded from an existing lottery budget line item. The incentive program shall be implemented  
23 through rules adopted by the lottery commission in accordance with RSA 541-A. The lottery  
24 commission shall report quarterly to the fiscal committee of the general court on the status of the  
25 incentive program.

26           21 Liquor Commission; Reimbursement of Cost of Legal Services. Notwithstanding any  
27 provision of law to the contrary, for the biennium ending June 30, 2017, the liquor commission shall  
28 reimburse the cost for any legal services provided by the department of justice to the commission  
29 that would not normally be included as part of the statewide cost allocation paid by the commission.

30           22 New Paragraph; Department of Justice; Civil Bureau; Contract Attorney. Amend RSA 21-  
31 M:11 by inserting after paragraph II the following new paragraph:

32           III. The department of justice shall have the authority to hire a full-time attorney assigned  
33 to the bureau, who shall act as legal counsel for state executive agencies in the procurement,  
34 negotiation, and development of contracts as determined by the attorney general. Each agency shall  
35 notify the department of justice of its intent to procure a contract or enter into any agreement that  
36 may materially impact the state, according to criteria established by the department of justice,  
37 including but not limited to, contract value, complexity, and performance obligations.

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1 23 Department of Justice; Agency Attorneys. Amend RSA 7:13 to read as follows:

2 7:13 Transfer of Attorneys From Other Departments.

3 **I.** Upon request of the attorney general, the governor is hereby authorized to transfer any  
4 employee authorized to do legal work, and all unexpended appropriations and funds allocated for the  
5 payment of such employee's salary, from any department or agency of the state to the department of  
6 justice whenever such action is deemed by the governor to be in the best interest of the state. **Upon**  
7 **transfer, the employee's position shall be converted to an unclassified attorney position.**  
8 **The transferring agency shall be responsible for any termination benefits due to the**  
9 **employee.** Any such employee so transferred or employed by the expenditure of such funds and  
10 appropriations shall be directly responsible to the attorney general and shall perform such services  
11 as the attorney general may direct. [~~The provisions of this section shall not apply to the general~~  
12 ~~counsel and counsel of the department of employment security.~~]

13 **II.** **Whenever an attorney position in any agency or department becomes vacant, the**  
14 **attorney general shall have the option of transferring the position and any related**  
15 **appropriations to the department of justice. The attorney general shall be notified**  
16 **whenever such a vacancy occurs, and shall decide whether to request a transfer of the**  
17 **position pursuant to paragraph I.**

18 24 Department of Justice; Compliance with Nonparticipating Manufacturer Adjustment  
19 Settlement Agreement. Amend RSA 21-J:14, XII to read as follows:

20 **XII.** Department records, files, or information obtained by the commissioner or other  
21 department employee under the provisions of RSA 78, RSA 541-C, or RSA 541-D may be disclosed  
22 to the attorney general, or designee, and other federal, state, or local agencies as provided under  
23 RSA 541-D:5, II. **The attorney general or designee may further disclose such records, files,**  
24 **or information pursuant to an agreement with an entity designated to serve as a data**  
25 **clearinghouse in accordance with the terms of the Nonparticipating Manufacturer**  
26 **Adjustment Settlement Agreement. The Nonparticipating Manufacturer Adjustment**  
27 **Settlement Agreement means, for purposes of this paragraph, the settlement agreement**  
28 **between the state of New Hampshire and the participating manufacturers, as primarily**  
29 **set forth in the term sheet dated November 14, 2012 and approved by the general court in**  
30 **2013, 6.**

31 25 Judicial Appointments; Number Limited; Vacancies.

32 **I.** Except as provided in paragraph II, for the biennium ending June 30, 2017, the number of  
33 judges serving on the superior court shall not exceed 21 and the number of full-time judges serving  
34 on the circuit court shall not exceed 31.

35 **II.** For the biennium ending June 30, 2017, the filling of a marital master position by a judge  
36 shall increase the authorized number of circuit court judges allowed under paragraph I for each  
37 position so filled.

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1           26 Judicial Branch; Transfers. Notwithstanding any provision of law to the contrary, and  
2 subject to approval of the fiscal committee of the general court, for the biennium ending June 30,  
3 2017, the supreme court is hereby authorized to transfer funds within and among all accounting  
4 units within the judicial branch as the supreme court deems necessary and appropriate to address  
5 budget reductions or to respond to changes in federal laws, regulations, or programs, and otherwise  
6 as necessary for the efficient management of the judicial branch. If the supreme court intends to  
7 transfer funds which would otherwise meet the transfer requirements as set forth in RSA 9:17-d,  
8 prior approval of the fiscal committee shall be required for transfers of \$75,000 or more.

9           27 Department of Corrections; Transfers. Notwithstanding any provision of law to the contrary,  
10 for the biennium ending June 30, 2017, the commissioner of the department of corrections is  
11 authorized to transfer funds within and among all accounting units within the department and to  
12 create accounting units and expenditure classes as required and as the commissioner deems  
13 necessary and appropriate to address present or projected budget deficits, or to respond to changes in  
14 federal law, regulations, or programs, and otherwise as necessary for the efficient management of  
15 the department; provided if a transfer does not include new accounting units or expenditure classes,  
16 only transfers over \$75,000 shall require prior approval of the fiscal committee of the general court.

17           28 New Paragraph; Community College System; Retiree Health Care Payments. Amend  
18 RSA 188-F:7 by inserting after paragraph IV the following new paragraph:

19           V. The community college system of New Hampshire shall remit to the state on a monthly  
20 basis the cost of retiree health care benefits for employees who have retired on or after July 1, 2011.  
21 The amount due shall be based on current enrollment for that month and the working rate for the  
22 calendar year. Invoices from the department of administrative services shall contain retiree  
23 enrollment detail in regards to the amount due. The department shall provide the community  
24 college system an anticipated budget each biennium as part of the retiree health budget process.

25           29 Fish and Game Department; Utilization of Funds to Support Staff Costs; Wildlife and  
26 Fisheries Habitat Accounts. Notwithstanding any other provision of law, for the biennium ending  
27 June 30, 2017, the executive director of the fish and game department, with the approval of the fish  
28 and game commission, may utilize funds in the wildlife habitat account established in RSA 214:1-f  
29 and fisheries habitat account established in RSA 214:1-g for the wages, salaries, benefits, and other  
30 expenses of the department employees.

31           30 Fish and Game Department; Utilization of Funds to Support Staff Costs; Statewide Public  
32 Boat Access Fund. Notwithstanding any other provision of law, for the biennium ending June 30,  
33 2017, the executive director of the fish and game department may utilize funds in the statewide  
34 public boat access fund established in RSA 233-A:13 for the wages, salaries, benefits, and other  
35 expenses of the department employees.

36           31 Fish and Game Department; Rulemaking; Fees. Amend RSA 206:10, I as follows:



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1 I. It shall be the duty of the executive director to function as the chief administrator of the  
2 commission and to protect, propagate and preserve the fish, game, and wildlife resources of the state  
3 and to protect and conserve nongame birds of the state. The executive director shall, subject to the  
4 limitations hereinafter set forth, have the power and authority to adopt and enforce rules, pursuant  
5 to RSA 541-A, for the adequate and effective control, management, restoration, conservation, and  
6 regulation of the fish, game, bird, and wildlife resources of the state, including rules designed to  
7 prohibit or otherwise regulate nonagricultural activities which may cause the introduction or spread  
8 of infectious disease in the state's wildlife resources. Such power and authority shall include the  
9 right to **set and charge fees with consent of the commission pursuant to RSA 541-A, the right**  
10 **to** open and close the season for taking fish, game, birds, and wildlife, the right to fix the size,  
11 number and weight limits, and other conditions governing the method and manner of taking the  
12 same. Such power and authority may be exercised with reference to the state as a whole, or for any  
13 specified county or part thereof, or for any lake, pond, stream, or part thereof.

14 32 Fish and Game; Crossbow Permit; Disability; Administrative Fee. Amend RSA 207:10-c, V,  
15 to read as follows:

16 V. ~~[A \$10]~~ **An** administrative fee **set by the executive director pursuant to RSA 206:10, I**  
17 shall be charged once, upon application to the executive director for such permit.

18 33 Fish and Game; Dog Training; Fee. Amend RSA 207:12-a, I to read as follows:

19 I. Any person who is licensed to hunt within the state may be issued a training permit for  
20 the training of bird dogs and trail or tree hounds during the closed season on any wildlife, except  
21 deer, moose, caribou, elk, lynx, cougar, bobcat, and turkey, upon application and the payment of a fee  
22 ~~[of \$5]~~. The executive director shall adopt rules pursuant to RSA 541-A, relative to the **amount of**  
23 **the fee for the training permit and the** period for the training of bear dogs. Notwithstanding the  
24 provisions of this paragraph, field trials shall be permitted pursuant to RSA 207:13.

25 34 Fish and Game; Field Trials. Amend RSA 207:13, I to read as follows:

26 I. Field trials for dogs may be held at such times, in such manner, and under such  
27 restrictions, as may be prescribed by the executive director. Any person wishing to hold a field  
28 trial shall first obtain a written permit from the person on whose land it is proposed to hold the  
29 trial, present the same to the executive director, and pay a fee ~~[of \$9.50]~~ **set by the executive**  
30 **director pursuant to RSA 206:10, I**, including field trials for coon dogs and such night hunts  
31 for coon dogs as authorized by paragraph II. The executive director may thereupon issue a  
32 permit for such field trial. The executive director or his duly authorized agent shall supervise  
33 the holding of such field trial, enforce the terms of the permits, and the rules for its conduct.  
34 The executive director shall adopt rules under RSA 541-A for the conduct of field trials as in his  
35 **or her** opinion are necessary to safeguard the interest of the wildlife of the state, provided that  
36 the executive director shall issue permits for beagle trials to any beagle club recognized by the  
37 American Kennel Club for trials to be run under the rules and regulations of the American

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1 Kennel Club. The fee for this permit shall ~~[not exceed \$9.50]~~ **be set by the executive director**  
2 **pursuant to RSA 206:10, I.** The executive director or his **or her** authorized agent shall enforce  
3 the terms of such permits.

4 35 Fish and Game; Bow and Arrow; License Fee. RSA 208:5, I is repealed and reenacted to read  
5 as follows:

6 I. The executive director shall set the fee pursuant to RSA 206:10, I, for issuance of archery  
7 licenses for the following categories: residents 16 years of age or older and nonresidents 16 years of  
8 age or older.

9 36 Fish and Game; Muzzleloaders. Amend RSA 208:5-a to read as follows:

10 208:5-a Muzzleloaders. A person who has complied with the licensing requirements relative to  
11 hunting deer pursuant to RSA 214, ~~[upon payment of a fee of \$15 by residents or a fee of \$40 by non~~  
12 ~~residents,]~~ shall be issued a license, **upon payment of a fee set by the executive director**  
13 **pursuant to RSA 206:10, I, for the following categories: residents 16 years of age or older**  
14 **and nonresidents 16 years of age or older.** A muzzleloading license shall not be required for  
15 residents less than 16 years of age, but such person while hunting with a muzzleloading firearm  
16 shall be accompanied by a properly licensed person who is 18 years of age or over and must also  
17 comply with all provisions of this chapter. The license shall entitle the holder to hunt deer with a  
18 single shot muzzleloading firearm.

19 37 Fish and Game; Special Deer Permits. Amend RSA 208:5-b to read as follows:

20 208:5-b Special Deer Permits. The executive director may issue special deer permits to a person  
21 licensed with the applicable license to hunt issued under RSA 214, or RSA 208:5 or ~~[5-a]~~ **208:5-a.**  
22 The executive director shall adopt rules pursuant to RSA 541-A relative to fixing the number and sex  
23 limitations for wild deer and any other conditions governing the location, method, and manner of  
24 taking as well as the issuance and fee for special deer permits. ~~[The executive director may charge a~~  
25 ~~fee not to exceed \$15 for all applications for special deer permits.]~~

26 38 Fish and Game; Black Bears. Amend RSA 208:24, II to read as follows:

27 II. No person shall take wild black bears in this state without first procuring a bear license  
28 and tag in addition to the applicable license to hunt issued pursuant to RSA 214 or RSA 208:5. The  
29 cost of the bear license and tag, **for both residents and nonresidents,** shall be ~~[\$15 for residents~~  
30 ~~and \$47 for non residents]~~ **set by the executive director pursuant to RSA 206:10, I.**

31 39 Fish and Game; Fishing Tournaments. Amend RSA 211:16-b to read as follows:

32 211:16-b Fishing Tournaments.

33 I. No person shall promote or operate any fishing tournament in the waters under the  
34 jurisdiction of this state without first procuring a special permit from the executive director to do so.  
35 ~~[The fee for a permit issued under this section is \$25.]~~

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1 II. The executive director shall adopt rules, pursuant to RSA 541-A, relative to definitions,  
2 **fees**, conditions, requirements for waivers, including waivers of the fee, qualifications, and all other  
3 criteria relating to the operation of a fishing tournament on any waters of the state.

4 40 Fish and Game; Lobster and Crab. Amend RSA 211:18, III-a to read as follows:

5 III-a. The [~~following fees shall apply to lobster and crab license~~] **executive director shall**  
6 **set the fee pursuant to RSA 206:10, I for the following lobster and crab license types** issued  
7 under this section:

8 (a) Resident commercial lobster and crab license[~~;- \$300~~].

9 (b) Nonresident commercial lobster and crab license[~~;- \$600~~].

10 (c) Resident limited commercial lobster and crab license[~~;- \$175~~].

11 (d) Nonresident limited commercial lobster and crab license[~~;- \$350~~].

12 (e) Resident part-time commercial lobster and crab license[~~;- \$103~~].

13 (f) Nonresident part-time commercial lobster and crab license[~~;- \$350~~].

14 (g) Recreational lobster and crab license[~~;- \$35~~].

15 41 Fish and Game; Lobster Helper's License. Amend RSA 211:20 to read as follows:

16 211:20 Helper's License. Any person licensed under the provisions of RSA 211:18 may get a  
17 helper's license which entitles the person to have the help of a person in the taking of lobsters or  
18 crabs. The helper's license may be transferred to any one helper employed by the licensee, but may  
19 not be transferred to a person who previously had a lobster license which is under suspension. A  
20 helper may assist, set, or haul pots or traps or any other device used in the taking of lobsters and  
21 crabs only in the presence of and aboard the boat of a person licensed under the provisions of  
22 RSA 211:18, and who holds a valid helper's license. [~~The fee for a helper's license is \$10.~~] The  
23 executive director shall adopt rules pursuant to RSA 541-A relative to the **fee for a helper's license**  
24 **and the** terms and restrictions of a helper's license to comply with lobster trap limits established  
25 under the Atlantic States Marine Fisheries Commission management plan for American lobster  
26 relative to reduced fishing effort.

27 42 Fish and Game; Lobster Retail Dealer. RSA 211:39, II through IV are repealed and  
28 reenacted to read as follows:

29 II. The executive director shall set the fee pursuant to RSA 206:10, I, for retail dealer  
30 licenses issued under this section.

31 43 Fish and Game; Nonresident Commercial Salt Water License. Amend RSA 211:49-a, II to  
32 read as follows:

33 II. The fee for an annual license shall be [~~\$500~~] **set by the executive director pursuant to**  
34 **RSA 206:10, I**. The license shall be for the operator of the boat, vessel, flotation device, or gear, and  
35 helpers; provided, however, that helpers shall not be allowed for the taking of sea urchins or scallops  
36 by diving.

37 44 Fish and Game; Nonresident Wholesaler License. Amend RSA 211:49-aa, I, to read as follows:

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1 I. Any person, firm, or corporation who does not qualify as a resident under RSA 207:1 or  
2 RSA 211:43 and who is engaged in a wholesale trade in any marine species shall first procure a valid  
3 license from the executive director to do so in this state. The license shall entitle the licensee to buy,  
4 sell, process, and transport any marine species in wholesale trade within the state and to ship any  
5 marine species within and outside the state. A separate extra facility license shall be required for  
6 each market, store, vehicle, or facility where such marine species are bought or sold at wholesale. A  
7 nonresident wholesale license shall not be required by a person properly licensed pursuant to  
8 RSA 211:49-a. The [fee] **fees** for an annual license [~~shall be \$200 and \$75~~] **and** for each extra facility  
9 license **shall be set by the executive director pursuant to RSA 206:10, I**. A copy of the license  
10 shall be carried in each vehicle and displayed at all facilities.

11 45 Fish and Game; Resident Commercial Salt Water License. Amend RSA 211:49-b, II to read  
12 as follows:

13 II. The fee for such annual license shall be [~~\$50~~] **set by the executive director pursuant to**  
14 **RSA 206:10, I**. The license shall be for the operator of the boat, vessel, flotation device, or gear, and  
15 helpers; provided, however, that helpers shall not be allowed for the taking of sea urchins or scallops  
16 by diving.

17 46 Fish and Game; Resident Wholesaler License. Amend RSA 211:49-c, I to read as follows:

18 I. Any person, firm, or corporation engaged in a wholesale trade in any marine species shall  
19 first procure from the executive director a license to do so. Said license shall entitle the licensee to  
20 buy, sell, process, and transport any marine species in wholesale trade within the state and to ship  
21 any marine species within and outside the state. A separate extra facility license shall be required  
22 for each market, store, vehicle, or facility where such marine species are bought or sold at wholesale.  
23 A resident wholesaler license shall not be required by a person properly licensed pursuant to  
24 RSA 211:49-b. The [fee] **fees** for an annual license [~~shall be \$100 and \$50~~] **and** for each extra facility  
25 license **shall be set by the executive director pursuant to RSA 206:10, I**. A copy of the license  
26 shall be carried in each vehicle and displayed at all facilities.

27 47 Fish and Game; Landing License. Amend RSA 211:49-d to read as follows:

28 211:49-d Landing License; Lobster and Crabs. Any person who is not licensed under  
29 RSA 211:18, RSA 211:49-a, or RSA 211:49-b and wishes to transport in state waters lobsters and  
30 crabs taken outside the jurisdiction of the state via ship, vessel, or similar craft in state waters for  
31 the purposes of landing the lobsters and crabs in the state must first procure a landing license. This  
32 shall allow the licensee to sell lobster and crab landed under such person's license. The fee for [~~an~~]  
33 annual [~~license~~] **licenses** [~~shall be \$50 for a resident and \$500 for any persons who does not qualify~~  
34 ~~as a residents under RSA 207:1~~] **for residents and nonresidents shall be set by the executive**  
35 **director pursuant to RSA 206:10, I**.

36 48 Fish and Game; Commercial Shrimp License. Amend RSA 211:49-e, II and III to read as  
37 follows:

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1           II. The [fee] **fees** for the northern shrimp [license] **resident and nonresident licenses**  
2 shall be [~~\$100 for residents~~] **set by the executive director pursuant to RSA 206:10, I.**

3           III. [~~The fee for the northern shrimp license shall be \$500 for nonresidents.~~] A nonresident  
4 shall not be eligible to obtain a commercial shrimp license unless the state in which such person is a  
5 resident provides a reciprocal licensing privilege for residents of this state.

6           49 Fish and Game; Oyster License. Amend RSA 211:62-a to read as follows:

7           211:62-a License for Taking. No person shall at any time take oysters unless the person is a  
8 resident of the state and has been duly licensed as provided in this section. Any resident of this  
9 state shall, upon application to the executive director of the fish and game department, be granted a  
10 license to take oysters upon payment of a fee [~~of \$29~~] **set by the executive director pursuant to**  
11 **RSA 206:10, I.** Such license shall be issued for the current calendar year. The executive director of  
12 the fish and game department shall make readily available such licenses as are covered by this  
13 section through its regular outlets. A person who furnishes to another person or permits another  
14 person to have or use the person's oyster license or the license of any other person, or changes or  
15 alters such license or uses a license issued to another person, or makes a false statement in an  
16 application to obtain said license shall be subjected to the penalty under RSA 211:64.

17           50 Fish and Game; Clams in Coastal Waters. Amend RSA 211:62-d to read as follows:

18           211:62-d Clams in Coastal Waters. No one other than an individual natural person who is a  
19 bona fide resident of the state, and who has obtained a [~~\$300~~] commercial clamming license, may at  
20 any time commercially harvest or take the following from ocean waters within the jurisdiction of the  
21 state, black clams (*Cyprina islandica*), sea clams (*Spisula solidissima*), and razor clams (*Enis*  
22 *directus*). No such person authorized by this section to take such clams may take more than 500  
23 bushels of unshucked clams daily. **The fee for a commercial clamming license shall be set by**  
24 **the executive director pursuant to RSA 206:10, I.**

25           51 Fish and Game; Recreational Taking of Clams. Amend RSA 211:64-b to read as follows:

26           211:64-b License for Recreational Taking of Clams. No person shall at any time take clams for  
27 such person's own use unless the person is a resident of the state and has been duly licensed as  
28 provided in this section. Any person 6 years of age or older shall, upon application to the executive  
29 director of the fish and game department, be granted a license to take clams for recreational  
30 purposes upon payment of a fee [~~of \$29~~] **set by the executive director pursuant to RSA 206:10, I.**  
31 Such license shall be issued for the current calendar year. A resident of the state may take up to one  
32 quart of clamworms during any one day for such person's own use without a license. A person who  
33 furnishes to another person or permits another person to have or use the person's recreational clam  
34 license or the license of any other person, or changes or alters such license or uses a license issued to  
35 another person, or makes a false statement in an application to obtain said license shall be subjected  
36 to the penalty under RSA 211:64.

37           52 Fish and Game; Sale of Venison. Amend RSA 212:30-d, III to read as follows:

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1 III. Resident and nonresident wholesalers who wish to sell imported venison in this state as  
2 permitted in paragraph I shall procure a wholesaler's license from the department of fish and game  
3 to do so, the fee for which shall be ~~[\$50]~~ **set by the executive director pursuant to RSA 206:10, I.**  
4 Said license shall expire on December 31 of each calendar year. Wholesalers shall provide bills of  
5 sale in duplicate, one copy of which shall be given to the retail seller, and the other copy of which  
6 shall be retained as a file copy by the wholesaler and shall be available for inspection by any agent of  
7 the executive director.

8 53 Fish and Game; License Fees. Amend RSA 214:8 to read as follows:

9 214:8 Form; **Fees.**

10 I. The executive director shall prepare licenses, game tags, permits, stamps, and such other  
11 forms as determined necessary to comply with all licensing requirements of title XVIII. Such license,  
12 when issued to the licensee, shall bear the date of issuance, and shall contain the name, age, color of  
13 eyes, and residence of the licensee and such other information, including affidavits, as may be  
14 requested by the executive director. The license, to be valid, shall be countersigned by the licensee  
15 on the face of the license in the space provided.

16 II. **The executive director shall set fees for the various license types described in**  
17 **RSA 214:9 pursuant to RSA 206:10, I.**

18 54 Fish and Game; License Applications and Fees. Amend RSA 214:9 to read as follows:

19 214:9 Application~~[- Fees]~~. ~~[The]~~ **To obtain any of the following licenses, an** applicant shall  
20 fill out and subscribe ~~[to]~~ **on** a blank to be furnished by the executive director and pay the agent the  
21 ~~[following]~~ **license** fees, **established under RSA 214:8, II,** and the agent fee as provided in  
22 RSA 214-A:4:

23 I. ~~[If the applicant is a resident of this state and wishes to hunt, \$21, and the agent shall~~  
24 ~~thereupon issue a]~~ Resident hunting license, which shall entitle the licensee to hunt, shoot, kill, or  
25 take, except by the use of traps, and to transport wild birds and wild animals under the restrictions  
26 of this title.

27 II. ~~[If the applicant is a resident of this state and wishes to fish, \$33, and the agent shall~~  
28 ~~thereupon issue a]~~ Resident fishing license, which shall entitle the licensee to kill, take, and  
29 transport all species of freshwater fish, under the restrictions of this title.

30 II-a. [Repealed.]

31 II-b. ~~[If the applicant is a resident of this state and wishes to fish for one day, \$8, and the~~  
32 ~~agent shall thereupon issue a]~~ One-day resident fishing license, which shall entitle the licensee to kill,  
33 take, and transport all species of freshwater fish, for said time only, under the restrictions of this title.

34 III. ~~[If the applicant is a resident of this state and wishes to hunt and fish, \$44, and the~~  
35 ~~agent shall thereupon issue a]~~ Resident hunting and fishing license, which shall entitle the licensee  
36 to hunt, shoot, kill, or take, except by use of traps, and to transport wild birds, wild animals, and all  
37 species of freshwater fish under the restrictions of this title.

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1 IV. [~~If the applicant is a resident of this state and wishes to take fur bearing animals and~~  
2 ~~coyote by the use of traps, \$27.50, and the department shall thereupon issue a~~] **Resident** trapping  
3 license, which shall entitle the licensee to take fur-bearing animals and coyote by the use of traps  
4 and sell and transport them under the restrictions of this title.

5 V. [~~If the applicant is a resident under 16 years of age and wishes to take fur bearing~~  
6 ~~animals and coyote by the use of traps when not accompanied by a licensed trapper 18 years of age~~  
7 ~~or over, \$5.50, and the agent shall thereupon issue a~~] Resident minor's trapping license, which shall  
8 entitle the licensee **under 16 years of age** to take fur-bearing animals and coyote by the use of  
9 traps and sell and transport them under the restrictions of this title.

10 VI. [~~If the applicant is a nonresident, 16 years of age or older, and wishes to hunt, \$102, and~~  
11 ~~the agent shall thereupon issue a~~] Nonresident hunting license which shall entitle the licensee to  
12 hunt, shoot, kill, and take, except by the use of traps, and to transport wild birds and wild animals  
13 under the restrictions of this title.

14 VI-a. [~~If the applicant is a nonresident and wishes to hunt and fish, \$139, and the agent~~  
15 ~~shall thereupon issue a~~] Nonresident hunting and fishing license, which shall entitle the licensee to  
16 hunt, shoot, kill, or take, except by use of traps, and to transport wild birds, wild animals, and all  
17 species of freshwater fish under the restrictions of this title.

18 VII. [Repealed.]

19 VII-a. [~~If the applicant is a nonresident and wishes to take small game as defined in~~  
20 ~~RSA 207:1, XXVI, \$52, and the agent shall thereupon issue a~~] Nonresident small game license which  
21 shall entitle the licensee to hunt, shoot, or take small game **as defined in RSA 207:1, XXVI**;  
22 provided, however, this license shall not authorize the taking of fur-bearing animals as defined in  
23 RSA 207:1, VIII.

24 VII-b. [~~If the applicant is a nonresident and wishes to take small game as defined in~~  
25 ~~RSA 207:1, XXVI, for 3 consecutive days, \$24, and the agent shall thereupon issue a~~] 3-day  
26 nonresident small game license which shall entitle the licensee to hunt, shoot, or take small game **as**  
27 **defined in RSA 207:1, XXVI, for 3 consecutive days**; provided, however, this license shall not  
28 authorize the taking of fur-bearing animals as defined in RSA 207:1, VIII.

29 VIII. [~~If the applicant is a nonresident, 16 years of age or older, and wishes to take any~~  
30 ~~species of freshwater fish, \$51, and the agent shall thereupon issue a~~] Nonresident fishing license  
31 which shall entitle the licensee to kill, take, and transport all species of freshwater fish under the  
32 restrictions of this title[~~;- provided that:~~

33 (a) [Repealed.]

34 (b) [~~If the applicant wishes to take said fish for 7 consecutive days, \$33, and the agent~~  
35 ~~shall thereupon issue a 7 day nonresident fishing license for said time only under the restrictions of~~  
36 ~~this title;~~

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1           ~~(e) If the applicant wishes to take said fish for 3 consecutive days, \$26, and the agent~~  
2 ~~shall thereupon issue a 3 day nonresident fishing license for said time only under the restrictions of~~  
3 ~~this title; and~~

4           ~~(d) [Repealed.]~~

5           ~~(e) If the applicant wishes to take said fish for one day, \$13, and the agent shall thereupon~~  
6 ~~issue a one day nonresident fishing license for said time only under the restrictions of this title].~~

7           VIII-a. [Repealed.]

8           VIII-b. [Repealed.]

9           ***VIII-c. 7-day nonresident fishing license, which shall entitle the licensee to kill,***  
10 ***take, and transport all species of freshwater fish, for 7 consecutive days, under the***  
11 ***restrictions of this title.***

12           ***VIII-d. 3-day nonresident fishing license, which shall entitle the licensee to kill,***  
13 ***take, and transport all species of freshwater fish, for 3 consecutive days, under the***  
14 ***restrictions of this title.***

15           ***VIII-e. One day nonresident fishing license, which shall entitle the licensee to kill, take,***  
16 ***and transport all species of freshwater fish, for one day, under the restrictions of this title.***

17           IX. ~~[If the applicant is a nonresident and wishes to take fur bearing animals and coyotes by~~  
18 ~~the use of traps, the nonresident shall pay \$300.] ***Nonresident trapping license, which shall***~~  
19 ***entitle the licensee to take fur-bearing animals and coyote by the use of traps and sell and***  
20 ***transport them under the restrictions of this title.*** If the applicant's state or province does not  
21 permit nonresident trappers, said applicant shall be denied a nonresident license in this state.

22           X.(a) ~~[If the applicant wishes to hunt pheasants, the agent shall thereupon issue a]~~  
23 ~~Pheasant license or stamp which shall entitle the licensee to hunt, shoot, kill, and take, except by the~~  
24 ~~use of traps, pheasants during the open season.~~

25           (b) The fee for such license or stamp shall be ~~[determined by the executive director~~  
26 ~~pursuant to RSA 541-A]~~ ***set by the executive director pursuant to RSA 206:10, I.***

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

31           ***XI-a. Nonresident wild turkey license, which shall entitle the licensee to hunt,***  
32 ***shoot, kill, and take turkey, except by the use of traps.***

33           XII. ~~[If the applicant wishes to hunt migratory waterfowl, \$4.00, and the agent shall~~  
34 ~~thereupon issue a state]~~ Migratory waterfowl license which shall entitle the licensee to hunt, shoot,  
35 kill, and take migratory waterfowl during such time and in such manner and numbers as may be  
36 allowed under RSA 209:6.



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1 XIII.(a) Any recognized summer camp or educational facility operated within the state may  
2 apply to the executive director of the fish and game department for a group fishing license that may  
3 be utilized by individual campers or students while participating in camp or school approved  
4 activities. The fee for the license [~~shall be \$25, and~~], the definitions, requirements for participation,  
5 and criteria for obtaining the license shall be determined by the executive director pursuant to rules  
6 adopted under RSA 541-A.

7 (b) [Repealed.]

8 XIV. [Repealed.]

9 XV. If the applicant wishes to take wild animals, excluding fish and marine species, or wild  
10 birds, [~~\$2.50~~] **a fee set by the executive director pursuant to RSA 206:10, I**, and the agent shall  
11 thereupon issue a wildlife habitat stamp or license as provided in RSA 214:1-f. For any year in  
12 which a stamp is issued, the agent shall be entitled to retain [~~\$.50~~] **a portion** of the [~~\$2.50~~] fee **as**  
13 **set by the executive director pursuant to RSA 206:10, I** for each wildlife habitat stamp sold and  
14 all stamps sold at the department headquarters or any subagency thereof shall retain the same  
15 [~~\$.50~~] **portion of the** fee which, notwithstanding RSA 214:1-f, V, shall be credited to the general fish  
16 and game fund. Notwithstanding any other provision of law, there shall be no agent fee for a wildlife  
17 habitat license issued pursuant to RSA 214:1-f.

18 XVI.(a) [~~If the applicant is 16 years of age or older and wishes to take, possess, or transport~~  
19 ~~finfish from coastal and estuarine waters under the restrictions of this title, the applicant shall pay the~~  
20 ~~fee according to the schedule in subparagraph (e), and the agent shall thereupon issue a~~] Recreational  
21 saltwater license which shall entitle the licensee, **16 years of age or older**, to take, possess, or transport  
22 finfish from coastal and estuarine waters, under the restrictions of this title, provided that any person  
23 participating in a recreational saltwater fishing opportunity on a for-hire vessel, which is licensed under  
24 subparagraph (b), shall be exempt from the license requirement of this subparagraph.

25 (b) A resident or nonresident owner or operator of a for-hire vessel who wishes to provide  
26 recreational saltwater fishing opportunities for persons taking finfish from coastal and estuarine  
27 waters, shall pay a fee, **set by the executive director pursuant to RSA 206:10, I**, for each charter  
28 boat and each party boat [~~according to the schedule in subparagraph (e),~~] which shall entitle the  
29 owner or operator of the licensed for-hire vessel to take, possess, or transport finfish from coastal and  
30 estuarine waters, under the restrictions of this title.

31 (c) A nonresident holding a valid recreational saltwater license or a for-hire charter or  
32 party boat saltwater license from Maine or Massachusetts, shall be allowed to take, possess, or  
33 transport finfish from New Hampshire coastal and estuarine waters, provided that the state in  
34 which such person purchased a recreational saltwater license or in which the for-hire vessel is  
35 registered allows an angler with a New Hampshire recreational saltwater license or a saltwater for-  
36 hire vessel with a for-hire license from New Hampshire to recreationally take, possess, or transport  
37 finfish in that state's coastal and estuarine waters.

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1 (d) In this paragraph:

2 (1) "Coastal and estuarine waters" means all waters within the rise and fall of the  
3 tide, and water below any fishway or dam which is normally the dividing line between tide water  
4 and fresh water, or below any tidal bound which has been legally established in streams flowing into  
5 the sea under the jurisdiction of the state.

6 (2) "For-hire vessel" means a party boat, charter boat, dive boat, head boat, or other  
7 boat hired by persons to engage in recreational saltwater fishing opportunities.

8 (3) "Recreational saltwater fishing" means taking of any marine finfish, by any  
9 means for personal use only and which are not sold.

10 (4) "Charter boat" means a vessel less than 100 gross tons (90.8 metric tons) that  
11 meets the requirements of the U.S. Coast Guard to carry 6 or fewer passengers for hire.

12 (5) "Party boat" or "head boat" means a vessel that holds a valid Certificate of  
13 Inspection issued by the U.S. Coast Guard to carry passengers for hire.

14 (e) ~~The following fees shall apply:~~

15 ~~(1) \$10 for resident and nonresident individuals.~~

16 ~~(2) \$50 for charter boats and other for-hire vessels, except party boats.~~

17 ~~(3) \$100 for party boats.~~

18 ~~(4)~~ The executive director shall adopt rules under RSA 541-A on the further definitions,  
19 criteria, and requirements for obtaining the licenses under this paragraph.

20 55 Fish and Game; Fur Buyers. Amend RSA 214:25 to read as follows:

21 214:25 Applications; Fees. The applicant, whether a resident or nonresident, shall fill out and  
22 sign a blank to be furnished by the executive director and pay ~~the applicable~~ **a license fee set by**  
23 **the executive director pursuant to RSA 206:10, I.** The executive director shall thereupon issue a  
24 fur buyer's license which shall entitle the licensee to buy and sell the furs and skins of deer, coyotes,  
25 and fur-bearing animals lawfully taken, and to sell and transport the same, under the restrictions of  
26 this title. The executive director shall grant such licenses for the entire state upon the payment of  
27 ~~a~~ **the applicable license** fee ~~[of \$50 for residents or upon the payment of a fee of \$150 for~~  
28 ~~nonresidents].~~

29 56 Fish and Game; Taxidermy. Amend RSA 214:29-a to read as follows:

30 214:29-a Taxidermy. The executive director may grant licenses which may be revoked or  
31 suspended at any time to any person desiring to practice taxidermy, as defined under general  
32 provisions, RSA 207:1, XXVII-a. ~~[The fee for a taxidermy permit shall be \$50, and]~~ The executive  
33 director shall adopt rules under RSA 541-A relative to the **fee for a taxidermy permit, and the**  
34 conditions, qualifications, and other criteria under which a taxidermy permit shall be granted.

35 57 Fish and Game; Freshwater Bait. Amend RSA 214:34 to read as follows:

36 214:34 Licenses Required.

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1 I. No person shall take, sell, or offer to sell live fish for bait without first procuring a license  
2 to do so.

3 II. The applicant shall complete the prescribed application form furnished by the executive  
4 director and pay the ~~[following]~~ appropriate *license* fee in addition to the \$1 agent's fee as provided  
5 in RSA 214-A:4[~~;~~

6 (a) ~~If the applicant is a retailer, he shall pay a fee of \$25.~~

7 (b) ~~If a resident applicant wishes to sell at retail and wholesale, he shall pay a fee of \$75.~~

8 (c) ~~If a nonresident applicant wishes to sell at retail, he shall pay a fee of \$50.~~

9 (d) ~~If a nonresident applicant wishes to sell at wholesale, he shall pay a fee of \$150].~~

10 **III. Fees for the following license types shall be set by the executive director**  
11 **pursuant to RSA 206:10, I:**

12 (a) *Retail.*

13 (b) *Resident retail and wholesale.*

14 (c) *Nonresident retail.*

15 (d) *Nonresident wholesale.*

16 58 Fish and Game; Importing Bait. Amend RSA 214:34-d to read as follows:

17 214:34-d Permit to Import. No fish of any description shall be brought into this state for use as  
18 bait without first procuring a permit from the executive director. Such permit shall be valid for no  
19 longer than one year but no additional permit shall be required within that period of time to import  
20 the same species of fish from the same source of supply. Five days' notification of each intent to  
21 import shall be filed with the executive director. ~~[The fee for each such permit is \$9.50.]~~ **The**  
22 **executive director shall set the fee for such permits pursuant to RSA 206:10, I.**

23 59 Fish and Game; Guide License. RSA 215:4 is repealed and reenacted to read as follows:

24 215:4 Fee for License. The executive director shall set the fees for resident and nonresident  
25 licenses to guide under this chapter pursuant to RSA 206:10, I.

26 60 Fish and Game; Guides. Amend RSA 215:5, II to read as follows:

27 II. **Notwithstanding RSA 215:4**, every resident 65 years of age or older who has been a  
28 licensed guide in this state for 5 or more years may obtain a license as a guide to fish or to hunt ~~[not~~  
29 ~~by payment of the fees prescribed in RSA 215:4, I and II but rather]~~ by payment of only the cost of  
30 issuing said license as determined by the executive director.

31 61 Fish and Game Department; Licenses for Persons Over 65. RSA 214:7-a is repealed and  
32 reenacted to read as follows:

33 214:7-a Persons Over 68 Years of Age.

34 I. Any resident of this state who is 68 years of age or over may make application each year,  
35 to any authorized agent of the state for the sale of freshwater fishing, hunting, or trapping licenses,  
36 for a special license to fish in freshwaters and hunt or trap, under the restrictions of this title. Such  
37 license may permit the use of a muzzle-loading firearm and bow and arrow. The executive director

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1 shall set the annual fee for the special license established in this section by rule pursuant to  
2 RSA 206:10, I. Said fee shall not exceed 50 percent of the regular resident license fee for fishing in  
3 freshwaters, hunting, or trapping. The license shall be marked in such manner as the executive  
4 director may designate.

5 II. Those individuals holding a special license under this section as of June 30, 2015 shall be  
6 exempt from the requirement to apply for said license annually. The special license held by these  
7 individuals shall remain effective for the remainder of each individual's life, as long as the individual  
8 remains a resident of the state, unless suspended or revoked by the executive director.

9 62 Vessel Registrations; Statewide Public Boat Access Fee; Fish and Game Fund. Amend  
10 RSA 270-E:5, II(d) to read as follows:

11 (d) [~~\$5~~] **\$10** for each registration specified in paragraph I. **\$5 of** the surcharge collected  
12 under this subparagraph shall be paid into the statewide public boat access fund established under  
13 RSA 233-A:13. ***The remaining \$5 of the surcharge collected under this subparagraph shall***  
14 ***be paid into the fish and game fund established under RSA 206:33.***

15 63 New Section; Fish and Game Department; Environmental Review Fees. Amend RSA 206 by  
16 inserting after section 33-e the following new section:

17 206:33-f Environmental Review Fees.

18 I. The executive director may charge a fee for the review of proposed projects which may  
19 adversely impact wildlife, including threatened or endangered species of wildlife, if such review is  
20 requested by a project developer, either public or private, regardless of whether such request is  
21 received before or after an application is submitted to any permitting agency.

22 II. The fees established by this section shall be designed to recover a reasonable portion of  
23 the costs of:

24 (a) Reviewing, assessing, and monitoring the impacts to wildlife of a proposed project;

25 (b) Reviewing and assessing research, sampling, or modeling protocols to be  
26 implemented either prior to or after the completion of a project; and

27 (c) Formulating recommendations designed to avoid, minimize, and/or mitigate any  
28 potential adverse impacts of a project on wildlife.

29 III. Fees shall be fixed in a schedule prepared and revised as necessary by the executive  
30 director, and established in rules adopted pursuant to RSA 541-A. Such schedule may differentiate  
31 among different classes of projects based on the intensity of the requisite review by the department.

32 IV. All moneys received under this section shall be deposited into the fish and game fund  
33 established under RSA 206:33 and used solely for the purposes set forth in RSA 206:34-a.

34 V. Receipt of the fees established by this section shall be a prerequisite for any  
35 environmental review undertaken by the department. Any permit or certificate dependent on the  
36 environmental review undertaken by the department shall be invalid until the fees assessed under  
37 this section are paid in full.

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1 64 Certificate of Need Repeal; Effective Date. Amend 2013, 144:180, VIII to read as follows:

2 VIII.(a) [~~Sections 84 and~~] *Section* 140 of this act shall take effect June 30, 2016.

3 (b) *Section 84 of this act shall take effect June 30, 2018.*

4 65 State Health Plan. RSA 151-C:4-a is repealed and reenacted to read as follows:

5 151-C:4-a State Health Plan.

6 I. The board shall develop and issue a state health plan by January 1, 2017. The state  
7 health plan shall provide guidance relative to the certificate of need process under this chapter to  
8 support priority goals. Specifically, the state health plan shall provide goals and key strategies for  
9 improving the health of New Hampshire citizens that ensure:

10 (a) Access to necessary health care services.

11 (b) Efficient spending of limited health care resources to produce reasonable savings and  
12 more affordable health care.

13 (c) Quality of health care based on evidence-based practices to improve health outcomes.

14 II. The board shall submit an annual report beginning December 1, 2015 to the governor,  
15 president of the senate, speaker of the house of representatives, commissioner of the department of  
16 health and human services, commissioner of the insurance department, and commissioner of the  
17 department of administrative services. The annual report shall assess progress toward developing  
18 the state health plan.

19 III. Notwithstanding any provision of law to the contrary, hospitals, as defined in RSA  
20 151-C:2, XX shall pay a one-time special assessment the aggregate of which shall total \$250,000  
21 to the health services planning and review board, established in RSA 151-C:3, which shall be  
22 used for the purposes of developing the state health plan as required under this section.  
23 Moneys, collected from the assessment under this paragraph shall not lapse until June 30, 2017.  
24 Contracts for administrative support or consulting services for the purposes of this paragraph  
25 shall not require governor and council approval. The state health plan shall be delivered to the  
26 speaker of the house of representatives, the president of the senate, and the governor on or  
27 before January 1, 2017.

28 66 Forest Management and Protection Fund. Amend RSA 227-G:5, I(b) to read as follows:

29 (b) The forest management and protection fund shall be a nonlapsing fund administered  
30 by the treasurer of the state of New Hampshire. The fund shall be continually appropriated and  
31 expended at the discretion of the director of the division and the commissioner. Any funds in excess  
32 of that appropriated from the fund may be expended by the commissioner, with prior approval of the  
33 fiscal committee and governor and council, in accordance with RSA 227-G:5, I(a). Revenues shall be  
34 derived from the proceeds of the sale of timber and other forest products from state-owned  
35 forestlands, the amount of which shall be the difference between the total receipts from the sale of  
36 timber within any fiscal year and [~~\$150,000, the average annual stumpage receipt from the sale of~~  
37 ~~timber from state forestlands for the period 1983-1992~~] **13 percent**. Revenues shall also be derived

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1 from the lease of state-owned forestlands, or billable services provided by the division of forests and  
2 lands, if the revenues are not dedicated to any other purpose. Revenues for the fund shall also be  
3 derived from administrative fines collected pursuant to RSA 227-J:14.

4 67 State Park Fund. RSA 216-A:3,-i II is repealed and reenacted to read as follows:

5 II. Any funds deposited into the state park account are hereby continually appropriated to  
6 and may be expended by the commissioner of the department of resources and economic development  
7 to cover budgeted appropriations provided the balance in the state park account does not go below  
8 \$1.5 million and any transfer is reported to the governor and council and fiscal committee of the  
9 general court within 60 days.

10 68 Department of Resources and Economic Development; Transfer of Funds Authorized. The  
11 commissioner of the department of resources and economic development may transfer funds between  
12 and among the class line appropriations in the highway welcome centers (accounting unit 03-35-35-  
13 3520-5919) and may transfer funds between and among the class line appropriations in the turnpike  
14 welcome centers (accounting unit 03-35-35-3520-1872) for the biennium ending June 30, 2017. The  
15 commissioner shall submit a report on a quarterly basis to the fiscal committee of the general court  
16 of all transfers made under this section. RSA 9:17-a and RSA 9:17-c shall not apply to transfers  
17 made under this section.

18 69 Department of Resources and Economic Development; Cannon Mountain. For each year of the  
19 biennium ending June 30, 2017, net revenue derived by the department of resources and economic  
20 development from fees, services, accommodations, rentals, revenue from lift and tramway operations,  
21 retail sales, and concession operations for Cannon Mountain shall be credited to the Cannon Mountain  
22 capital improvement fund established in RSA 12-A:29-c for use in paying debt service related to capital  
23 improvements for the ski area and related state park facilities at Cannon Mountain.

24 70 Suspension. The following are suspended for each fiscal year of the biennium ending June 30, 2017:

25 I. RSA 167:3-c, III, relative to rulemaking for funeral expenses.

26 II. RSA 167:11, relative to funeral expenses to recipients of public assistance.

27 71 Department of Transportation; Transfer of Funds. Notwithstanding any provision of law to  
28 the contrary, for the biennium ending June 30, 2017, the commissioner of transportation is  
29 authorized to transfer funds within and among all accounting units within the department and to  
30 create accounting units and expenditure classes as required and as the commissioner deems  
31 necessary and appropriate to address present or projected budget deficits, or to respond to changes in  
32 federal law, regulations, or programs, and otherwise as necessary for the efficient management of  
33 the department; provided if a transfer does not include new accounting units or expenditure classes,  
34 only transfers over \$75,000 shall require prior approval of the fiscal committee of the general court.

35 72 New Paragraph; Salt Applicators; Rulemaking. Amend RSA 489-C:3 by inserting after  
36 paragraph V the following new paragraph:

37 VI. Establishing and collecting fees to cover the cost of program implementation.

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1           73 New Paragraph; Salt Application Fund. Amend RSA 489-C:5 by inserting after paragraph  
2 III the following new paragraph:

3           IV. There is hereby established a salt application fund. This nonlapsing fund shall be  
4 continually appropriated to the department and used to administer the salt applicator certification  
5 program under this chapter. Certification fees collected by the department shall be deposited with  
6 the state treasurer to the credit of such fund and may be invested as provided by law. Interest  
7 received on such investment shall also be credited to the fund.

8           74 New Subparagraph; Salt Application Fund. Amend RSA 6:12, I(b) by inserting after  
9 subparagraph (326) the following new subparagraph:

10                   (327) Moneys deposited in the salt application fund established in RSA 489-C:5, IV.

11           75 Site Evaluation Committee; Compensation. Amend RSA 162-H:3, VIII to read as follows:

12           VIII. Public members of the committee shall be compensated on a pro rata basis, based upon  
13 the daily salary rate of an unclassified position at the initial step in grade FF as determined in  
14 RSA 94:1-a, I(a), *for their time spent in hearings, meetings, preparation, and travel related*  
15 *to any application or other proceeding before the committee, and shall be reimbursed for*  
16 *their related reasonable out-of-pocket expenses*. Such *public* members shall keep detailed time  
17 *and expense* records which shall be submitted to the [committee] *chairperson or administrator*  
18 and used to determine the amount of compensation *and reimbursement*. Said compensation *and*  
19 *reimbursement* shall be a charge against the site evaluation committee fund. *The chairperson*  
20 *and administrator shall develop a recordkeeping system and accounting and payment*  
21 *procedures for public member compensation and reimbursement*.

22           VIII-a. *State agencies represented on the committee shall be reimbursed for the*  
23 *time spent by each agency's personnel in hearings, meetings, preparation, and travel*  
24 *related to any application or other proceeding before the committee, and for the related*  
25 *reasonable out-of-pocket expenses incurred by such personnel, except that time spent for*  
26 *the first 3 full days of their participation with respect to any such application or other*  
27 *proceeding shall not be subject to reimbursement. The represented state agencies shall be*  
28 *reimbursed in the same manner as the public members of the committee are compensated*  
29 *and reimbursed pursuant to paragraph VIII, except that the rate of reimbursement shall*  
30 *be based on a pro rata share of such state agency representative's salary, benefits, and*  
31 *related costs. State agency personnel on the committee and their designees shall keep*  
32 *detailed time and expense records which shall be submitted to the chairperson or*  
33 *administrator and used to determine the amount of reimbursement. Said reimbursement*  
34 *shall be a charge against the site evaluation committee fund and shall be paid to the*  
35 *respective state agencies represented by such committee members and their designees. The*  
36 *chairperson and administrator shall develop a recordkeeping system and accounting and*  
37 *payment procedures for state agency reimbursement.*

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1           76 Site Evaluation Committee; Support. Amend RSA 162-H:3-a to read as follows:

2           162-H:3-a Administrator and Other Committee Support. There is hereby established within the  
3 site evaluation committee the position of administrator who shall be an unclassified state employee.  
4 In the alternative, the position may be filled by an independent contractor. The administrator shall  
5 be hired by and under the supervision of the chairperson. The administrator, or chairperson in the  
6 absence of an administrator, with committee approval, may engage additional technical, legal, or  
7 administrative support to fulfill the functions of the committee as necessary. Any person to be hired  
8 by the administrator shall be approved by the chairperson. ~~[All costs incurred under this section~~  
9 ~~shall be paid from the site evaluation committee fund established in RSA 162-H:21.]~~

10          77 New Paragraph; Counsel for the Public. Amend RSA 162-H:9 by inserting after paragraph II  
11 the following new paragraph:

12           III. The department of justice shall be reimbursed for time spent by counsel for the public in  
13 hearings, meetings, preparation, and travel related to any application or other proceeding before the  
14 committee, and for the related reasonable out-of-pocket expenses incurred by such counsel for the  
15 public, except that time spent for the first 3 full days of the counsel for the public's participation with  
16 respect to any such application or other proceeding shall not be subject to reimbursement. The  
17 department of justice shall be reimbursed in the same manner as the state agency members of the  
18 committee are compensated and reimbursed pursuant to RSA162-H:3, VIII-a, except that the rate of  
19 reimbursement shall be based on a pro rata share of the counsel for the public's salary, benefits, and  
20 related costs. The counsel for the public shall keep detailed time and expense records which shall be  
21 submitted to the chairperson or administrator and used to determine the amount of reimbursement.  
22 Said reimbursement shall be a charge against the site evaluation committee fund and shall be paid  
23 to the department of justice. The chairperson and administrator shall develop a recordkeeping  
24 system and accounting and payment procedures in connection with said reimbursement to the  
25 department of justice.

26          78 New Paragraph; Energy Facility Evaluation; Enforcement. Amend RSA 162-H:12 by  
27 inserting after paragraph IV the following new paragraph:

28           V. The full amount of costs and expenses incurred by the committee in connection with any  
29 enforcement action against a person holding a certificate, including any action under this section and  
30 any action brought under RSA 162-H:19, in which action the person is determined to have violated  
31 any provision of this chapter, any rule adopted by the committee, or any of the terms and conditions  
32 of the issued certificate, shall be assessed to the person and shall be paid by the person to the  
33 committee. Any amounts paid by a person to the committee pursuant to this paragraph shall be  
34 deposited in the site evaluation committee fund.

35          79 Site Evaluation Committee Fund. RSA 162-H:21 is repealed and reenacted to read as  
36 follows:

37          162-H:21 Fund Established; Funding Plan.



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1 I. There is hereby established in the office of the state treasurer a nonlapsing, special fund  
2 to be known as the site evaluation committee fund. All application fees and other filing fees received  
3 by the committee under 162-H:8-a shall be deposited in the fund. All moneys in the fund shall be  
4 continually appropriated to the site evaluation committee and shall only be used to pay for operating  
5 costs of the committee related to any application or other proceeding before the committee, including  
6 the compensation paid to the public members of the committee under RSA 162-H:3, VIII, the  
7 reimbursements paid to state agencies pursuant to RSA 162-H:3, VIII-a, and the reimbursements  
8 paid to the department of justice pursuant to RSA 162-H:9, III.

9 II. The operating costs of the committee that are not related to any application or other  
10 proceeding before the committee, including the full salary and benefits of the administrator, the full  
11 costs of lease or rental of physical space, office equipment and supplies, administrative support, and  
12 other such costs incurred under RSA 162-H:3-a, shall be funded through appropriations from the  
13 general fund.

14 III. If the funds available to the committee to pay the operating costs specified in either  
15 paragraph I or paragraph II are insufficient to permit the committee to pay all such operating costs,  
16 then upon request of the committee the shortfall shall be funded from the renewable energy fund  
17 established in RSA 362-F:10.

18 80 New Section; Energy Facility Evaluation; Fees. Amend RSA 162-H by inserting after section  
19 8 the following new section:

20 162-H:8-a Application and Filing Fees.

21 I. Except as otherwise provided in paragraph IV, a person filing with the committee an  
22 application for a certificate for an energy facility, a petition for jurisdiction, a request for exemption,  
23 or any other petition or request for the committee to take action shall pay to the committee at the  
24 time of filing a fee determined in accordance with the fee schedule described in paragraph II.

25 II. The fees payable to the committee pursuant to paragraph I shall be determined in accordance  
26 with a fee schedule posted by the committee on its website, which fee schedule shall include initially the  
27 following amounts, subject to subsequent modification pursuant to paragraph III:

28 (a) Application fee for electric generation facilities: \$50,000 base charge, plus the product of:

29 (1) \$1,000 per megawatt for the first 40 megawatts, and \$1,500 per megawatt for  
30 each megawatt in excess of 40 megawatts, for any wind energy system;

31 (2) \$100 per megawatt, for any natural gas or biomass fueled facility;

32 (3) \$150 per megawatt, for any coal or oil fueled facility; or

33 (4) \$200 per megawatt, for any nuclear generation facility.

34 (b) Application fee for transmission facilities: \$50,000 base charge, plus the product of:

35 (1) \$3,000 per mile, for any electric transmission facility; or

36 (2) \$1,500 per mile, for any natural gas pipeline.

37 (c) Application fee for other energy facilities: \$50,000 fee.

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1 (d) Filing fees for administrative proceedings:

2 (1) Petition for committee jurisdiction: \$10,500;

3 (2) Petition for declaratory ruling: \$10,500, or \$3,000 if heard by a 3-member  
4 subcommittee;

5 (3) Certificate transfer of ownership: \$10,500, or \$3,000 if heard by a 3-member  
6 subcommittee;

7 (4) Request for exemption: \$10,500, or \$3,000 if heard by a 3-member subcommittee; or

8 (5) Request to modify a certificate: \$10,500, or \$3,000 if heard by a 3-member  
9 subcommittee.

10 III. The committee shall review and evaluate the level of application fees and filing fees  
11 contained in the fee schedule described in paragraph II at least once each year. The committee may  
12 increase or decrease any amount or amounts in the fee schedule, as the same may have been  
13 previously modified under this paragraph, by up to 20 percent without further action of the fiscal  
14 committee or the general court, provided that any such increase or decrease shall occur not more  
15 frequently than once during any 12-month period. The committee may increase or decrease any  
16 amount or amounts in the fee schedule, as the same may have been previously modified under this  
17 paragraph, by more than 20 percent with approval of the fiscal committee of the general court,  
18 provided that any such increase or decrease shall occur not more frequently than once during any 12-  
19 month period.

20 IV. Notwithstanding paragraph I, a petition for committee jurisdiction filed by a petitioner  
21 as defined in RSA 162-H:2, XI (a), (b), or (c) for a certificate for an energy facility shall not be  
22 required to pay a filing fee. If the committee determines that it has jurisdiction over a proposed  
23 energy facility subject to any such petition, then the owner of the proposed energy facility shall be  
24 required to pay to the committee the petition for jurisdiction fee, in addition to the application fee  
25 determined in accordance with paragraph II for the type and size of the proposed energy facility.

26 V. The application fee and filing fee provisions of this section shall be effective as of July 1,  
27 2014, as provided in 2014, 217:24.

28 81 Veterans' Home; Reports. Amend RSA 119:13 to read as follows:

29 119:13 Reports. The board shall file with the secretary of state, the fiscal committee of the  
30 general court, and the commissioner of administrative services, on or before October 1 [~~and every 6~~  
31 ~~months thereafter~~], a report to the legislature, setting forth the operations and condition of the  
32 home, a detailed account of all moneys received and expended on its behalf since the last report, an  
33 estimate of the amount of money required for its uses before the meeting of the next legislature, and  
34 such other matters and recommendations as they shall think its interests require.

35 82 Department of Information Technology; Transfers Among Accounts. Notwithstanding the  
36 provisions of RSA 9:17-a or any other provision of law to the contrary, for the biennium ending  
37 June 30, 2017, the department of information technology may transfer funds within and among all

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1 accounting units and class lines within said department as necessary for the efficient management of  
2 the department; provided that any transfer of \$75,000 or more shall require prior approval of the  
3 fiscal committee of the general court and the governor and council.

4 83 New Paragraph; Department of Information Technology; Statewide Standards and Protocols.  
5 Amend RSA 21-R:4 by inserting after paragraph XVII the following new paragraph:

6 XVIII. Establishing as necessary, after consultation with the information technology council,  
7 established under RSA 21-R:6, statewide standards and protocols for information technology,  
8 including for purchasing, networks and cyber security, which shall be adhered to by all executive  
9 branch agencies unless granted a waiver.

10 84 Department of Information Technology; Purchasing Policy. RSA 21-R:8-a, I is repealed and  
11 reenacted to read as follows:

12 21-R:8-a Purchasing Policy.

13 I. The department shall, in collaboration with the department of administrative services,  
14 establish standards for the purchase of computer hardware, software, related licenses, media,  
15 documentation, support and maintenance services, and other related services. Agencies may  
16 purchase directly using such established standards without approval from the chief information  
17 officer, or designee, subject to any limitations established by the chief information officer.

18 II. Prior to an agency's issuance of a solicitation for the purchase of computer hardware,  
19 software, related licenses, media, documentation, support and maintenance services, and other  
20 related services including a request for proposal, request for purchase, or other procurement  
21 documentation, the agency shall consult with and seek approval from the department of information  
22 technology.

23 III. The department of information technology, in consultation with the information  
24 technology council, shall annually review and set dollar, or other, limits for purchases and contracts  
25 that require approval from the chief information officer before proceeding.

26 IV. For purposes of this section, "agency" shall have the meaning defined in RSA 21-I:11,  
27 II(b), but shall not include those agencies exempt under RSA 21-I:18 from the provisions of RSA 21-I.

28 85 Department of Transportation; Federal Assistance Grant; Appropriation. Any sum received  
29 in the fiscal years ending June 30, 2016 or June 30, 2017 from the Federal Emergency Management  
30 Agency or Federal Highway Administration's Emergency Relief Program or any other federal  
31 program providing emergency assistance to the department of transportation to reimburse costs  
32 incurred for emergency response, including but not limited to, equipment rental, snow plowing,  
33 sanding, salting, flood damage response, and personnel overtime during any emergency declared  
34 shall be collected by the appropriate agency and appropriated to the department of transportation.

35 86 Continuation of Appropriation Regarding Emergency Management. The sums appropriated  
36 pursuant to 2011, 223:1 as amended by 2013, 144:118 in accounting unit 02-23-23-236010-2740,  
37 class 244, state match public assistance, shall not lapse until June 30, 2017.

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1 87 Department of Safety; Assistant Commissioners.

2 I. Upon the appointment of the second assistant commissioner under RSA 21-P:5, I, position  
3 9U539 shall be abolished to allow for the transition of this unclassified position with its available  
4 appropriations into the unclassified position of assistant commissioner. Funding shall be in  
5 expenditure class 013, within accounting unit 02-23-23-231015-2300. The incumbent in the  
6 abolished unclassified position shall be offered the opportunity to seek the commissioner's  
7 nomination for the unclassified position of assistant commissioner.

8 II. Paragraph I shall take effect upon the abolition of position 9U539, the funding and  
9 appropriations of the unclassified position and the initial appointment of the second assistant  
10 commissioner, as certified by the commissioner of safety to the director of legislative services.

11 88 Department of Safety; Assistant Commissioners. Amend RSA 21-P:5, I and II, to read as  
12 follows:

13 I. The commissioner of safety shall nominate ~~[an]~~ **2** assistant ~~[commissioner]~~  
14 **commissioners** for appointment by the governor, with the consent of the council. ~~[The]~~ **Each**  
15 assistant commissioner shall serve a term of 4 years, coincident with that of the commissioner, and  
16 may be reappointed. The assistant commissioner shall be qualified to hold that position by reason of  
17 education and experience.

18 II. ~~[The]~~ **Each** assistant commissioner shall perform such duties as are assigned by the  
19 commissioner. ~~[The]~~ **Either** assistant commissioner shall assume the duties of the commissioner in  
20 the event that the commissioner is unable for any reason to perform such duties. The assistant  
21 commissioner shall be responsible for the operations of the bureau of hearings, and shall, subject to  
22 the supervision of the commissioner, exercise authority as required to ensure that the divisions and  
23 their directors are implementing the organizational goals and managing the work of the department  
24 in an effective manner.

25 89 New Chapter; Office of Substance Use Disorders and Behavioral Health. Amend RSA by  
26 inserting after chapter 12-N the following new chapter:

27 CHAPTER 12-O

28 OFFICE OF SUBSTANCE USE DISORDERS AND BEHAVIORAL HEALTH

29 12-O:1 Establishment; General Duties and Responsibilities.

30 I. There is established the office of substance use disorder and behavioral health within the  
31 office of the governor. The office of substance use disorder and behavioral health shall be under the  
32 supervision and direction of the governor or the governor's designee. The governor's designee shall  
33 be known as the senior director of the office of substance use disorder and behavioral health, and  
34 shall be appointed for a fixed term.

35 II. The office of substance use disorder and behavioral health shall:

36 (a) Coordinate state resources, state agency spending and budget proposals in the areas  
37 of mental health and substance abuse prevention and treatment.

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1           (b) Propose solutions to the governor to reduce unnecessary duplication of state efforts  
2 and resources.

3           (c) Identify evidence-based treatment practices for substance use disorder services and  
4 work with state agencies to ensure quality delivery of such services.

5           (d) Encourage the coordination and correlation of state planning by agencies of state  
6 government.

7           (e) Participate in interstate, regional, and national planning efforts.

8           (f) Lead grant application efforts that assist in the state's efforts to address substance  
9 use disorders and other behavioral health challenges.

10          (g) Identify barriers to and gaps in New Hampshire's system of care.

11          (h) Serve as the governor's liaison to the governor's commission on alcohol, substance  
12 abuse prevention, treatment and recovery established in RSA 12-J:1.

13          (i) Perform such other duties as the governor may assign.

14          III. All state agencies and departments shall provide the office of substance use disorder and  
15 behavioral health such information and assistance as required by the office to fulfill its  
16 responsibilities. The office shall maintain the confidentiality of any information which is protected  
17 by law.

18          12-O:2 Coordination.

19           I. The office of substance use disorder and behavioral health shall formulate policies and  
20 plans for consideration by the governor which serve to integrate and coordinate resource and  
21 development activities affecting more than one state agency, level of government, or governmental  
22 function. Nothing in this paragraph shall be construed to grant the governor any additional  
23 authority to implement such plans beyond that which has been granted to him or her under the  
24 constitution and other laws of this state.

25           II. The senior director of substance abuse and mental health shall serve on the governor's  
26 commission on alcohol and substance abuse prevention, treatment and recovery.

27          90 New Paragraph; Governor's Commission on Alcohol and Substance Abuse Prevention,  
28 Treatment and Recovery; Membership. Amend RSA 12-J:1 by inserting after paragraph IV the  
29 following new subparagraph:

30           V. The senior director of the office of substance use disorder and behavioral health, or  
31 designee shall serve as the governor's liason to the commission.

32          91 New Section; Departments; Electronic Credit Card Payments; Authorization to Administer.  
33 Amend RSA 21-G by inserting after section 6 the following new section:

34          21-G:6-a Electronic Credit Card Payments; Authorization to Administer. Notwithstanding other  
35 provision of law to the contrary, the head of any state agency or department and any authorized  
36 employee or agent of the head, may accept credit cards or debit cards for the online payment of any  
37 of the taxes, penalties, interest, or fees administered by such commissioner or collected by the

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1 department. The amount of any service charge collected shall be disclosed in advance of the  
2 transaction to the individual paying the tax, penalty or fee and shall be at a reasonable and  
3 customary rate approved in advance by the comptroller.

4 92 Filling Unfunded Positions; Authorization. Notwithstanding other provisions of law to the  
5 contrary, the head of any state agency or department may fill unfunded positions during the  
6 biennium ending June 30, 2017, provided that the total expenditure for such positions shall not  
7 exceed the amount appropriated for personal services.

8 93 New Hampshire Land and Community Heritage Investment Program; Trust Fund. Amend  
9 RSA 227-M:7, I to read as follows:

10 I. There is established in the office of the state treasurer the trust fund for the  
11 New Hampshire land and community heritage investment program. Moneys in the fund and any  
12 interest earned on the fund shall be used for the purpose of this chapter and shall not be used for  
13 any other purpose. The trust fund shall be non-lapsing ***and continually appropriated for the***  
14 ***purposes of this chapter.***

15 94 Insect Pests and Plant Diseases; Pesticide Product Registration. Amend RSA 430:38, III to  
16 read as follows:

17 III. The registrant shall pay an annual fee for each pesticide registered as follows:

18 (a) For a restricted use pesticide, [~~\$120~~] **\$160** per product per year;

19 (b) For a general use pesticide, other than a specialty/household pesticide, [~~\$120~~] **\$160**  
20 per product per year;

21 95 Insect Pests and Plant Diseases; Integrated Pest Management Program. Amend RSA 430:50,  
22 II to read as follows:

23 II. There is established a nonlapsing fund to be known as the integrated pest management  
24 fund. [~~Ten~~] **Fifteen** percent of the pesticide registration fees collected under RSA 430:38, III shall be  
25 deposited in the fund. The fund shall only be used to support the purposes of the integrated pest  
26 management program. The state treasurer may invest moneys in the fund as provided by law and  
27 all interest received on such investment shall be credited to the fund. The commissioner shall be  
28 authorized to accept grants, gifts, and donations from any public or private sources for deposit in the  
29 fund.

30 96 New Paragraphs; Governor's Commission on Disability; Application for Waiver Process.  
31 Amend RSA 275-C:6 by inserting after paragraph VII the following new paragraphs:

32 VIII. To produce and issue, upon request by a non-governmental individual or entity, non-  
33 binding letters of opinion relative to accessibility and barrier free design.

34 IX. To adopt rules, pursuant to RSA 541-A, relative to:

35 (a) The application procedure for applications for non-binding letters of opinion.

36 (b) Information to be required on the applications for non-binding letters of opinion.

37 (c) Information and contents to be included in the non-binding letters of opinion.

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1 (d) Fees required for the issuance of non-binding letters of opinion.

2 (e) Other matters related to the issuance of non-binding letters of opinion.

3 97 Governor's Commission on Disability; Application for Waiver Process. Amend RSA 275-C:15,  
4 IV to read as follows:

5 IV. Except as provided in paragraph V, grant waivers to an owner, an owner's agent or a  
6 lessee-in-possession, *pertaining only to places of public accommodation provided for in*  
7 *RSA 155:39-a*, from specific requirements of the code for barrier-free design where, upon a clear and  
8 convincing showing, a compelling public interest is deemed to outweigh the state's interest in  
9 removing architectural barriers.

10 98 Repeal. 1899, 42, relative to the payment of a fee to university system of New Hampshire, is  
11 repealed.

12 99 Department of Revenue Administration; Administration and Enforcement Fee. Amend  
13 RSA 72-B:16 to read as follows:

14 72-B:16 Administration and Enforcement Fee. There shall be an administration and  
15 enforcement fee of \$100 for each original notice of intent to excavate filed with the department. Such  
16 fee shall accompany the original intent to excavate and shall be deposited into [~~a revolving fund~~  
17 ~~within the department to be used by the department for the administration and enforcement of this~~  
18 ~~chapter and for the education of municipal officials regarding the chapter. It also may be used to~~  
19 ~~educate state personnel responsible for the administration and enforcement of this chapter]~~ *the*  
20 *general fund.*

21 100 New Paragraph; Duties of Commissioner of Revenue Administration. Amend RSA 21-J:3 by  
22 inserting after paragraph XXX the following new paragraph:

23 XXXI. Report biennially to the chairs of the house and senate ways and means committees  
24 with an update of countries that may be considered tax havens under RSA 77-A:1, XV.

25 101 Definitions; Water's Edge Combined Group. Amend RSA 77-A:1, XV to read as follows:

26 XV. "Water's edge combined group" means a group of business organizations as defined in  
27 RSA 77-A:1, I operating a unitary business, except for overseas business organizations, as defined in  
28 paragraph XIX; provided, however[-]:

29 (a) *Overseas business organizations are not incorporated in one of the following*  
30 *jurisdictions that are hereby identified as tax havens: the Principality of Andorra,*  
31 *Anguilla, Antigua and Barbuda, Aruba, the Commonwealth of the Bahamas, the Kingdom*  
32 *of Bahrain, Barbados, Belize, Bermuda, the British Virgin Islands, the Cayman Islands,*  
33 *the Cook Islands, the Republic of Cyprus, the Commonwealth of Dominica, Gibraltar,*  
34 *Grenada, the Bailiwick of Guernsey, the Isle of Man, the Bailiwick of Jersey, the Republic*  
35 *of Liberia, the Principality of Liechtenstein, the Grand Duchy of Luxembourg, Malta, the*  
36 *Republic of the Marshall Islands, the Republic of Mauritius, the Principality of Monaco,*  
37 *Montserrat, the Republic of Nauru, the Caribbean Netherlands, Niue, the Independent*

1 *State of Samoa, the Republic of San Marino, the Republic of Seychelles, the Federation of*  
2 *St. Christopher and Nevis, St. Lucia, St. Vincent and the Grenadines, the Turks and*  
3 *Caicos Islands, the United States Virgin Islands, and the Republic of Vanuatu; and*

4 (b) 80/20 business organizations shall only be excluded from the definition of “water’s  
5 edge combined group” if the following criteria are met:

6 ~~[(a)]~~ (1) The taxpayer certifies that transactions conducted between such business  
7 organizations and other members of the group are on a comparable basis to transactions between  
8 other business organizations owned or controlled by the taxpayer and any members of the water’s  
9 edge combined group; and

10 ~~[(b)]~~ (2) The taxpayer agrees to report to the commissioner any adjustments as finally  
11 determined by the United States Internal Revenue Service with respect to such transactions between any  
12 related business organizations as may have a bearing on the comparability of transactions referred to in  
13 subparagraph ~~[(a)]~~ (1). These adjustments shall be made to the 80/20 business organizations so that a  
14 comparable basis shall be maintained for New Hampshire tax purposes. Such report shall be made in  
15 the manner and within the time limits as provided in RSA 77-A:10. Nothing in this paragraph shall  
16 exclude from taxation any business organization carrying on business activity within the state.

17 102 New Paragraphs; Definitions; Tax Haven; Accumulated Profits. Amend RSA 77-A:1 by  
18 inserting after paragraph XXIX the following new paragraph:

19 XXX. “Tax haven” means a jurisdiction outside the United States which, during the tax year,  
20 has no, or nominal, effective tax on the income of an overseas business organization that is unitary  
21 with a group of business organizations defined in RSA 77-A:1, I; and

22 (a) Has laws or practices that prevent effective exchange of information for tax purposes  
23 with other governments on taxpayers benefiting from the jurisdiction’s tax structure;

24 (b) Has a tax structure that lacks transparency;

25 (c) Facilitates the establishment of foreign-owned entities without the need for a  
26 substantive local presence or commercial impact on the local economy;

27 (d) Explicitly or implicitly excludes the jurisdiction’s resident taxpayers from taking  
28 advantage of the tax structure benefits afforded foreign-owned entities;

29 (e) Explicitly or implicitly excludes foreign-owned entities from participating in the  
30 jurisdiction’s domestic market; or

31 (f) Has created a tax structure that is favorable for tax avoidance.

32 XXXI. “Accumulated profits” means the total undistributed earnings of the business  
33 organization from whatever source derived.

34 103 Department of Revenue Administration; Treatment of Dividends from Tax Havens. Amend  
35 RSA 77-A:3, II by inserting after subparagraph (b) the following new subparagraph:

36 (c) For the purposes of subparagraph (b): (1) dividends received from a business  
37 organization incorporated in a tax haven, as defined in RSA 77-A:1, XXX, and derived from



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1 accumulated profits earned on or before December 31, 2015, and (2) dividends received from business  
2 organizations incorporated in countries which become tax havens, and are derived from accumulated  
3 profits earned on or before the country is identified as a tax haven under RSA 77-A:1, XXX , shall be  
4 treated as foreign dividends, and not be eliminated in determining taxable business profits.

5 104 Applicability. Sections 99 - 103 of this act shall apply to tax periods ending on or after  
6 December 31, 2015.

7 105 Tobacco Tax; Definition of Tobacco Products. Amend RSA 78:1, XIV to read as follows:

8 XIV. "Tobacco products" means cigarettes, loose tobacco, smokeless tobacco, snuff, **nicotine**  
9 **vapor products**, and cigars~~[-but shall not include premium cigars].~~

10 106 New Paragraph; Tobacco Tax; Definitions. Amend RSA 78:1 by inserting after paragraph  
11 XXI the following new paragraph:

12 XXII. "Nicotine vapor product" means any nonlighted, noncombustible product that employs  
13 a mechanical heating element, battery, or electronic circuit regardless of shape or size that can be  
14 used to produce vapor from nicotine in a solution. The term also includes any vapor cartridge or  
15 other container of nicotine in a solution or other form that is intended to be used with or in an  
16 electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device.  
17 The term does not include any product regulated by the United States Food and Drug  
18 Administration under Chapter V of the federal Food, Drug, and Cosmetic Act.

19 107 Repeal. RSA 78:1, XXI, relative to the definition of premium cigar, is repealed.

20 108 Tobacco Tax; Cigarette Tax. Amend RSA 78:7 to read as follows:

21 78:7 Tax Imposed. A tax upon the retail consumer is hereby imposed at the rate of ~~[\$1.78]~~ **\$1.99**  
22 for each package containing 20 cigarettes or at a rate proportional to such rate for packages  
23 containing more or less than 20 cigarettes, on all cigarettes sold at retail in this state. The payment  
24 of the tax shall be evidenced by affixing stamps to the smallest packages containing the cigarettes in  
25 which such products usually are sold at retail. The word "package" as used in this section shall not  
26 include individual cigarettes. No tax is imposed on any transactions, the taxation of which by this  
27 state is prohibited by the Constitution of the United States.

28 109 Tobacco Tax; Tobacco Products Other Than Cigarettes. Amend RSA 78:7-c to read as follows:

29 78:7-c Tax Imposed on Tobacco Products Other Than Cigarettes. A tax upon the retail consumer  
30 is hereby imposed on tobacco products other than cigarettes at a rate of ~~[65.03]~~ **73.94** percent of the  
31 wholesale sales price. The tax under this section may be rounded to the nearest cent if the  
32 commissioner determines that the amount of tax would not thereby be made materially  
33 disproportionate. No such tax is imposed on any transactions, the taxation of which by this state is  
34 prohibited by the Constitution of the United States. ~~[No such tax shall be imposed on premium cigars.]~~

35 110 Applicability. Sections 105 - 109 of this act shall apply to all persons licensed under  
36 RSA 78:2. Such persons shall inventory all taxable tobacco products in their possession and file a  
37 report of such inventory with the department of revenue administration on a form prescribed by the

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1 commissioner within 20 days after the effective date of this act. The tax rate effective July 1, 2015  
2 shall apply to such inventory and the difference, if any, in the amount paid previously on such  
3 inventory and the current effective rate shall be paid with the inventory form. The inventory form  
4 shall be treated as a tax return for the purpose of computing penalties under RSA 21-J.

5 111 Business Profits Tax; Increase of Reasonable Compensation Safe Harbor. Amend RSA 77-  
6 A:4, III(c) to read as follows:

7 (c) In lieu of substantiating the value of the personal services of proprietors, partners, or  
8 members, a business organization or group of related business organizations may elect, as a record-  
9 keeping safe harbor, to deduct up to [~~\$75,000~~] **\$100,000** as total compensation for the tax year;

10 112 Repeal. The following are repealed:

11 I. RSA 21-J:28, VIII, relative to appeal for redetermination or reconsideration procedure.

12 II. RSA 77-A:4, III(g), relative to the presumption of reasonableness of a compensation deduction.

13 113 Tax Amnesty. Notwithstanding the provisions of any other law, with respect to taxes  
14 administered and collected by the department of revenue administration, an amnesty from the  
15 assessment or payment of all penalties and interest in excess of 50 percent of the applicable interest  
16 rate for the tax period shall apply with respect to unpaid taxes reported and paid in full during the  
17 period from May 1, 2015 through and including July 15, 2015, regardless of whether previously  
18 assessed. This amnesty shall only apply to taxes due but unpaid on or before July 15, 2015.

19 114 Mandatory Penalties. On or after August 1, 2015, notwithstanding the provisions of any  
20 other law, the department or any administrative tribunal or court with jurisdiction, either in law or  
21 equity, shall have no discretion to waive, abate, reduce or remit, for good cause or any other reason,  
22 any penalties assessed with respect to taxes administered by the department, which taxes were due  
23 before May 1, 2015.

24 115 Appropriation. The sum of \$50,000 is hereby appropriated to the department of revenue  
25 administration for the fiscal year ending June 30, 2015 to the following account for the purposes of  
26 outreach and other administration necessary for the implementation of the tax amnesty program:  
27 01-084-8405-7884-102 contracts for program services. The governor is authorized to draw a warrant  
28 for said sum out of any money in the treasury not otherwise appropriated.

29 116 Office of Energy and Planning; Establishment; General Duties and Responsibilities. Amend  
30 RSA 4-C:1, II to read as follows:

31 II. The office of energy and planning shall, *within the limits of resources of the agency*:

32 (a) [~~Plan~~] **Participate in planning** for the orderly development of the state and the  
33 wise management of the state's resources.

34 (b) Compile, analyze, and disseminate data, information, and research services as  
35 necessary to advance the welfare of the state.

36 (c) Encourage and assist planning, growth management, and development activities of  
37 cities and towns and groups of cities and towns with the purpose of encouraging smart growth.

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1 (d) Encourage the coordination and correlation of state planning by agencies of state  
2 government.

3 (e) Participate in interstate, regional, and national planning efforts.

4 (f) Administer federal and state grant-in-aid programs assigned to the office by statute  
5 or executive order.

6 (g) Participate and advise in matters of land use planning regarding [~~water resources~~  
7 ~~and~~] floodplain management.

8 (h) [~~Take a leadership role in encouraging~~] **Encourage** smart growth and [~~preserving~~]  
9 **the preservation of** farmland, open space land, and traditional village centers.

10 (i) Administer the following programs: [~~the statewide comprehensive outdoor recreation~~  
11 ~~plan,~~] the national flood insurance program, [~~the land conservation investment program,~~] fuel  
12 assistance contracts, and weatherization contracts. The office shall employ necessary personnel to  
13 administer these programs. In administering fuel assistance and weatherization contracts, the office  
14 shall ensure that when an individual applies for fuel assistance or weatherization, the individual shall  
15 be provided with application forms and information about the Link-Up New Hampshire and Lifeline  
16 Telephone Assistance programs, and shall be provided assistance in applying for these programs.

17 (j) Perform such other duties as the governor may assign.

18 117 Repeal. The following are repealed:

19 I. RSA 4-C:2, relative to office of energy and planning, state development plan.

20 II. RSA 4-C:3, relative to office of energy and planning, data and information services.

21 III. RSA 4-C:5, relative to office of energy and planning, rulemaking authority.

22 IV. RSA 4-C:6, relative to office of energy and planning, coordination.

23 V. RSA 4-C:8, III and IV, relative to office of energy and planning, responsibilities for  
24 assistance.

25 118 Office of Energy and Planning; Regional and Municipal Assistance; Program Established.  
26 Amend RSA 4-C:7 to read as follows:

27 4-C:7 Program Established. The director shall establish a program of regional and municipal  
28 assistance within the office of energy and planning. This program shall coordinate state, regional,  
29 and local planning efforts with the goal of [~~assuring~~] **promoting** delivery of efficient and effective  
30 assistance to local governments in areas related to growth management and resource protection.

31 119 Office of Energy and Planning; Responsibilities for Assistance. Amend RSA 4-C:8, I(c) to  
32 read as follows:

33 (c) Contributions to and coordination with statewide planning and management  
34 activities[~~, including the formulation and updating of the comprehensive state development plan~~  
35 ~~prepared pursuant to RSA 4-C:2].~~

36 120 New Section; Fish and Game; Propagation of Fish and Game; Use of Lands. Amend  
37 RSA 212 by inserting after section 10-b the following new section:

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1           212:10-c Conservation Easements. The executive director may monitor conservation easements and  
2 fee-owned conservation lands held by the state or by other entities. The executive director may accept  
3 funds and enter into agreements, contracts, or memoranda of understanding with the council on  
4 resources and development established under RSA 162-C:1, with other state agencies, or with other  
5 entities as necessary for the purpose of monitoring and overseeing conservation easements in this state.

6           121 Tax on Meals and Rooms; Population Figures. Amend RSA 78-A:25 to read as follows:

7           78-A:25 Population Figures.

8           I. The ~~[office of energy and planning]~~ **department of employment security** is hereby  
9 directed to estimate annually the resident population for all cities and towns of the state as of July 1 of  
10 the preceding year and shall certify the same to the state treasurer on or before August 19 of each year.

11           II. For this section only the definition of resident, and therefore those persons who are to be  
12 included in estimate figures, will be the same as that adopted by the United States bureau of the census.

13           III. On or before April 30 of each year, ~~[the office of energy and planning]~~ **department of**  
14 **employment security** shall notify the chief administrative officer in each community of all the data  
15 components which will be used as the basis for the estimate of population. Municipalities believing  
16 that such data components are incorrect shall file their specific objections and evidence in support  
17 thereof with the ~~[office of energy and planning]~~ **department of employment security** on or before  
18 May 30 of the same year. After due consideration of such evidence, the director of energy and  
19 planning shall determine the final components and resulting estimates.

20           IV. Municipalities dissatisfied with population estimates produced by the ~~[office of energy~~  
21 ~~and planning]~~ **department of employment security** may, at their own expense, have a special  
22 census conducted under contract with the United States bureau of the census. The results of such a  
23 census shall serve as a basis for subsequent estimates made by the ~~[office of energy and planning]~~  
24 **department of employment security** after said results are made available to the ~~[office of energy~~  
25 ~~and planning]~~ **department of employment security**.

26           122 State Energy Strategy. Amend the introductory paragraph of RSA 4-E:1, I to read as  
27 follows:

28           I. The office of energy planning, in consultation with the state energy advisory council  
29 established in RSA 4-E:2, with assistance from an independent consultant and with input from the  
30 public and interested parties, shall prepare a 10-year energy strategy for the state. The office shall  
31 review the strategy and consider any necessary updates in consultation with the senate energy and  
32 natural resources committee and the house science, technology and energy committee, after  
33 opportunity for public comment, at least every ~~[3]~~ **5 years** starting in ~~[2017]~~ **2019 within the limits**  
34 **of resources provided to the office**. The state energy strategy shall include, but not be limited to,  
35 sections on the following:

36           123 Repeal. The following are repealed:

37           I. RSA 9-A:1 through 9-A:4, relative to state development plan.

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1           II. RSA 9-B:5, relative to state economic growth resource protection, and planning policy;  
2 procedures for review.

3           III. RSA 9-B:6, relative to state economic growth, resource protection, and planning policy;  
4 report to the general court and the governor.

5           IV. RSA 162-C:2, IX through XII, relative to council on resources and development,  
6 responsibilities.

7           124 Regional Planning Commission; General Powers and Duties. Amend RSA 36:47, III to read  
8 as follows:

9           III. ~~[In preparing]~~ A comprehensive plan for the development of the region ~~[within its~~  
10 ~~jurisdiction, each regional planning commission may use the framework for the state's~~  
11 ~~comprehensive development plan in RSA 9 A:1, III as the basis for its plan. Such plan]~~ shall be  
12 updated every 5 years or sooner if desired by the regional planning commission. Prior to its  
13 adoption, the plan shall be distributed to every library, planning board, and board of  
14 selectmen/aldermen/city council in each of the communities within the region, and to the office of  
15 energy and planning. The regional planning commission shall address in writing all comments  
16 received prior to the publication of a final draft. A public hearing shall be held by the regional  
17 planning commission with 30 days' notice published in all newspapers of general circulation in the  
18 region, and shall state where the document can be viewed, the time and place of the public hearing,  
19 and shall allow for written comments. For each regional plan, the office of energy and planning shall  
20 offer comments as to its consistency with the state plan. The first regional development plans  
21 affected by this statute shall be adopted within 5 years of the effective date of this paragraph and  
22 renewed at least every 5 years thereafter.

23           125 Regional Planning Commission; General Powers and Duties. Amend RSA 36:47, XII to read  
24 as follows:

25           XII. Facilitate coordination of state agencies to support local, regional, and state planning  
26 efforts ~~[consistent with RSA 9 A:1-4]~~.

27           126 Planning and Zoning; Enactment and Adoption Procedures; Place for Filing Documents;  
28 Reporting of Adoptions or Amendments. Amend RSA 675:9 to read as follows:

29           675:9 Place for Filing Documents; Reporting of Adoptions or Amendments. ~~[A copy of each~~  
30 ~~master plan, zoning ordinance, historic district ordinance, capital improvement plan, building code,~~  
31 ~~subdivision regulation, historic district regulation, site plan review regulation or amendment which~~  
32 ~~is adopted by a municipality shall be placed in a central file with the office of energy and planning;~~  
33 ~~provided, however, that failure to file these documents or amendments with the office of energy and~~  
34 ~~planning shall not affect the validity of the document.] Every municipality which adopts a master~~  
35 plan, zoning ordinance, historic district ordinance, capital improvement plan, building code,  
36 subdivision regulation or site plan review regulation or amendment thereto, shall inform the office of  
37 energy and planning of such adoption or amendment. The office of energy and planning is hereby

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1 authorized to gather this information by way of an annual survey of the municipalities or other such  
2 means as may be deemed appropriate. The office of energy and planning shall periodically create  
3 lists and reports of the information gathered for use by the municipalities and the general public.

4 127 Repeal. RSA 21-O:5-a, I(d), relative to wetlands council membership, is repealed.

5 128 Department of Environmental Services; Water Council. Amend RSA 21-O:7, I(b)(3) to read  
6 as follows:

7 (3) The director of parks and recreation, or designee; **and**

8 (4) ~~[The director of the office of energy and planning, or designee; and~~

9 ~~(5)]~~ The commissioner of safety, or designee.

10 129 Water Management and Protection; Rivers Management Advisory Committee;  
11 Establishment. Amend RSA 483:8, II to read as follows:

12 II. The ~~[director of the office of energy and planning, the]~~ executive director of the fish and  
13 game department, the commissioner of resources and economic development, the commissioner of  
14 the department of transportation, the commissioner of the department of safety, and the  
15 commissioner of the department of agriculture, markets, and food or their designees shall serve as  
16 nonvoting members of the committee.

17 130 Water Management and Protection; Lakes Management Advisory Committee. Amend  
18 RSA 483-A:6, III to read as follows:

19 III. The ~~[director of the office of energy and planning, the]~~ executive director of the fish and  
20 game department, the commissioner of resources and economic development, the commissioner of  
21 the department of safety, the commissioner of the department of agriculture, markets, and food, and  
22 the commissioner of the department of transportation, or their designees, shall serve as nonvoting  
23 members of the advisory committee.

24 131 Land Conservation Investment Program; Transfer of Personnel and Functions.

25 I. Notwithstanding any provision of law to the contrary, all of the functions, positions,  
26 powers, duties, responsibilities, and funding of the land conservation investment program, including  
27 positions 42501 and 42502 shall be transferred to the fish and game commission on July 1, 2015. The  
28 transfer provided in this section shall include all of the all associated books, papers, records,  
29 personnel files, and equipment, including but not limited to work station and information technology  
30 equipment, and shall include the transfer of any unexpended appropriations for any of the foregoing,  
31 as well as any unexpended appropriations for salary/payroll, benefits, support costs, or any other  
32 costs associated with the transferred personnel.

33 II. Notwithstanding any provision of law to the contrary, all of the functions, positions,  
34 powers, duties, responsibilities, and funding of the state data center, including position number  
35 10014 shall be transferred to the department of employment security on July 1, 2015. The transfer  
36 provided in this section shall include all associated books, papers, records, personnel files, and  
37 equipment, including but not limited to work station and information technology equipment, and

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1 shall include the transfer of any unexpended appropriations for any of the foregoing, as well as any  
2 unexpended appropriations for salary/payroll, benefits, support costs, or any other costs associated  
3 with the transferred personnel.

4 132 New Paragraph; Labor; Unemployment Compensation; Administrative Organization and  
5 Administration. Amend RSA 282-A:113 by inserting after paragraph III the following new paragraph:

6 IV. The commissioner of the department of employment security, through the economic and  
7 labor market information bureau, shall annually estimate the resident population for all cities and  
8 towns of the state pursuant to RSA 78-A:25; shall gather and maintain demographic and economic  
9 statistics for statewide planning purposes; and shall cooperate with the Bureau of the Census and  
10 other federal agencies with the objective of improving access to the statistical products, data, and  
11 information of the federal government.

12 133 Chapter Heading; Joint Board; Office of Professional Licensure and Certification. Amend  
13 the chapter heading preceding RSA 310-A:1 to read as follows:

14 **CHAPTER 310-A**

15 ~~[JOINT BOARD OF]~~ **OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION**

16 134 Office of Professional Licensure and Certification. RSA 310-A:1 and 310-A:1-a are repealed  
17 and reenacted to read as follows:

18 310-A:1 Office of Professional Licensure and Certification; Purpose. The purpose of the office of  
19 professional licensure and certification is to promote efficiency and economy in the administration of  
20 the business processing, recordkeeping, and other administrative and clerical operations of  
21 professional licensing and certification boards, including both professional healthcare licensing and  
22 professional technical licensing. The individual licensing and certification boards that are organized  
23 under the office of professional licensure and certification have specialized knowledge and experience  
24 and are separate and distinct for the purpose of regulating their various professions.  
25 Notwithstanding the unique regulatory role of each board, the legislature finds that there are  
26 opportunities for improving efficiency and customer service by providing for the joint administration  
27 of the boards' administrative, clerical, business processing, and recordkeeping functions. Except as  
28 provided in this section, the licensing and certification boards and entities organized under the office  
29 of professional licensure and certification shall exercise the powers, duties, functions, and  
30 responsibilities granted by statute.

31 310-A:1-a Office of Professional Licensure and Certification; Division of Technical Professions  
32 and Division of Health Professions Established. There shall be an office of professional licensure and  
33 certification that shall consist of the division of technical professions and the division of health  
34 professions.

35 I. The division of technical professions shall consist of each of the boards, councils, and  
36 commissions of:

37 (a) Professional engineers under RSA 310-A:3.

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- 1 (b) Architects under RSA 310-A:29.
- 2 (c) Land surveyors under RSA 310-A:55.
- 3 (d) Natural scientists under RSA 310-A:81.
- 4 (e) Foresters under RSA 310-A:100.
- 5 (f) Professional geologists under RSA 310-A:120.
- 6 (g) Landscape architects under RSA 310-A:142.
- 7 (h) Court reporters under RSA 310-A:163.
- 8 (i) Home inspectors under RSA 310-A:186.
- 9 (j) Accountants under RSA 309-B:4.
- 10 (k) Manufactured housing installers under RSA 205-D:2.
- 11 (l) Real estate appraisers under RSA 310-B:4.
- 12 (m) Electricians under RSA 319-C:4.
- 13 (n) Board of manufactured housing under RSA 205-A:25.
- 14 (o) Guardians ad litem under RSA 490-C:1.
- 15 (p) Family mediators under RSA 328-C:4.
- 16 (q) Real estate commission under RSA 331-A:5.
- 17 II. The division of health professions shall consist of each of the boards, councils, and
- 18 commissions of:
  - 19 (a) Hearing care providers under RSA 137-F:3.
  - 20 (b) Examiners of nursing home administrators under RSA 151-A:3.
  - 21 (c) Podiatry under RSA 315:1.
  - 22 (d) Chiropractic examiners under RSA 316-A:2.
  - 23 (e) Dental examiners under RSA 317-A:2.
  - 24 (f) Registration of funeral directors and embalmers under RSA 325:2.
  - 25 (g) Midwifery council under RSA 326-D:3.
  - 26 (h) Licensed dietitians under RSA 326-H:7.
  - 27 (i) Optometry under RSA 327:2.
  - 28 (j) Naturopathic board of examiners under RSA 328-E:7.
  - 29 (k) Licensed allied health professionals under RSA 328-F:3.
  - 30 (l) Acupuncture licensing under RSA 328-G:3.
  - 31 (m) Psychologists under RSA 329-B:3.
  - 32 (n) Mental health practice under RSA 330-A:3.
  - 33 (o) Licensing for alcohol and other drug use professionals under RSA 330-C:3.
  - 34 (p) Electrologists under RSA 314:2-a.
  - 35 (q) Body art practitioners under RSA 314-A.
  - 36 (r) Ophthalmic dispensers under RSA 327-A:2.
  - 37 (s) Reflexology, structural integrators, and Asian bodywork therapists under RSA 328-H:6.



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- 1 (t) Massage therapists under RSA 328-B:5.
- 2 (u) Medicine under RSA 329:2.
- 3 (v) Nursing under RSA 326-B:3 and nursing assistant registry under RSA 326-B:26.
- 4 (w) Pharmacy under RSA 318:2 .
- 5 (x) Barbering, cosmetology, and esthetics under RSA 313-A:2.
- 6 (y) Mental health practice under RSA 330-A:3.
- 7 (z) Medical technicians RSA 328-A:2.

8 135 New Sections; Executive Director; Administration; Investigations. Amend RSA 310-A by  
9 inserting after section 1-a the following new sections:

10 310-A:1-b Executive Director of the Office of Professional Licensure and Certification.

11 I. The position of executive director of the office of professional licensure and certification  
12 shall be an unclassified employee of the state. The executive director shall be qualified by reason of  
13 professional competence, education, and experience. A vacancy shall be filled for the remainder of  
14 the unexpired term in the same manner as the original appointment.

15 II. The current executive director of the joint board of licensure and certification shall become  
16 the first executive director of the office of professional licensure and certification, with a 4-year term  
17 beginning on July 1, 2015. Upon expiration of the term, or upon an earlier resignation, the governor  
18 shall appoint or re-appoint, with advice of council, an executive director for a 4-year term.

19 III. The salary of the executive director of the office of professional licensure and certification  
20 shall be as specified in RSA 94:1-a. The salary of the executive director shall be determined after  
21 assessment and review of the appropriate temporary letter grade allocation for the position for inclusion  
22 in RSA 94:1-a, I(b), which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

23 IV. The governor is hereby authorized to transfer such funds appropriated to the boards,  
24 councils and committees identified in RSA 310-A:1-a as are necessary to pay the salary and benefits  
25 of the executive director.

26 V. The executive director of the joint board of licensure and certification serving on the  
27 effective date of this section shall become the executive director of the office of professional licensure  
28 and certification and shall serve a 4-year term beginning on July 1, 2015.

29 310-A:1-c Division Directors; Positions Transferred.

30 I. There is established in the office of professional licensure and certification 2 classified  
31 positions, at salary grade 35, of director of the division of technical professions and director of the  
32 division of health professions.

33 II. Every classified or unclassified state employee position authorized in the boards,  
34 councils, and commissions under RSA 310-A:1-a shall be transferred to the office of professional  
35 licensure and certification and subject to the supervisory authority of the executive director.

36 III. The authority granted to the executive director of the real estate commission under  
37 RSA 331-A:8, relative to the issuance and denial of licenses, hearing and procedures on denial of

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1 licenses, the hiring of clerical, administrative and investigative staff, maintenance of the official  
2 record, and implementation of a program for consumer education, is hereby transferred to the  
3 executive director of the office of professional licensure and certification.

4 IV. The unclassified position of executive director of the real estate commission shall be  
5 converted from an unclassified position to a similar classified position when the incumbent serving  
6 as the executive director of the real estate commission upon transfer to the office of professional  
7 licensure and certification vacates the position. Any funds appropriated for the compensation of the  
8 unclassified position of executive director of the real estate commission shall be used for  
9 compensation of the classified position at the office of professional licensure and certification.

10 310-A:1-d Administration of the Office of Professional Licensure and Certification.

11 I. The office of professional licensure and certification shall operate under the supervision of  
12 the executive director appointed under RSA 310-A:1-b. The office may employ such clerical or other  
13 assistants as are necessary for the proper performance of its work, and may make expenditures for  
14 any purpose which are reasonably necessary, according to the executive director, for the proper  
15 performance of its duties under this chapter.

16 II. The executive director of the office of professional licensure and certification shall be  
17 responsible for:

18 (a) Supervision of the division directors;

19 (b) The performance of the administrative, clerical, and business processing responsibilities  
20 of the boards, commissions, and councils;

21 (c) Employment of such personnel needed to carry out the functions of the boards;

22 (d) The issuance of a license or certification to any applicant who has met the  
23 requirements for licensure or certification and denying a license or certification to applicants who do  
24 not meet the minimum qualifications;

25 (e) Maintenance of the official record of all applicants and licensees;

26 (f) Supervision, coordination, and assistance to the boards, commissions, and councils in  
27 rulemaking, pursuant to RSA 541-A; and

28 (g) Maintaining the confidentiality of information, documents, and files in accordance  
29 with RSA 91-A.

30 310-A:1-e Investigative Costs; Fees.

31 I. For any order issued in resolution of a disciplinary proceeding before a board, commission,  
32 or council subject to RSA 310-A, where misconduct sufficient to support disciplinary action was  
33 found, including but not limited to a violation of the practice act, an administrative rule, or  
34 professional code of conduct, the board, commission, or council may require the licensee, permit  
35 holder, registrant, or certificate holder who is the subject of such finding to pay a sum not to exceed  
36 the reasonable cost of investigation and prosecution of the proceeding. This sum shall not exceed  
37 \$5,000. This sum may be imposed in addition to any otherwise authorized administrative fines levied

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1 by the board, commission, or council as part of the penalty. The investigative and prosecution costs  
2 shall be assessed by the board, commission, or council and any sums recovered shall be retained as  
3 agency income by the office of professional licensure and certification and disbursed for any future  
4 investigations of complaints and activities that violate its chapter or rules or professional code of  
5 conduct adopted by a member board, commission, or council.

6 II.(a) The executive director of the office of professional licensure and certification shall  
7 assess an annual license and renewal fee of either \$55 or \$150, or a biennial license and renewal fee  
8 of \$110 or \$300, for each professional regulatory board, council, or commission listed in  
9 subparagraph (b). The prescribed fees shall not apply to the board of dental examiners under  
10 RSA 317-A; the office of licensed allied health professionals under RSA 328-F; the board of mental  
11 health practice under RSA 330-A; or any other board, council, or commission subject to this chapter  
12 that has an established license or renewal fee set in statute as of the effective date of this section.

13 (b)(1) The board of hearing care providers under RSA 137-F:3.

14 (2) The board of examiners of nursing home administrators under RSA 151-A.

15 (3) The board of podiatry under RSA 315.

16 (4) The board of chiropractors examiners under RSA 316-A.

17 (5) The board of registration of funeral directors and embalmers under RSA 325.

18 (6) The midwifery council under RSA 326-D.

19 (7) The board of licensed dietitians under RSA 326-H.

20 (8) The board of registration in optometry under RSA 327.

21 (9) The naturopathic board of examiners under RSA 328-E.

22 (10) The board of acupuncture licensing under RSA 328-G.

23 (11) The board of psychologists under RSA 329-B.

24 (12) The board of licensing for alcohol and other drug use professionals under  
25 RSA 330-C.

26 (13) Electrologists under RSA 314.

27 (14) Body art practitioners under RSA 314-A.

28 (15) Ophthalmic dispensers under RSA 327-A.

29 (16) Reflexology, structural integrators, and Asian bodywork therapists under  
30 RSA 328-H.

31 (17) Massage therapists under RSA 328-B.

32 (c) If the license, certification, and renewal fees for a regulated profession are not  
33 established in statute as of the effective date of this section, the relevant board, commission, or  
34 council shall recommend the appropriate fee level to the executive director of the office of  
35 professional licensure and certification. The total of all such license, certification, and renewal fees  
36 shall be sufficient to produce estimated revenues equal to 125 percent of the direct operating  
37 expenses for the boards, commissions, and councils for the previous fiscal year.

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1           III. Costs for the services provided by the office of professional licensure and certification  
2 under this section shall be reimbursed by the boards, commissions, and councils, with such costs  
3 allocated equitably, as determined by the executive director.

4           IV. Nothing in this section shall affect the authority of professional regulatory boards,  
5 commissions, and councils in the office of professional licensure and certification from exercising the  
6 powers, duties, functions, and responsibilities granted by statute.

7           136 Positions Transferred; Department of Information Technology; Health and Human Services.

8           I. Position 41197 in the department of information technology is hereby transferred to the  
9 office of professional licensure and certification including the transfer of all associated books, papers,  
10 records, personnel files, and equipment, including but not limited to work station and information  
11 technology equipment, and shall include the transfer of any unexpended appropriations for any of  
12 the foregoing, as well as any unexpended appropriations for salary/payroll, benefits, support costs, or  
13 any other costs associated with the transferred personnel.

14           II. Position 14830 in the department of health and human services is hereby transferred to  
15 the office of professional licensure and certification created herein including the transfer of all  
16 associated books, papers, records, personnel files, and equipment, including but not limited to work  
17 station and information technology equipment, and shall include the transfer of any unexpended  
18 appropriations for any of the foregoing, as well as any unexpended appropriations for salary/payroll,  
19 benefits, support costs, or any other costs associated with the transferred personnel.

20           137 Board of Manufactured Housing; Administrative and Processing Functions. RSA 205-A:29-  
21 a is repealed and reenacted to read as follows:

22           205-A:29-a Administrative and Business Processing Functions. All administrative, clerical, and  
23 business processing functions of the board shall be transferred to the office of professional licensure  
24 and certification established in RSA 310-A:1 through RSA 310-A:1-e.

25           138 Manufactured Housing Installation Standards Board; Administrative and Processing  
26 Functions. RSA 205-D:3-a is repealed and reenacted to read as follows:

27           205-D:3-a Administrative and Business Processing Functions. All administrative, clerical, and  
28 business processing functions of the board shall be transferred to the office of professional licensure  
29 and certification established in RSA 310-A:1 through RSA 310-A:1-e.

30           139 Board of Accountancy. Amend RSA 309-B:4, III - X to read as follows:

31           III. ~~(a)~~ Each member of the board shall be paid \$100 for each day or portion of a day spent in  
32 the discharge of official duties and shall be reimbursed for actual and necessary expenses incurred in  
33 the discharge of official duties.

34           ~~(b) In addition to the amounts in subparagraph (a), the secretary treasurer shall be~~  
35 ~~compensated in an amount to be determined by the board, but not to exceed \$5,000.]~~

36           IV. The board shall establish fees for examination of applicants, for licenses, for certificates  
37 of authorization, for reissuance of licenses, for renewal and reinstatement of licenses and certificates

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1 to practice under this chapter, for late renewals, for verification of licensure or examination, and for  
2 transcribing and transferring records and other services. All moneys collected by the board from fees  
3 authorized under this chapter shall be received and accounted for by the board, shall be deposited in  
4 the state treasury. Administration expenses shall be limited to the funds collected and may include,  
5 but shall not be limited to, the costs of conducting investigations and of taking testimony and  
6 procuring the attendance of witnesses before the board or its committees; all legal proceedings taken  
7 under this chapter for the enforcement of this chapter; and educational programs for the benefit of  
8 the public or licensees and their employees. ~~[All fees prescribed by the board under prior law shall  
9 remain in effect until the board shall prescribe a new schedule of fees pursuant to RSA 541-A.]~~

10 V. The board shall file an annual report of its activities with the governor, the president of the  
11 senate, and the speaker of the house of representatives. The report shall include a statement of all  
12 receipts and disbursements and a listing of all current licensees under this chapter. The board shall mail  
13 a copy of the annual report to any person requesting it, upon payment of a reasonable charge.

14 VI. The board may employ ~~[an executive director,]~~ investigators~~[-]~~ and such other personnel  
15 as it deems necessary **through the office of professional licensure and certification** for  
16 ~~[administration and]~~ enforcement under this chapter. It may appoint such committees or persons to  
17 advise or assist it in such ~~[administration and]~~ enforcement, as it may see fit. It may retain its own  
18 counsel **retained through the office of professional licensure and certification** to advise and  
19 assist it, in addition to such advice and assistance as is provided by the department of justice.

20 VII. The board shall have the power to take any action necessary and proper to carry out the  
21 purposes of this chapter, including the power to sue and be sued in its official name as an agency of  
22 this state; to issue subpoenas to compel the attendance of witnesses and the production of  
23 documents; and to administer oaths, to take testimony, to cooperate with the appropriate authorities  
24 in other states in investigations and enforcement concerning violations of this chapter and  
25 comparable laws of other states, and to receive evidence concerning all matters within its  
26 jurisdiction. In case of disobedience of a subpoena, the board may invoke the aid of any court of this  
27 state in requiring the attendance and testimony of witnesses and the production of documentary  
28 evidence. The board, its members, and its agents shall be immune from personal liability for actions  
29 taken in good faith in the discharge of the board's responsibilities, and the state shall hold the board,  
30 its members, and its agents harmless from all costs, damages, and attorneys' fees arising from  
31 claims and suits against them with respect to matters to which such immunity applies.

32 VIII. The board shall adopt rules, pursuant to RSA 541-A, governing its administration, the  
33 enforcement of this chapter and the conduct of licensees. Such rules shall include, but not be limited to:

34 (a) Rules governing the board's meetings and conduct of its business.

35 (b) Rules of procedure governing the conduct of investigations and hearings by the board.

36 (c) Rules specifying the educational and experience qualifications required for all licensees,  
37 and the continuing professional education required for renewal of certificates or registrations.

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1 (d) Rules of professional conduct directed to controlling the quality and integrity of the  
2 practice of public accountancy by licensees, including, but not limited to, matters relating to  
3 independence, integrity, objectivity, competence, technical standards, responsibilities to the public,  
4 and responsibilities to clients.

5 (e) Rules on substantial equivalency for implementation of RSA 309-B:6.

6 (f) Rules governing the manner and circumstances of use of the titles “certified public  
7 accountant”, “CPA,” “public accountant” and “PA.”

8 (g) Rules regarding peer review as required under this chapter. Such rules shall include  
9 conduct and cost parameters to ensure that charges for the off-site peer review process are not  
10 excessive.

11 (h) The establishment of all fees required under this chapter.

12 (i) The establishment of administrative fines for violations of this chapter.

13 (j) Rules on how an applicant for certificate demonstrates good character.

14 (k) Rules for records retention, outsourcing disclosures, and the severance of connections.

15 IX. In accordance with RSA 541-A, the board shall publish notice of such proposed action  
16 and shall, in addition, notify all licensees.

17 X. All administrative, clerical, and business processing functions of the board shall be  
18 transferred to the ~~joint board of~~ **office of professional** licensure and certification, established in  
19 RSA 310-A:1~~[, on July 1, 2011]~~ **through RSA 310-A:1-e.**

20 140 Board of Professional Engineers. Amend RSA 310-A:8 to read as follows:

21 310-A:8 Receipts and Disbursements. The board may employ such investigators, ~~clerical, and~~  
22 ~~other assistants as are necessary for the proper performance of its work~~ **retained through the**  
23 **office of professional licensure and certification**, and may make expenditures for ~~any purpose~~  
24 ~~which is reasonably necessary for the proper performance of its duties under this subdivision,~~  
25 ~~including~~ the reasonable expenses of the board’s delegate to meetings of, and membership dues to,  
26 the National Council of Examiners for Engineering and Surveying (NCEES). The board may, with  
27 the approval of the attorney general, hire counsel and investigators **through the office of**  
28 **professional licensure and certification** and pay the reasonable expenses of such counsel and  
29 investigators for the investigation and prosecution of any violation of this subdivision.

30 141 Board of Professional Engineers. Amend RSA 310-A:25, II to read as follows:

31 II. The attorney general, or a designee, shall act as legal advisor to the board if the board so  
32 requests, and render such legal assistance as deemed necessary by the board in carrying out the  
33 provisions of this subdivision, provided that this responsibility shall not relieve the local prosecuting  
34 officers of any of their duties under the law. With the approval of the attorney general, the board may  
35 employ counsel and necessary assistance **through the office of professional licensure and**  
36 **certification** in carrying out the provisions of this subdivision. Reasonable compensation and expenses  
37 for counsel and legal assistance shall be paid from the funds of the board allocated for such purpose.

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1       142 Rulemaking; Professional Engineers. Amend RSA 310-A:32, II to read as follows:

2           II. In adopting any rule under this section, the board [~~may~~] consult with the [~~joint board~~]  
3 ***office of professional licensure and certification*** established under RSA 310-A:1 ***through***  
4 ***RSA 310-A:1-e.***

5       143 Professional Geologists. Amend RSA 310-A:123 to read as follows:

6       310-A:123 Receipts and Disbursements. The board may employ such investigators[~~,-clerical~~  
7 ~~assistants, and other assistants~~] as are necessary for the proper performance of its work ***retained by***  
8 ***the office of professional licensure and certification*** and may make expenditures ***through the***  
9 ***office of professional licensure and certification*** for any purpose which is reasonably necessary  
10 for the proper performance of its duties under this subdivision, including the reasonable expenses of  
11 the board's delegate to meetings and membership dues. The board may, with the approval of the  
12 attorney general, hire counsel and ***through the office of professional licensure and***  
13 ***certification*** and pay the reasonable expenses of such counsel and investigators for the  
14 investigation and prosecution of any violation of this subdivision.

15       144 Board of Professional Geologists; Hearings; Appeals. Amend RSA 310-A:135, II to read as  
16 follows:

17           II. The attorney general, or a designee, shall act as legal advisor to the board if the  
18 board so requests, and render such legal assistance as deemed necessary by the board in  
19 carrying out the provisions of this subdivision. With the approval of the attorney general, the  
20 board may employ counsel and necessary assistance ***retained by the office of professional***  
21 ***licensure and certification*** in carrying out the provisions of this subdivision. Reasonable  
22 compensation and expenses for counsel and legal assistance shall be paid from the funds of the  
23 board allocated for such purpose.

24       145 Real Estate Appraiser Board. RSA 310-B:4, X is repealed and reenacted to read as follows:

25           X. All administrative, clerical, and business processing functions of the board shall be  
26 transferred to the office of professional licensure and certification established in RSA 310-A:1  
27 through RSA 310-A:1-e.

28       146 Electrician's Board. RSA 319-C:4, IV is repealed and reenacted to read as follows:

29           IV. All administrative, clerical, and business processing functions of the board shall be  
30 transferred to the office of professional licensure and certification established in RSA 310-A:1  
31 through RSA 310-A:1-e.

32       147 Board of Marital Mediator Certification. RSA 328-C:13 is repealed and reenacted to read as  
33 follows:

34       328-C:13 Board of Marital Mediator Certification Administrative Functions. All administrative,  
35 clerical, and business processing functions of the board shall be transferred to the office of  
36 professional licensure and certification established in RSA 310-A:1 through RSA 310-A:1-e.

37       148 Real Estate Commission. Amend RSA 331-A:5, IX to read as follows:

1 IX. The ~~[commission]~~ **office of professional licensure and certification** shall make a  
2 biennial report to the governor and council on or before September 1 of each odd-numbered year.  
3 The report shall include an account of its actions, its receipts and expenses, the practical effects of  
4 the application of this chapter, and any recommendations for legislation.

5 X. **All administrative, clerical, and business processing functions of the commission**  
6 **shall be transferred to the office of professional licensure and certification established in**  
7 **RSA 310-A:1 through RSA 310-A:1-e.**

8 149 Real Estate Commission; Qualifications for Licensure. Amend the introductory  
9 paragraph of RSA 331-A:10, I to read as follows:

10 I. The ~~[executive director]~~ **commission, or designee**, shall issue a salesperson's license to  
11 any applicant who:

12 150 Real Estate Commission; Qualifications for Licensure. Amend the introductory  
13 paragraph of RSA 331-A:10, II and subparagraphs II(a) and (b) to read as follows:

14 II. The ~~[executive director]~~ **commission, or designee**, shall issue a broker's license to any  
15 applicant who:

16 (a) Has attained the age of 18;

17 (b) Has successfully completed an examination administered or approved by the  
18 commission which demonstrates satisfactory knowledge and understanding of the principles of real  
19 estate practice. The ~~[executive director]~~ **commission, or designee**, shall only accept for licensure,  
20 an applicant who shows proof of completion of 60 hours of approved study which shall have been  
21 completed prior to the date of the applicant's examination;

22 151 Guardian ad Litem Board. RSA 490-C:7 is repealed and reenacted to read as follows:

23 490-C:7 Administrative Functions. All administrative, clerical, and business processing  
24 functions of the board shall be transferred to the office of professional licensure and certification  
25 established in RSA 310-A:1 through RSA 310-A:1-e.

26 152 Board of Medicine; Medical Review Subcommittee. Amend RSA 329:17, V-a to read as  
27 follows:

28 V-a. A medical review subcommittee of 11 members shall be nominated by the board of  
29 medicine and appointed by the governor and council. The subcommittee shall consist of one member  
30 of the board of medicine and 10 other persons, 3 of whom shall be public members, one of whom shall  
31 be a physician assistant, and 6 of whom shall be physicians. Any public member of the  
32 subcommittee shall be a person who is not, and never was, a member of the medical profession or the  
33 spouse of any such person, and who does not have, and never has had, a material financial interest  
34 in either the provision of medical services or an activity directly related to medicine, including the  
35 representation of the board or profession for a fee at any time during the 5 years preceding  
36 appointment. The terms of the public members shall be staggered so that no 2 public members'  
37 terms expire in the same year. The subcommittee members shall be appointed for 3-year terms, and



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1 shall serve no more than 2 terms. Upon referral by the board, the subcommittee shall review  
2 disciplinary actions reported to the board under paragraphs II-V of this section, except that matters  
3 concerning a medical director involved in a current internal or external grievance pursuant to  
4 RSA 420-J shall not be reviewed until the grievance process has been completed. Following review  
5 of each case, the subcommittee shall make recommendations to the board. Funds shall be  
6 appropriated from the general fund for use by the subcommittee to investigate allegations under  
7 paragraphs I-V of this section. The board shall employ *through the office of professional*  
8 *licensure and certification* a physician as a medical review subcommittee investigator who shall  
9 serve at the pleasure of the board. The salary of the medical review subcommittee investigator shall  
10 be established by RSA 94:1-a.

11 153 Board of Medicine; Investigations. Amend RSA 329:18, II to read as follows:

12 II. The board *through the office of professional licensure and certification* may retain  
13 expert witnesses or other qualified persons to assist with any investigation or adjudicatory  
14 proceeding. Members of the board are not eligible for retainment. The board may also retain special  
15 legal counsel in instances when recommended by the attorney general. To the extent the board's  
16 existing appropriation does not include funds covering such expenditures, the board *through the*  
17 *office of professional licensure and certification* may request the governor and council to  
18 expend funds not otherwise appropriated on the condition that such funds be recovered in the  
19 board's next budget at the rate of 125 percent.

20 154 Board of Medicine; Accounts. Amend RSA 329:19 to read as follows:

21 329:19 Accounts. The ~~board~~ *office of professional licensure and certification* shall keep a  
22 full and true record of all fees received and all sums actually paid for expenses, and at the end of  
23 each year shall account to the governor and council.

24 155 Office of Licensed Allied Health Professionals; Governing Boards. Amend RSA 328-F:3 to  
25 read as follows:

26 328-F:3 Governing Boards Established; Board of Directors; Office of Licensed Allied Health  
27 Professionals.

28 I. There shall be established governing boards of athletic trainers, occupational therapists,  
29 recreational therapists, respiratory care practitioners, physical therapists, speech-language  
30 pathologists, and genetic counselors.

31 II. The governing boards' chairpersons or their appointees shall make up the board of directors of  
32 the office of licensed allied health professionals. The board of directors shall ~~[- subject to the rules adopted~~  
33 ~~by the director of the division of personnel, have authority to establish and fill a supervisory position at~~  
34 ~~labor grade 21 and technical and clerical positions to run the office's business in an efficient manner, and~~  
35 ~~to~~ contract for the services of investigators and legal counsel *retained through the office of*  
36 *professional licensure and regulation*. The board of directors shall have the authority to delegate to  
37 the person in the supervisory position matters of administrative and personnel management.

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1 III. There shall be an office of licensed allied health professionals established in Concord  
2 *within the office of professional licensure and regulation*. [~~It shall be an administratively~~  
3 ~~attached agency, under RSA 21-G:10, to the department of health and human services. In addition,~~  
4 ~~the board shall be subject to the provisions of RSA 126-A:10 a.]~~

5 156 Office of Allied Health Professionals; Responsibilities of the Board of Directors. Amend  
6 RSA 328-F:12 to read as follows:

7 328-F:12 Responsibilities of the Board of Directors.

8 I. [~~The board of directors shall be responsible for preparing and submitting the biennial~~  
9 ~~budget, setting fees, and allocating appropriated funds to each governing board.~~

10 II.] Annually, the [~~board of directors~~] *office of professional licensure and certification*  
11 shall submit to the governor a report of the transactions of the preceding year and a complete  
12 statement of the receipts and expenditures of the boards.

13 [~~III.~~] II. The board of directors shall meet at least quarterly and more often if needed.

14 [~~IV.~~] III. The board of directors shall provide a forum for practice issues arising in the allied  
15 health professions, but shall not set policy for the governing boards.

16 [~~V.~~] IV. The [~~board of directors~~] *office of professional licensure and certification* shall  
17 receive and account for all moneys taken in by the governing boards pursuant to their respective  
18 practice acts, and shall pay such moneys to the state treasurer to be deposited into the general fund.

19 157 Office of Allied Health Professionals; Investigations and Disciplinary Proceedings. Amend  
20 RSA 328-F:24, IV(a) and (b) to read as follows:

21 (a) Retain qualified experts who are not members of the governing board *through the*  
22 *office of professional licensure and certification*.

23 (b) Retain legal counsel when authorized to do so by the attorney general *through the*  
24 *office of professional licensure and certification*.

25 158 Board of Nursing. Amend RSA 326-B:3, IX - XII to read as follows:

26 IX. The governor may remove any member from the board for neglect of any duty under  
27 RSA 326-B:4 or for incompetence or unprofessional or dishonorable conduct. Any person may file a  
28 complaint against a board member with the [~~department of health and human services~~] *office of*  
29 *professional licensure and certification*. The provisions of RSA 4:1 controlling the removal of  
30 public officials from office shall be followed in dismissing board members.

31 X. All members of the board and its agents or employees shall enjoy immunity from  
32 individual civil liability while acting within the scope of their duties as board members, agents, or  
33 employees, as long as they are not acting in a wanton or reckless manner.

34 XI. Board meetings shall be open to the public. In accordance with RSA 91-A:3, the board  
35 may conduct part of a meeting in nonpublic session.

36 [~~XII. The board shall be administratively attached, under RSA 21-G:10, to the department of~~  
37 ~~health and human services.]~~

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1 159 Board of Nursing; Expenditures. Amend RSA 326-B:6 to read as follows:

2 326-B:6 Collection and Expenditure of Funds. The ~~[board]~~ **office of professional licensure**  
3 **and certification** shall receive and expend funds provided such funds are received and expended  
4 for the pursuit of the objectives authorized by this chapter. Fees, fines, and administrative charges,  
5 including those related to RSA 326-B:26, shall be deposited in the general fund.

6 160 Board of Nursing; Investigations. Amend RSA 326-B:38, II to read as follows:

7 II. The board may appoint legal counsel, health care advisors, or other investigators  
8 **retained through the office of professional licensure and certification** to assist with any  
9 investigation and with adjudicative hearings.

10 161 Board of Pharmacy; Reports. Amend RSA 318:11 to read as follows:

11 318:11 Reports. The ~~[board]~~ **office of professional licensure and certification** shall file with  
12 the governor and council, on or before December 1 biennially, a report upon the condition of  
13 pharmacy in the state and containing a record of their acts and proceedings.

14 162 Board of Pharmacy; Investigatory Powers. Amend RSA 318:30, II to read as follows:

15 II. The board may appoint legal counsel, technical advisors or other investigators **retained**  
16 **through the office of professional licensure and certification** to assist with any investigation  
17 and with adjudicatory hearings.

18 163 Board of Barbering, Cosmetology, and Esthetics; Receipts. Amend RSA 313-A:5 to read as  
19 follows:

20 313-A:5 Receipts and Their Disposition. All moneys received ~~[by the board]~~ under this chapter  
21 shall be ~~[paid to the secretary of the board, who shall give a receipt therefor and shall at the end of~~  
22 ~~each month report to the commissioner of administrative services the total amount of money~~  
23 ~~received and thereupon and]~~ **accounted for by the office of professional licensure and**  
24 **certification, and shall be** deposited the same with the state treasurer.

25 164 Board of Barbering, Cosmetology, and Esthetics; Duties. Amend RSA 313-A:7, I to read as  
26 follows:

27 I. The board shall:

28 (a) Prescribe the duties of its officers and employees~~[-which shall be at all times subject~~  
29 ~~to the direction and supervision of the department of health and human services];~~

30 (b) Establish ~~[a principal]~~ an office, **within the office of professional licensure and**  
31 **certification** at which all records and files of the board shall be kept;

32 165 Board of Barbering, Cosmetology, and Esthetics; Inspectors. Amend RSA 313-A:21, I and II  
33 to read as follows:

34 I. The ~~[department of health and human services]~~ **office of professional licensure and**  
35 **certification** shall employ inspectors and authorize them to enter and make reasonable  
36 examination and inspection of any salon, barbershop, or school during business hours for the purpose  
37 of ascertaining whether or not the administrative rules of the board and the provisions of this

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1 chapter are being observed. Each inspector shall file a report with the board of such findings with  
2 respect to each inspection made. Salaries and necessary expenses of the inspectors shall be charged  
3 against the fees and other moneys collected by the board.

4 II. The ~~[commissioner of the department of health and human services shall, with the advice~~  
5 ~~of the]~~ board~~;~~ **shall** adopt rules relative to the qualifications for inspectors under this section.

6 166 Dental Board; Investigatory Powers. Amend RSA 317-A:4, I(d) to read as follows:

7 (d) To obtain legal counsel, investigators, and such other assistance as may be  
8 required; to make contracts and arrangements for the performance of administrative and similar  
9 services; and to establish compensation therefor ***through the office of professional licensure***  
10 ***and certification.***

11 167 Dental Board; Receipts. RSA 317-A:5 is repealed and reenacted to read as follows:

12 317-A:5 Report; Receipts. The office of professional licensure and certification shall make a  
13 biennial report of the board's proceedings to the governor and council in October, and all fees and  
14 fines received shall be accounted for by the office of professional licensure and certification, and shall  
15 be deposited in the state treasury.

16 168 Dental Board; Investigations. Amend RSA 317-A:18, II to read as follows:

17 II. The board may retain legal counsel, dental advisors or other investigators ***through the***  
18 ***office of professional licensure and certification*** to assist with any investigation and with  
19 adjudicatory hearings.

20 169 Dental Board; Disposal of Fines Amend RSA 317-A:35 to read as follows:

21 317-A:35 Disposal of Fines. All fines imposed and collected under this chapter shall be paid by  
22 the court or justice to the ~~[executive director of the board]~~ ***office of professional licensure and***  
23 ***certification.***

24 170 Dental Board; Office Amend RSA 317-A:36 to read as follows:

25 317-A:36 Location of Office. The office of the New Hampshire state board of dental examiners  
26 shall be located in the ~~[bureau of dental public health, department of health and human services]~~  
27 ***office of professional licensure and certification.***

28 171 Board of Mental Health Practice; Receipts and Disbursements. RSA 330-A:11 is repealed  
29 and reenacted to read as follows:

30 330-A:11 Receipts and Disbursements. All monies derived from the provisions of this chapter  
31 shall be received and accounted for by the office of professional licensure and certification and shall  
32 be deposited in the state treasury.

33 172 Board of Mental Health Practice; Records and Reports. Amend RSA 330-A:13, II, to read as  
34 follows:

35 II. Biennially, as of October 1, the~~board]~~ ***office of professional licensure and***  
36 ***certification*** shall submit to the governor a report of the transactions of the preceding biennium,  
37 and shall also transmit a complete statement of the receipts and expenditures of the board.

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1 173 Board of Mental Health Practice; Investigations and Complaints. Amend RSA 330-A:28, II  
2 to read as follows:

3 II. After determining the nature and scope of an investigation or hearing, the board may  
4 employ or retain hearing officers, legal counsel, medical advisors, mental health advisors, or  
5 investigators **through the office of professional licensure and certification** to assist with that  
6 investigation or hearing. Members of the board are not eligible for retention.

7 174 Board of Podiatry; Investigations and Preliminary Hearings. Amend RSA 315:10, II to read  
8 as follows:

9 II. The board may appoint legal counsel, podiatric advisors or other investigators **retained**  
10 **through the office of professional licensure and certification** to assist with any investigation  
11 and with adjudicatory hearings.

12 175 Board of Nursing Home Administrators. Amend RSA 151-A:14 to read as follows:

13 151-A:14 Authorization. In order to provide necessary funds for training courses for nursing  
14 home administrators, the state treasurer is authorized to establish a revolving fund within the  
15 [~~department of health and human services~~] **office of professional licensure and certification**  
16 in sums sufficient to carry out this provision, such funds to be reimbursed in full by federal  
17 matching funds and by tuition charges to the nursing home administrators taking such training  
18 courses.

19 176 Board of Chiropractic Examiners; Income. RSA 316-A:8 is repealed and reenacted to read  
20 as follows:

21 316-A:8 Income. All moneys collected by the board from fees authorized under this chapter shall  
22 be received and accounted for by the office of professional licensure and certification, and shall be  
23 deposited in the state treasury.

24 177 Board of Chiropractic Examiners; Report. Amend RSA 316-A:10 to read as follows:

25 316-A:10 Report. The secretary-treasurer shall file with the governor and council biennially  
26 and in such form as the governor and council may prescribe, such information as is necessary to  
27 maintain in the [~~department of health and human services~~] **office of professional licensure and**  
28 **certification** a current record of rules of the board of chiropractic examiners affecting the  
29 issuance of licenses.

30 178 New Paragraph; Electrologists; Definitions. Amend RSA 314:1 by inserting after paragraph  
31 IV the following new paragraph:

32 V. "Executive director" means the executive director of the office of professional licensure  
33 and certification.

34 179 References Changed; Electrologists; Executive Director. Amend the following  
35 RSA provisions by replacing "commissioner" with "executive director": 314:2, 314:2-a, 314:3, 314:5,  
36 314:6, 314:7, 314:8, 314:9, 134:10, I, 314:13.

37 180 Embalmers and Funeral Directors. Amend RSA 325:33, II(a) and (b) to read as follows

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1 (a) The board may appoint technical advisors or other investigators to assist with any  
2 investigation or adjudication, and may, with the approval of the attorney general, appoint legal counsel  
3 ***retained through the office of professional licensure and certification*** for such purposes.

4 (b) To the extent the board lacks budgeted funds to conduct a significant investigation or  
5 adjudication, it may, with the approval of the attorney general, petition governor and counsel to  
6 receive funds not otherwise appropriated in order to retain professional advisors [~~in the proceeding~~]  
7 ***retained through the office of professional licensure and certification***.

8 181 New Paragraph; Ophthalmic Dispensing; Definitions. Amend RSA 327-A:1 by inserting  
9 after paragraph VI the following new paragraph:

10 VI-a. "Executive director" means the executive director of the office of professional licensure  
11 and certification.

12 182 References Changed; Ophthalmic Dispensing; Executive Director. Amend the following  
13 RSA provisions by replacing "commissioner" with "executive director": the introductory  
14 paragraph of 327-A:5, 327-A:5, VI, 327-A:6, 327-A:7, 327-A:12, 327-A:15, 327-A:17.

15 183 Ophthalmic Dispensing; Duties of Executive Director. Amend RSA 327-A:5, VII to read as  
16 follows:

17 VII. Reporting to the governor and council [~~and to the commissioner of the department of~~  
18 ~~health and human services~~] annually on the activities conducted under this chapter.

19 184 Ophthalmic Dispensing. Amend RSA 327-A:14 to read as follows:

20 327-A:14 Renewal of Registration; Continuing Education. Certificates of registration issued under  
21 this chapter shall be subject to renewal every 2 years and shall expire unless renewed in the manner  
22 prescribed by the commissioner. Certificates of registration for ophthalmic dispensing shall be  
23 renewed upon the payment of the renewal fee and the completion of 8 credits of continuing education  
24 during the previous 2-year period. Any national, regional, or state optical company, trade, or  
25 professional group is authorized to sponsor continuing education programs approved by the American  
26 Board of Opticianry, the National Contact Lens Examiners, or the commissioner. The [~~commissioner~~  
27 ~~or the deputy commissioner of the department of health and human services~~] ***executive director*** shall  
28 authorize continuing education programs which contribute to the advancement, extension, or  
29 enhancement of the professional skills and the technical knowledge of opticians.

30 185 Naturopathic Board; Powers. Amend RSA 328-E:8, I(d) to read as follows:

31 (d) Maintain an accurate account of all receipts, expenditures and refunds granted under  
32 this chapter ***through the office of professional licensure and certification***.

33 186 Naturopathic Board; Administration. Amend RSA 328-E:15 to read as follows:

34 328-E:15 Administration. The [~~commissioner of the department of health and human services~~]  
35 ***executive director*** shall provide administrative services to the board created under this chapter.  
36 All administrative services shall be a cost to the board and shall be reimbursed by fees collected by  
37 the board under RSA 328-E:8, I(a).

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1           187 Board of Hearing Care Providers. Amend RSA 137-F:21, III to read as follows:

2           III. The board may appoint legal counsel, audiology experts, hearing aid dealer experts,  
3 hearing officers, or other investigators ***retained through the office of professional licensure***  
4 ***and certification*** to assist with any investigation or with adjudicatory hearings.

5           188 Board of Acupuncture. Amend RSA 328-G:8 to read as follows:

6           328-G:8 Disposition of Receipts. All moneys received by the board under this chapter shall be  
7 ~~[paid to the administrator of the board, who shall give a receipt therefor and shall, at the end of each~~  
8 ~~month, report to the commissioner of the department of health and human services the total amount~~  
9 ~~of money received and deposit it]~~ ***deposited*** with the state treasurer ***through the office of***  
10 ***professional licensure and certification.***

11           189 Board of Acupuncture; Duties. Amend RSA 328-G:11 I(c), to read as follows:

12           (c) Maintain an accurate account of all receipts, expenditures, and refunds granted  
13 under this chapter ***through the office of licensure and certification.***

14           190 Board of Licensure for Alcohol and other Drug Use Professionals. Amend RSA 330-C:3, XII  
15 to read as follows:

16           XII. The governor may remove any member from the board for neglect of any duty under  
17 RSA 330-C:5 or for incompetence, or unprofessional or dishonorable conduct. Any person may file a  
18 complaint against a board member or board members with the ~~[commissioner of the department of~~  
19 ~~health and human services]~~ ***executive director of the office of professional licensure and***  
20 ***certification.*** Upon receipt of a complaint, the commissioner shall conduct an investigation and  
21 take any appropriate action and report his or her findings to the complainant. The provisions of  
22 RSA 4:1 controlling the removal of public officials from office shall be followed in dismissing board  
23 members.

24           191 Advisory Board of Massage Therapists. RSA 328-B:2, IV is repealed and reenacted to read  
25 as follows:

26           IV. "Executive director" means the executive director of the office of professional licensure  
27 and certification.

28           192 References Changed; Massage Therapists; Executive Director. Amend the following  
29 RSA provisions by replacing "commissioner" with "executive director": 328-B:4, 328-B:5.

30           193 Advisory Board of Massage Therapists. Amend RSA 328-B:11-a to read as follows:

31           328-B:11-a Administrative Fines. The ~~[commissioner of the department of health and human~~  
32 ~~services]~~ ***executive director of the office of professional licensure and certification,*** after  
33 notice and opportunity for hearing, pursuant to rules adopted under RSA 541-A, may impose an  
34 administrative fine not to exceed \$2,000 for each offense upon any person who violates any provision  
35 of this chapter or rules adopted pursuant to it. Rehearings and appeals from a decision of the  
36 ~~[commissioner]~~ ***executive director*** shall be in accordance with RSA 541. Any administrative fine  
37 imposed under this section shall not preclude the imposition of further penalties or administrative

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1 actions under this chapter. The [~~commissioner~~] **executive director** shall adopt rules in accordance  
2 with RSA 541-A relative to administrative fines which shall be scaled to reflect the scope and  
3 severity of the violation. The sums obtained from the levying of administrative fines under this  
4 chapter shall be forwarded to the state treasurer to be deposited into the general fund.

5 194 Board of Psychologists. Amend RSA 329-B:22, III to read as follows:

6 III. After determining the nature and scope of an investigation or hearing, the board may  
7 employ or retain hearing officers, legal counsel, medical advisors, psychologist advisors, or  
8 investigators **through the office of professional licensure and certification** to assist with that  
9 investigation or hearing. Members of the board are not eligible for retention.

10 195 New Paragraph; Advisory Board of Reflexology, Structural Integration, and Asian  
11 Bodywork Therapy; Definitions. Amend RSA 328-H:2 by inserting after paragraph IV the following  
12 new paragraph:

13 IV-a. "Executive director" means the executive director of the office of professional licensure  
14 and certification established under RSA 310-A:1 through RSA 310-A:1-e.

15 196 References Changed; Advisory Board of Reflexology, Structural Integration, and Asian  
16 Bodywork Therapy; Executive Director. Amend the following RSA provisions by replacing  
17 "commissioner" and "department" with "executive director": 328-H:2, I, 328-H:2, VII, 328-H:4, 328-  
18 H:5, 328-H:6, 328-H:7, 328-H:8, 328-H:9, 328-H:10, 328-H:11, 328-H:12, 328-H:15, 328-H:16, 328-H:17.

19 197 Repeals. The following are repealed:

20 I. RSA 126:10-a, relative to the health and human services office of professional licensing.

21 II. RSA 310-A:61, relative to expenditures by the board of land surveyors.

22 III. RSA 331-A:2, V, relative to definition of executive director of the real estate commission.

23 IV. RSA 331-A:6, relative to administrative attachment of the real estate commission.

24 V. RSA 331-A:7, I, relative to appointment of the executive director of the real estate  
25 commission.

26 VI. RSA 331-A:8, relative to powers of the executive director of the real estate commission.

27 VII. RSA 326-B:4, XI and XII, relative to staff and executive director of the board of nursing.

28 VIII. RSA 326-B:5, relative to administration by the executive director of the board of  
29 nursing.

30 IX. RSA 318:2-a, relative to administrative attachment of the pharmacy board.

31 X. RSA 318:9, relative to administrative duties of the pharmacy board.

32 XI. RSA 313-A:2, VI, relative to administrative attachment of the board of barbering,  
33 cosmetology and esthetics.

34 XII. RSA 317-A:2, relative to administrative attachment of the dental board.

35 XIII. RSA 330-A:5, relative to administrative attachment of the board of mental health practice.

36 XIV. RSA 327:2, IV and V, relative to administrative attachment of the board of optometry.

37 XV. RSA 315:1-a, relative to administrative attachment of the board of podiatry.



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1 XVI. RSA 151-A:3, IV, relative to administrative attachment of the board of nursing home  
2 administrators.

3 XVII. RSA 316-A:2, relative to administrative attachment of the board of chiropractic examiners.

4 XVIII. RSA 314:1, I and II, relative to definitions under electrolysis regulation.

5 XIX. RSA 325:2, IV, relative to administrative attachment of the board of funeral directors  
6 and embalmers.

7 XX. RSA 325:10, relative to duties of the secretary of the board of funeral directors and  
8 embalmers.

9 XXI. RSA 327-A:1, V and VI, relative to definitions under the ophthalmic dispensers board

10 XXII. RSA 328-E:7, VII, relative to administrative attachment of the naturopathic board of  
11 examiners.

12 XXIII. RSA 328-E:8, II, relative to personnel of the naturopathic board of examiners.

13 XXIV. RSA 328-E:11, relative to rulemaking by the naturopathic board of examiners.

14 XXV. RSA 137-F, VIII, relative to administrative attachment of the board of hearing care  
15 providers.

16 XXVI. RSA 328-G:4, relative to administrative attachment of the board of acupuncture.

17 XXVII. RSA 328-G:11, V and VI relative to rulemaking by the board of acupuncture.

18 XXVIII. RSA 326-D:3, III, relative to administrative attachment of the midwifery council.

19 XXIX. RSA 326-D:10, II, relative to administrative services of the midwifery council.

20 XXX. RSA 330-C:4, relative to administrative attachment of the board of licensure for  
21 alcohol and other drug use professionals.

22 XXXI. RSA 330-C:5, IX, relative to assistants of the board of licensure for alcohol and other  
23 drug use professionals

24 XXXII. RSA 330-C:5, XI, relative to reports of the board of licensure for alcohol and other  
25 drug use professionals.

26 XXXIII. RSA 326-H:7, relative to administrative attachment of the board of licensed dieticians.

27 XXXIV. RSA 329-B:5, relative to administrative attachment of the board of psychologists.

28 XXXV. RSA 328-H:2, III and IV, relative to definitions for the advisory board of reflexology,  
29 structural integration, and Asian bodywork therapy.

30 XXXVI. RSA 328-I:1, II and III, relative to definitions for the board of registration of medical  
31 technicians.

32 XXXVII. RSA 328-I:2, IV, relative to the administrative attachment of the board of  
33 registration of medical technicians.

34 198 Department of Resources and Economic Development; Reporting Requirements.

35 I. The commissioner of the department of resources and economic development may meet its  
36 reporting obligations, notwithstanding any law to the contrary as set forth in statute, by making such  
37 changes in its current reporting processes as may be necessary or desirable for the efficient,

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1 streamlined, and cost-effective delivery of a consolidated department report and division reports  
2 provided annually as required by statute while maintaining transparency to citizens. This may include  
3 the elimination of the use of some reports as identified to avoid redundancy of information provided  
4 that may be contained in one or more of each through this consolidated reporting process. Such annual  
5 consolidated department and division reports shall incorporate information from the following reports.

6 (a) The department of resources and economic development advisory commission report  
7 provided biennially to the governor and council under RSA 12-A:6.

8 (b) The department's energy efficiency report provided quarterly to the department of  
9 administrative services state's energy manager under executive order 2005-4.

10 II. Such annual consolidated division of economic development report shall incorporate and  
11 consolidate information contained in the following reports:

12 (a) The division of economic development's economic development program loans and  
13 grants report provided annually to the public under RSA 12-A:33.

14 (b) The division of economic development advisory committee on international trade  
15 report provided annually to the general court and governor under RSA 12-A:30, I (f).

16 (c) The office of workforce opportunity job training program for economic growth report  
17 provided annually to the general court, fiscal committee of the general court, governor and council,  
18 and the commissioner of department of employment security under RSA 12-A:58, I.

19 (d) The division of forests and lands mining and reclamation report provided annually to  
20 the governor and council under RSA 12-E:2, VI.

21 (e) The division of forests and lands report provided biennially to the governor under  
22 RSA 227-G:3, I (i).

23 (f) The division of parks and recreation community recreation service report provided  
24 annually to the division director under RSA 12-B:3, X.

25 (g) The Monadnock advisory commission report, a commission administratively assigned  
26 to the division of parks and recreation, provided annually to the member communities under  
27 RSA 227-D:5, VII.

28 (h) The division of parks and recreation Cannon season pass sales report provided quarterly  
29 to the general court, fiscal committee of the general court, and governor and council under RSA 227:14.

30 (i) The division of parks and recreation Hampton Beach capital improvement fund report  
31 provided annually to the fiscal committee of the general court and governor and council under  
32 RSA 216:3, IV (b);

33 (j) The division of parks and recreation's financial report provided annually to the  
34 general court and governor and council under RSA 216-A:3-e, III.

35 (k) The Hampton Beach area commission report, a commission administratively  
36 assigned to the division of parks and recreation, provided annually to the general court and governor  
37 and council under RSA 216-J:3, VIII.

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1 (l) The division of parks and recreation's state of the parks and historic sites report  
2 provided annually to the general court under RSA 216-A:3-c, VI.

3 (m) The state park system advisory council report, a council administratively assigned to  
4 the division of parks and recreation, provided annually to the general court, governor and council,  
5 and state library under RSA 216-A:3-k, VI (f).

6 (n) The division of parks and recreation Cannon Mountain package plan programs  
7 report provided quarterly to the general court, fiscal committee of the general court, and governor  
8 and council under RSA 12-A:15, II.

9 (o) The division of parks and recreation Cannon capital improvement fund report  
10 provided annually to the fiscal committee of the general court and governor and council under  
11 RSA 12-A:29-c, III.

12 (p) The Wentworth Coolidge commission report, a commission administratively assigned  
13 to the division of parks and recreation, provided annually to the general court and governor and  
14 council under executive order 1989-10.

15 (q) The division of parks and recreation bureau of trails report provided annually to the  
16 general court and state library under RSA 215-A:3, IX and RSA 215-C:2, X.

17 (r) The division of parks and recreation Connecticut Lakes Headwaters tract report  
18 provided annually to the general court, the governor and council, and the state library under  
19 RSA 216:8, IV, RSA 216:9, V, and RSA 216:11, IV.

20 (s) The division of travel and tourism revolving fund report provided annually to the  
21 fiscal committee of the general court and the governor and council under RSA 12-A:15-a.

22 (t) The division of travel and tourism development fund provided annually to the general  
23 court, governor and council, and state library under RSA 12-A:43-a, II.

24 III. The annual consolidated department report and division reports shall be delivered  
25 electronically to the speaker of the house of representatives, senate president and fiscal committee of  
26 the general court, and to the governor and council, by January 31 of each year. The department  
27 shall electronically post its annual consolidated report on the department website by January 31 of  
28 each year for review by all other parties as required by statute.

29 199 Issuance of Reports. RSA 20:7 is repealed and reenacted to read as follows:

30 20:7 Issuance of Reports.

31 I. All agencies and departments of the state shall issue biennial reports summarizing their  
32 operations. All reports shall cover periods ending on June 30, and be posted to the state  
33 transparency website, with one paper copy submitted to the state library by October 1. Biennial  
34 reports shall cover periods ending in odd-numbered years beginning with 2015. State agencies and  
35 departments shall make every effort to limit or eliminate the production of paper reports. The  
36 governor and council, speaker of the house of representatives, and the senate president shall be  
37 notified by letter that a report is available on the state transparency website.

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1 II. Agencies and departments may post other required reports to their Internet website and  
2 the state transparency website in lieu of other methods of distribution, and shall notify by letter all  
3 persons or committees required by law to receive such reports of the reports' availability on the state  
4 transparency website.

5 III. The governor's commission on disability established in RSA 275-C shall be exempt from  
6 the provisions of this section but shall comply with the reporting requirements in RSA 275-C:6.

7 200 Department of Environmental Services; Milfoil and Other Exotic Aquatic Plants. Amend  
8 RSA 487:29 to read as follows:

9 487:29 Milfoil and Other Exotic Aquatic Plants Prevention; Grant Fund Report and Budget.  
10 The department of environmental services shall submit ~~[an annual]~~ **a biennial** report, beginning on  
11 January 1, 2004, to the speaker of the house, president of the senate, and the governor and council  
12 which shall include, but not be limited to, a description of prevention and research projects funded by  
13 the milfoil and other exotic aquatic plants prevention program and the extent of aid to municipalities  
14 or subdivisions of the state, non-profit corporations, and research institutions.

15 201 Telecommunications Equipment Assistance Program; Annual Report. Amend RSA 362-E:7  
16 to read as follows:

17 362-E:7 Annual Report. The governor's commission on disability shall file a report which shall  
18 include the number of persons assisted, all sources of funding, and the total amount disbursed under  
19 this chapter. Such report shall be submitted annually to the governor and council, the senate  
20 president, the speaker of the house and the ~~[science, technology and energy committee]~~ **public**  
21 **utilities commission**, on or before October 1.

22 202 Water Pollution and Waste Disposal; Duties of the Department. Amend RSA 485-A:4, XIV  
23 to read as follows:

24 XIV. To formulate a policy relating to long-term trends affecting the purity of the surface  
25 waters or groundwaters of the state. Insofar as practicable and necessary, a continuing program of  
26 sampling and subsequent chemical or biological analysis, or both, shall be conducted to establish  
27 patterns and reveal long-term trends to serve as a basis for formulating such policy. In conducting  
28 said program of sampling and analysis, the department is authorized to accept any assistance as  
29 may be proffered by persons that the department deems to be qualified. ~~[The department shall make~~  
30 ~~a biennial report of its findings to the governor and council, the senate environment committee, and~~  
31 ~~the house resources, recreation, and development committee.]~~ The department shall provide proper  
32 warning to the public by posting a sign indicating where water quality standards are not being  
33 attained as they relate to specified designated uses.

34 203 Water Pollution and Waste Disposal; Duties of the Department. Amend RSA 485-A:4, XVI-  
35 c(a) to read as follows:

36 XVI-c.(a) To design and implement a program for state or independent third party sampling  
37 and testing of sludge or biosolid materials that are intended for land application. The department

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1 shall design the sampling methodology, in consultation with university of New Hampshire  
2 statisticians and sludge and biosolid experts, to provide a statistical evaluation of the contaminant  
3 levels contained in sludge or biosolids. The department shall concentrate its testing on those  
4 contaminants that pose greater risks to public health and the environment due to their toxicity,  
5 potential availability, concentration levels, or concentration uncertainty. The department shall  
6 maintain a database of testing results and prepare, in consultation with university of  
7 New Hampshire statisticians and sludge and biosolid experts, and make available to the public and  
8 the general court, ~~[an annual]~~ **a biennial** report by November 1 of each year which analyses the  
9 compiled test results, including data from prior years, as appropriate. The analysis shall detail  
10 contaminant concentrations on both a statewide and generator level and shall indicate the statistical  
11 degree of certainty in the results of the analysis. The department shall attempt to present the report  
12 in terms that are understandable to the layperson including practical examples such as the  
13 probability that any given load of untested sludge exceeds a contaminant standard.

14 204 Aquatic Resource Compensatory Mitigation; Report. Amend RSA 482-A:33 to read as  
15 follows:

16 482-A:33 Report. The department shall submit ~~[an annual]~~ **a biennial** report 60 days after the  
17 close of each **odd-numbered** fiscal year, to the fiscal committee of the general court, the chairperson  
18 of the house resources, recreation and development committee, and the chairperson of the senate  
19 environment and wildlife committee summarizing all receipts and disbursements of the aquatic  
20 resource compensatory mitigation fund, including a description of all projects undertaken and the  
21 status of the administrative assessment account. Each report shall be in such detail with sufficient  
22 information to be fully understood by the general court and the public. After submission to the  
23 general court, the report shall be available to the public.

24 205 Unemployment Compensation; Duties and Powers. Amend RSA 282-A:112, I to read as  
25 follows:

26 I. It shall be the duty of the commissioner of the department of employment security to  
27 administer this chapter. ~~[He]~~ **The commissioner** shall have power and authority to adopt, amend,  
28 or rescind rules, to employ such persons, make such expenditures, require such reports, make such  
29 investigations, and take such other action as he deems necessary or suitable to that end. The  
30 commissioner shall determine his **or her** own organization and methods of procedure in accordance  
31 with the provisions of this chapter. Not later than the thirtieth day of June of each year, the  
32 commissioner shall submit to the governor a report covering the administration and operation of this  
33 chapter during the preceding calendar year and shall make such recommendations for amendments  
34 to this chapter as he **or she** deems proper. Such reports shall include a balance sheet of the moneys  
35 in the fund in which there shall be provided, if possible, a reserve against the liability in future years  
36 to pay benefits in excess of the then current contributions, which reserve shall be set up by the  
37 commissioner in accordance with accepted actuarial principles on the basis of statistics of

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1 employment, business activity, and other relevant factors for the longest possible period. *Such*  
2 *report shall satisfy the requirements of RSA 20:7 and the department shall not be required*  
3 *to submit a separate biennial report.* Whenever the commissioner believes that a change in  
4 contribution or benefit rates will become necessary to protect the solvency of the fund, ~~[he]~~ *the*  
5 *commissioner* shall promptly so inform the governor and the legislature and make  
6 recommendations with respect thereto.

7 206 New Hampshire Employment Program and Family Assistance Program; Work Participation  
8 Rates. Amend RSA 167:77-a, II to read as follows:

9 II. The department shall submit a report to the oversight committee for health and human  
10 services, established in RSA 126-A:13, relative to actions taken to increase the work participation  
11 rate reported to the federal Department of Health and Human Services. The department also shall  
12 provide the oversight committee with an estimate of whether the state shall meet the federal  
13 requirements for each federal fiscal year by ~~[July]~~ *January* 15 of that fiscal year.

14 207 New Hampshire Employment Program and Family Assistance Program; Outcome  
15 Measurement System. Amend RSA 167:77-c, IV-V to read as follows:

16 IV. The department shall establish an outcome measurement system with the following  
17 areas of analysis:

18 (a) ~~[The job retention and earnings gain indicators using the same methodology as the~~  
19 ~~TANF high performance measures.~~

20 ~~(b)~~ (b) The number and percent of cash assistance recipients who close each month due to  
21 employment, the average hourly, weekly, and monthly wages, the average total weekly and monthly  
22 total income, the number and percent who return to cash assistance after 3, 6, and 12 months.

23 ~~[(c) The extended earnings of families who leave TANF due to employment.~~

24 ~~(d) Numbers and percentages of families who leave TANF due to employment and stay~~  
25 ~~employed.~~

26 ~~(e) Numbers and percentage of families who increase their earnings after leaving TANF.~~

27 ~~(f)~~ (b) Numbers and percentages of TANF families that leave TANF and ranking of their  
28 income compared to the federal poverty level and the ~~[NH]~~ *New Hampshire* living wage.

29 ~~[(g) Poverty and child poverty rates and out of wedlock births and the national ranking of~~  
30 ~~New Hampshire.~~

31 ~~(h) The impact of TANF policies on local assistance based on data requested by the oversight~~  
32 ~~committee and as reported by the New Hampshire Local Welfare Administrators Association.~~

33 ~~(i) The reasons for caseload increases and decreases with analysis of numbers and~~  
34 ~~reasons for openings, denials, and closings and the numbers and reasons for sanctions and denials~~  
35 ~~due to noncompliance with program requirements.~~

36 (j) Any other measures selected by the department or the oversight committee on health  
37 and human services which shows TANF performance in moving families out of poverty.]

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1           V. The department shall develop and maintain the indicators for the program outcomes  
2 listed in paragraph IV, subject to review and approval by the oversight committee on health and  
3 human services. The department shall submit a report to the oversight committee each [~~June and~~  
4 ~~December~~] **January**.

5           208 New Hampshire Employment Program and Family Assistance Program; Career Ladder  
6 Initiatives. Amend RSA 167:77-f, II to read as follows:

7           II. The department shall report its progress to the oversight committee on health and  
8 human services in [~~June and December of each year beginning with December 2007~~] **January**.

9           209 Long-Term Care; Program Management and Cost Controls. Amend RSA 151-E:11, II to  
10 read as follows:

11           II. For the fiscal year beginning July 1, 2003, and each fiscal year thereafter the average  
12 annual cost for the provision of services to persons in the mid-level of care shall not exceed 60  
13 percent of the average annual cost for the provision of services in a nursing facility. The average  
14 annual cost for the provision of services in home-based care shall not exceed 50 percent of the  
15 average annual cost for the provision of services to persons in a nursing facility. No person whose  
16 costs would be in excess of 80 percent of the average annual cost for the provision of services to a  
17 person in a nursing facility shall be approved for home-based or mid-level services without the prior  
18 approval of the commissioner of health and human services. The prior approval shall include a  
19 comparison of the mid-level or home-based care costs of the person with the costs of a facility  
20 qualified to provide any specialized services necessary for the proper care and treatment of the  
21 individual. The department shall provide a report [~~semi-annually~~] on the utilization of non-nursing  
22 home services to the county-state finance commission and the legislative fiscal committee **when**  
23 **such information is provided to the Centers for Medicare and Medicaid Services**.

24           210 Department of Health and Human Services; Rate Setting for Home Health Services.  
25 Amend RSA 126-A:18-a, III to read as follows:

26           III. The commissioner shall make [~~an annual report on or before November 1;~~] **a biennial**  
27 **report** relative to the rates for home health services, to the speaker of the house of representatives,  
28 the president of the senate, and the chairpersons of the house and senate finance committees.

29           211 Workers' Compensation; Reports of the Commissioner. Amend RSA 281-A:61 to read as  
30 follows:

31           281-A:61 Reports of the Commissioner.

32           I. The commissioner shall make a report to the governor, by October 1 of each odd-numbered  
33 year, showing the work done during the preceding 2 fiscal years. The report shall include a properly  
34 classified statement of department expenses, statistical information relating to the number and  
35 character of industrial accidents during such 2 years and such other information and  
36 recommendations as the commissioner deems pertinent. The report shall be printed as part of the  
37 commissioner's biennial report.

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1 II. The commissioner shall make a workplace safety and injury report, which shall be  
2 submitted with the report required under paragraph I, to the governor and the legislature. The  
3 report shall provide statistical information pertaining to the nature, character and severity of  
4 industrial accidents, injuries, and illnesses in New Hampshire and information pertaining to the  
5 department's and employers' efforts in the area of safety promotion and accident prevention. ~~[The  
6 statistical information related to workplace injuries shall be compiled from data gathered directly by  
7 the department through the required injury reports filed by employers.]~~ This report shall include,  
8 but not be limited to, the types and frequency of reported injuries; ~~[a breakdown and analysis of the  
9 types and size of industries, and]~~ the job classifications from which such injuries have been reported;  
10 ~~[the average length of disability;]~~ a report of employer compliance with RSA 281-A:64; the annual  
11 listing of best and worst performers as prepared by the commissioner under the provisions of  
12 RSA 281-A:64; a report of all departmental activities required under RSA 281-A:65; specific  
13 recommendations for improved workplace safety promotion and injury prevention; and any other  
14 such information and recommendations pertaining to workplace injuries and injury prevention as  
15 the commissioner deems appropriate. ~~[The report shall also include the same information for  
16 certified managed care programs and shall include information relative to the number of employees  
17 and the number of hearings of claimants participating in each certified managed care program.]~~

18 212 State Liquor Stores; Closing of State Stores. Amend RSA 177:2, I to read as follows:

19 I. The commission may close any state liquor store to improve profitability and efficiency. In  
20 determining net operating profit or loss, the commission shall adhere to generally accepted  
21 accounting principles for both revenues and expenses and shall include an allocation for indirect  
22 costs. All information regarding a decision to close any state liquor store shall be made available, by  
23 the commission, to the public upon request. The commission shall provide public notice 30 days  
24 prior to closing any state liquor store. The commission shall submit a ~~[semi-annual]~~ report of state  
25 liquor store closings to the fiscal committee of the general court **when store closings occur**.

26 213 Horse and Dog Racing; Report of the Commission. Amend RSA 284:21-g to read as follows:

27 284:21-g Report of the Commission. The commission shall make an annual report to the  
28 governor ~~[in accordance with RSA 20:7,]~~ including therein an account of its actions, receipts derived  
29 under the provisions of this subdivision, the practical effects of the application thereof, and any  
30 recommendation for legislation which the commission deems advisable. **Such report shall be  
31 submitted on or before February 1 and the commission shall not be required to submit a  
32 separate report under RSA 20:7.**

33 214 Disposal of State-Owned Vehicles Based on Non-Business Use. Amend RSA 21-I:19-h, I-IV  
34 to read as follows:

35 I. Each agency, as defined in RSA 21-G:5, III, shall report ~~[quarterly]~~ **biennially** to the  
36 department of administrative services the total miles and total nonbusiness miles traveled by each  
37 state-owned motor vehicle, including, but not limited to, use of vehicles for commuting between an



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1 employee's home and regular place of business. This section shall not apply to vehicles used for the  
2 purposes of law enforcement. This section shall be interpreted so as not to conflict with federal  
3 Internal Revenue statutes or regulations and shall not relieve an agency or its employees from non-  
4 wage fringe benefit reporting requirements for nonbusiness use of state-owned motor vehicles.

5 II. By August 1, 2011, each agency shall review the utilization of all vehicles which are  
6 assigned to the agency to determine if nonbusiness use for any vehicle exceeds 15 percent of the total  
7 miles traveled by that vehicle for the preceding fiscal year. By August 1 of each *odd-numbered*  
8 year after 2011, each agency shall conduct the same review using the percentage of nonbusiness use  
9 miles adjusted by the vehicle utilization committee.

10 III. Each agency shall, by August 15, 2011, report to the commissioner in writing all vehicles  
11 which are determined to have nonbusiness use exceeding 15 percent of the total miles traveled by  
12 that vehicle for the preceding fiscal year. Each agency shall, by August 15 of each *odd-numbered*  
13 year after 2011, report to the commissioner in writing all vehicles which are determined to have  
14 nonbusiness use miles exceeding the percentage adjusted by the vehicle utilization committee.

15 IV. The commissioner shall, by October 1, 2011 and each October 1 *in an odd-numbered year*  
16 thereafter, submit a report to the governor and council and to the fiscal committee of the general court  
17 identifying all vehicles which he or she has been advised have nonbusiness use exceeding the applicable  
18 percentage of total miles traveled by that vehicle for the preceding **2** fiscal ~~[year]~~ *years*.

19 215 State Trust Funds; Reporting. Amend RSA 11:5-b to read as follows:

20 11:5-b Reporting.

21 I. The state treasurer shall report annually or more often as required by the trust fund  
22 administrators or the terms of the trust instrument to the administrator on the financial activities of  
23 the respective trust fund.

24 II. ~~[The state treasurer shall keep appropriate bookkeeping records, showing on an annual~~  
25 ~~basis the amount of each trust fund and the profits and income allocable to each trust. A copy of~~  
26 ~~such records shall be approved annually by the governor and council and filed with the director of~~  
27 ~~charitable trusts who serves under the supervision of the attorney general under RSA 7:20.~~

28 III.] Trust fund administrators shall report on the use of state trust funds and the income  
29 received thereon pursuant to the requirements of RSA 7:28 and provide a copy of such reports to the  
30 governor and council.

31 216 Investment and Debt Management; Duties of Office. Amend RSA 6-B:2, V to read as follows:

32 V. Evaluate revenue projections for each proposed revenue bond issue ~~[and report findings~~  
33 ~~to the governor and the capital budget overview committee].~~

34 217 Controlled Drug Act; Drug Asset Forfeiture Guidelines Required. Amend RSA 318-B:17-e to  
35 read as follows:

36 318-B:17-e Drug Asset Forfeiture Guidelines Required. The department of justice shall adopt  
37 and maintain drug asset forfeiture guidelines. The attorney general shall submit the guidelines and

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1 any proposed amendments to such guidelines to the house judiciary and family law committee and to  
2 the senate judiciary committee for review and comment [~~at least as often as annually~~] **whenever**  
3 **amendments to the guidelines are proposed.** The attorney general shall submit any proposed  
4 amendments to the guidelines for legislative review and comment prior to their becoming effective.

5 218 State Solid Waste Plan and Report. Amend RSA 149-M:29, I and the introductory  
6 paragraph of RSA 149-M:29, II to read as follows:

7 I. Beginning October 1, 1998, and every [6] **10** years thereafter, the department shall update  
8 the state's solid waste plan.

9 II. [~~At least every October 1 of every year~~] **No later than October 1, 2015 and by October**  
10 **1 of every fifth year thereafter,** the department shall prepare a report on the level of achievement  
11 in reaching the 40 percent diversion goal established in RSA 149-M:2 and on proposed strategies for  
12 achieving the goal and any proposed changes to the goal. The report shall contain information  
13 regarding:

14 219 Department of Environmental Services; Air Resources Council. Amend RSA 21-O:11, III to  
15 read as follows:

16 III. The council shall consult with and advise the director of the division of air resources  
17 with respect to the policy, programs, goals and operations of the division, with particular emphasis  
18 on long-range planning for the division and on education of the public relative to the functions of the  
19 division, on a continuing basis. In order to accomplish said purposes, the council shall meet with the  
20 director not less frequently than quarterly, or at the call of the chairman or 3 council members. [~~The~~  
21 ~~council shall file annually a report of its deliberations and recommendations with the commissioner~~  
22 ~~of the department of environmental services and the governor and council.~~]

23 220 Pollution Prevention; Duties of Coordinator. Amend RSA 21-O:18, VI to read as follows:

24 VI. Prepare a [~~biennial~~] report **every 4 years to submit** to the governor and council, the  
25 legislature and the committee on environment and agriculture on the department's efforts to integrate  
26 and promote pollution prevention concepts, the fiscal aspects of such efforts, and specific cases of  
27 successful and unsuccessful pollution prevention resulting from the implementation of this subdivision.

28 221 Diseases of Domestic Animals; Report. Amend RSA 436:4 to read as follows:

29 436:4 Report. The commissioner shall, [~~between September 1 and October 31 of each year,~~  
30 ~~make~~] **within its biennial report pursuant to RSA 20:7, submit** a written report to the governor  
31 and council, stating in detail the work done during the preceding [~~year~~] **2 years.**

32 222 Animal Population Control; Program Established. Amend RSA 437-A:2 to read as follows:

33 437-A:2 Program Established. The department shall establish and implement an animal  
34 population control program. The purpose of this program shall be to reduce the population of  
35 unwanted and stray dogs and cats by encouraging the owners of dogs and cats to have them  
36 permanently sexually sterilized, thereby reducing potential threats to public health and safety from  
37 mid-Atlantic rabies and other sources. The program shall not begin operation until June 1, 1994.

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1 The commissioner shall [~~make an annual~~] report relative to the progress of the program beginning  
2 on September 1, 1994, to the president of the senate, the speaker of the house and the governor  
3 ***within its biennial report pursuant to RSA 20:7.***

4 223 Standards for Weights and Measures; Duties of the Commissioner. Amend RSA 438:7, VII  
5 to read as follows:

6 VII. The commissioner shall biennially make to the governor a report on all of the activities  
7 under this chapter ***within its biennial report pursuant to RSA 20:7.***

8 224 Standards for Weights and Measures; Duties of the Commissioner. Amend RSA 438:7, IX to  
9 read as follows:

10 IX. The commissioner shall [~~make an annual~~] ***within its biennial report pursuant to***  
11 ***RSA 20:7***, report [~~on October 1 of each year~~] to the house and senate committees on executive  
12 departments and administration and to the house and senate clerks including the number of  
13 consumer complaints, the number of inspections, and the number of audits during the prior fiscal  
14 year for meters, scales, and other devices.

15 225 Beekeeping and Maple Honey Products; Report. Amend RSA 429:6 to read as follows:

16 429:6 Report. The inspector shall render [~~annually on or before July 1~~] a full and complete  
17 report of his work. This report shall be included in and made a part of the report of the  
18 commissioner, ***within the biennial report pursuant to RSA 20:7.***

19 226 Insect Pests and Plant Diseases; Board Responsibility and Authority. Amend RSA 431:31,  
20 VI to read as follows:

21 VI. File a report [~~annually~~] ***within the biennial report pursuant to RSA 20:7***, with the  
22 senate president and speaker of the house of representatives, for distribution to all state legislators,  
23 regarding the policies and goals of the board and the enforcement of this subdivision.

24 227 Pesticides Training Program. Amend RSA 430:31-b, III to read as follows:

25 III. The department of agriculture, markets, and food shall, ***within its biennial report***  
26 ***pursuant to RSA 20:7***, submit [~~an annual~~] a report[~~, beginning on July 1, 2002,~~] to the speaker of the  
27 house, president of the senate, and the governor and council which shall include, but not be limited to,  
28 training and educational programs offered or contracted by the division of pesticide control under the  
29 training program established by paragraph I of this section, the revenue generated from the program  
30 under paragraph II of this section, and the budget and revenue projections of the division.

31 228 Agriculture Nutrient Management Program. Amend the introductory paragraph of  
32 RSA 431:36, II to read as follows:

33 II. The commissioner shall [~~report by October 1 of each year, beginning 2002,~~] ***within the***  
34 ***biennial report pursuant to RSA 20:7, report*** to the house environment and agriculture  
35 committee, the senate environment committee, the house finance committee, and the senate finance  
36 committee. The report shall include:

37 229 Waiver in Lieu of Court Appearance; Default. Amend RSA 262:44, VIII to read as follows:

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1 VIII. The commissioner of the department of safety shall ~~make an annual report 60 days~~  
2 ~~after the close of each fiscal year~~ **within its biennial report pursuant to RSA 20:7, report** to the  
3 fiscal committee of the general court on fines and fines in default, paid and unpaid~~[for each year~~  
4 ~~beginning with 1993]~~.

5 230 Driver Education; Reciprocity. Amend RSA 263:20 to read as follows:

6 263:20 Driver Education; Reciprocity. The provisions of RSA 263:19 shall not prevent the  
7 issuance of a driver's license to any individual who can provide satisfactory evidence of completion of  
8 a course of driver education, approved by the state in which the course is offered, provided that the  
9 commissioner of safety shall determine that such course is essentially equivalent to the state's  
10 minimum standards. The commissioner shall take all reasonable steps to facilitate appropriate  
11 interstate driver education. The commissioner shall **include in its report pursuant to RSA 20:7,**  
12 **a report** ~~[at least annually]~~ to the general court on the progress of reciprocal driver education.

13 231 Public and Congregate Mooring Fields; Permit Required. Amend RSA 270:67, II(d) to read  
14 as follows:

15 (d) Operators in charge of maintaining congregate mooring fields may charge no more  
16 for the use of a mooring than an amount which reasonably covers the costs of mooring installations  
17 and maintenance. Said charges shall be reported to the division of state police ~~[who shall submit an~~  
18 ~~annual report to the governor and council and the general court on all congregate mooring fields]~~.

19 232 Fish and Game Commission; Biennial Report to the General Court. Amend the introductory  
20 paragraph of RSA 206:9-a, I to read as follows:

21 I. The executive director of the fish and game department shall, ~~[not later than October 1 of~~  
22 ~~each odd numbered year]~~ **within its biennial report pursuant to RSA 20:7,** submit a report to  
23 the governor and council and to the general court to include: a summary report of department  
24 proceedings; a description of the license fee reductions, waivers, and promotion activities pursuant to  
25 RSA 214:9-f; and recommendations for changes in the fee structure for all licenses and permits  
26 issued by the department. This report shall include consideration of:

27 233 Propagation of Fish and Game; Reasonable Price. Amend RSA 212:8 to read as follows:

28 212:8 Reasonable Price. The executive director, with the approval of the governor and council,  
29 may pay a fair and reasonable price for waters, lands or rights therein with or without buildings,  
30 required for the establishment of fish hatcheries, game farms, game refuges and fish and game  
31 department uses for the protection, regulation and management of wildlife resources and the  
32 implementation of department programs. The executive director, subject to the approval of the  
33 governor and council, may expend for the purchase of land, waters or rights therein during any year  
34 only such total sum as may be appropriated therefor. The executive director shall, **within its**  
35 **biennial report pursuant to RSA 20:7,** make a report ~~[during the month of January in the years~~  
36 ~~that the legislature is in session]~~ of all lands, waters or rights therein so acquired since the last  
37 report to the senate president and the speaker of the house.

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1           234 Propagation by the State; Accounts. Amend RSA 212:23 to read as follows:

2           212:23 Accounts. The executive director shall keep an itemized account of all such sales or  
3 exchanges, and include the same in his biennial report to the governor and council *pursuant to*  
4 ***RSA 20:7***, and shall remit to the state treasurer all money received under the provisions of this  
5 subdivision, to be credited to the fish and game fund.

6           235 Expansion of State Park System; Development Plan. Amend RSA 216-A:3-c, VI to read as  
7 follows:

8           VI. The director of parks and recreation shall report to the house resources, recreation and  
9 development committee and the senate energy, environment, and economic development committee  
10 [~~by January 31 of each year~~] ***within the biennial report pursuant to RSA 12-A:6*** on the state of  
11 the parks and historic sites.

12          236 Repeal. The following are repealed:

13           I. RSA 9-E:5, relative to department of transportation reporting on roadway lighting.

14           II. RSA 21-H:8, IX, relative to an annual report on department of corrections operations.

15           III. RSA 235:23-a, IV, relative to an annual report on the bridge and highway betterment  
16 program.

17           IV. RSA 21-J:45, relative to a department of revenue administration report on the status of  
18 requested tax refunds.

19           V. RSA 339-F:6, VII, relative to the state fire marshal's report on certification of reduced  
20 ignition propensity cigarettes.

21           VI. RSA 483:13, IV, relative to a report on the rivers management and protection fund.

22           VII. RSA 486-A:9, II(f), relative to a report on the water supply and land grant program.

23           VIII. RSA 167:77-b, II, relative to an department of health and human services on TANF  
24 performance.

25           IX. RSA 167:77-d, relative to a department of health and human services report on TANF  
26 diversion.

27           X. RSA 126-I:2, V, relative to a report on the osteoporosis prevention and education program.

28           XI. RSA 103:11, III, relative to a report on the administration of the policemen's  
29 retirement fund.

30           XII. RSA 102:12, III, relative to a report on the administration of the firemen's retirement  
31 fund.

32           XIII. RSA 167:96, relative to the treasurer's certification of funds available in the long-term  
33 care assistance fund.

34           XIV. RSA 367:46, relative to a report on railroad stock.

35           XV. RSA 432:20, II, relative to a report by the agricultural lands preservation committee.

36           XVI. RSA 432:6, relative to a report on soil conservation and the domestic allotment act.

37           XVII. RSA 9-C:10, relative to a report on state waste reduction and recycling.

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1 XVIII. RSA 6:17, relative to a report by the state treasurer.

2 XIX. RSA 6:43, relative to a report on the New Hampshire excellence in higher education  
3 endowment fund.

4 XX. RSA 425:13, relative to a report by the department of agriculture, markets and food.

5 XXI. RSA 485:3-d, relative to a report on the status of the environmental site assessment  
6 review and groundwater management programs.

7 XXII. RSA 219:21, relative to the inventory account report.

8 XXIII. RSA 284:11, relative to a report by the racing and charitable gaming commission.

9 XXIV. 2006, 240:9, relative to department of transportation financial reports.

10 XXV. 2006, 277:4, II, relative to a report on insurance company redomestications.

11 XXVI. 2013, 155, relative to department of justice reports on collection of arrearages for  
12 mitigation of flooding.

13 XXVII. 2013, 143, accounting unit 04-96-96-960515-3005, class note 030, relative to a  
14 department of transportation status report to the capital budget overview committee.

15 237 Classified Salaries; January 8, 2016. RSA 99:1-a is repealed and reenacted to read as follows:

16 99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and all  
17 classified employees represented by an employee organization having an agreement with the state for  
18 the biennium ending June 30, 2017 shall be established as follows commencing January 8, 2016:

19	GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
20	01	20,202.00	20,728.50	21,294.00	21,918.00	22,542.00	23,224.50	23,848.50	24,472.50
21	02	20,728.50	21,294.00	21,918.00	22,542.00	23,224.50	23,848.50	24,472.50	25,174.50
22	03	21,294.00	21,918.00	22,542.00	23,224.50	23,848.50	24,472.50	25,174.50	25,954.50
23	04	21,918.00	22,542.00	23,224.50	23,848.50	24,472.50	25,174.50	25,954.50	27,709.50
24	05	22,542.00	23,224.50	23,848.50	24,472.50	25,174.50	25,954.50	27,709.50	28,743.00
25	06	23,224.50	23,848.50	24,472.50	25,174.50	25,954.50	27,709.50	28,743.00	29,796.00
26	07	23,848.50	24,687.00	25,681.50	26,676.00	27,709.50	28,743.00	29,796.00	31,024.50
27	08	24,687.00	25,681.50	26,676.00	27,709.50	28,743.00	29,796.00	31,024.50	32,194.50
28	09	25,681.50	26,676.00	27,709.50	28,743.00	29,796.00	31,024.50	32,194.50	33,442.50
29	10	26,676.00	27,709.50	28,743.00	29,796.00	31,024.50	32,194.50	33,442.50	34,749.00
30	11	27,709.50	28,743.00	29,796.00	31,024.50	32,194.50	33,442.50	34,749.00	36,153.00
31	12	28,743.00	29,796.00	31,024.50	32,194.50	33,442.50	34,749.00	36,153.00	37,752.00
32	13	29,796.00	31,024.50	32,194.50	33,442.50	34,749.00	36,153.00	37,752.00	39,292.50
33	14	31,024.50	32,194.50	33,442.50	34,749.00	36,153.00	37,752.00	39,292.50	40,989.00
34	15	32,194.50	33,559.50	34,924.50	36,328.50	37,752.00	39,292.50	40,989.00	42,646.50
35	16	33,559.50	34,924.50	36,328.50	37,752.00	39,292.50	40,989.00	42,646.50	44,479.50
36	17	34,924.50	36,328.50	37,752.00	39,292.50	40,989.00	42,646.50	44,479.50	46,293.00
37	18	36,328.50	37,752.00	39,292.50	40,989.00	42,646.50	44,479.50	46,293.00	48,223.50

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1	19	37,752.00	39,292.50	40,989.00	42,646.50	44,479.50	46,293.00	48,223.50	50,251.50
2	20	39,292.50	40,989.00	42,646.50	44,479.50	46,293.00	48,223.50	50,251.50	52,825.50
3	21	40,989.00	42,646.50	44,479.50	46,293.00	48,223.50	50,251.50	52,825.50	55,126.50
4	22	42,646.50	44,479.50	46,293.00	48,223.50	50,251.50	52,825.50	55,126.50	57,525.00
5	23	44,479.50	46,390.50	48,457.50	50,583.00	52,825.50	55,126.50	57,525.00	60,099.00
6	24	46,390.50	48,457.50	50,583.00	52,825.50	55,126.50	57,525.00	60,099.00	62,731.50
7	25	48,457.50	50,583.00	52,825.50	55,126.50	57,525.00	60,099.00	62,731.50	65,578.50
8	26	50,583.00	52,825.50	55,126.50	57,525.00	60,099.00	62,731.50	65,578.50	68,406.00
9	27	52,825.50	55,126.50	57,525.00	60,099.00	62,731.50	65,578.50	68,406.00	71,467.50
10	28	55,126.50	57,525.00	60,099.00	62,731.50	65,578.50	68,406.00	71,467.50	75,309.00
11	29	57,525.00	60,099.00	62,731.50	65,578.50	68,406.00	71,467.50	75,309.00	78,877.50
12	30	60,099.00	62,731.50	65,578.50	68,406.00	71,467.50	75,309.00	78,877.50	82,485.00
13	31	62,731.50	65,715.00	68,796.00	71,916.00	75,309.00	78,877.50	82,485.00	86,365.50
14	32	65,715.00	68,796.00	71,916.00	75,309.00	78,877.50	82,485.00	86,365.50	90,265.50
15	33	68,796.00	71,916.00	75,309.00	78,877.50	82,485.00	86,365.50	90,265.50	94,165.50
16	34	71,916.00	75,309.00	78,877.50	82,485.00	86,365.50	90,265.50	94,165.50	98,046.00
17	35	75,309.00	78,877.50	82,485.00	86,365.50	90,265.50	94,165.50	98,046.00	101,946.00

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

24 238 Classified Salaries; January 6, 2017. RSA 99:1-a is repealed and reenacted to read as follows:

25 99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and all  
26 classified employees represented by an employee organization having an agreement with the state for  
27 the biennium ending June 30, 2017 shall be established as follows commencing January 6, 2017:

28	GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
29	01	20,611.50	21,157.50	21,723.00	22,366.50	23,010.00	23,692.50	24,336.00	24,979.50
30	02	21,157.50	21,723.00	22,366.50	23,010.00	23,692.50	24,336.00	24,979.50	25,681.50
31	03	21,723.00	22,366.50	23,010.00	23,692.50	24,336.00	24,979.50	25,681.50	26,481.00
32	04	22,366.50	23,010.00	23,692.50	24,336.00	24,979.50	25,681.50	26,481.00	28,275.00
33	05	23,010.00	23,692.50	24,336.00	24,979.50	25,681.50	26,481.00	28,275.00	29,328.00
34	06	23,692.50	24,336.00	24,979.50	25,681.50	26,481.00	28,275.00	29,328.00	30,400.50
35	07	24,336.00	25,194.00	26,208.00	27,222.00	28,275.00	29,328.00	30,400.50	31,648.50
36	08	25,194.00	26,208.00	27,222.00	28,275.00	29,328.00	30,400.50	31,648.50	32,857.50
37	09	26,208.00	27,222.00	28,275.00	29,328.00	30,400.50	31,648.50	32,857.50	34,125.00

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1	10	27,222.00	28,275.00	29,328.00	30,400.50	31,648.50	32,857.50	34,125.00	35,451.00
2	11	28,275.00	29,328.00	30,400.50	31,648.50	32,857.50	34,125.00	35,451.00	36,894.00
3	12	29,328.00	30,400.50	31,648.50	32,857.50	34,125.00	35,451.00	36,894.00	38,512.50
4	13	30,400.50	31,648.50	32,857.50	34,125.00	35,451.00	36,894.00	38,512.50	40,092.00
5	14	31,648.50	32,857.50	34,125.00	35,451.00	36,894.00	38,512.50	40,092.00	41,827.50
6	15	32,857.50	34,242.00	35,626.50	37,069.50	38,512.50	40,092.00	41,827.50	43,504.50
7	16	34,242.00	35,626.50	37,069.50	38,512.50	40,092.00	41,827.50	43,504.50	45,376.50
8	17	35,626.50	37,069.50	38,512.50	40,092.00	41,827.50	43,504.50	45,376.50	47,229.00
9	18	37,069.50	38,512.50	40,092.00	41,827.50	43,504.50	45,376.50	47,229.00	49,198.50
10	19	38,512.50	40,092.00	41,827.50	43,504.50	45,376.50	47,229.00	49,198.50	51,265.50
11	20	40,092.00	41,827.50	43,504.50	45,376.50	47,229.00	49,198.50	51,265.50	53,898.00
12	21	41,827.50	43,504.50	45,376.50	47,229.00	49,198.50	51,265.50	53,898.00	56,238.00
13	22	43,504.50	45,376.50	47,229.00	49,198.50	51,265.50	53,898.00	56,238.00	58,675.50
14	23	45,376.50	47,326.50	49,432.50	51,597.00	53,898.00	56,238.00	58,675.50	61,308.00
15	24	47,326.50	49,432.50	51,597.00	53,898.00	56,238.00	58,675.50	61,308.00	63,999.00
16	25	49,432.50	51,597.00	53,898.00	56,238.00	58,675.50	61,308.00	63,999.00	66,904.50
17	26	51,597.00	53,898.00	56,238.00	58,675.50	61,308.00	63,999.00	66,904.50	69,790.50
18	27	53,898.00	56,238.00	58,675.50	61,308.00	63,999.00	66,904.50	69,790.50	72,910.50
19	28	56,238.00	58,675.50	61,308.00	63,999.00	66,904.50	69,790.50	72,910.50	76,830.00
20	29	58,675.50	61,308.00	63,999.00	66,904.50	69,790.50	72,910.50	76,830.00	80,457.00
21	30	61,308.00	63,999.00	66,904.50	69,790.50	72,910.50	76,830.00	80,457.00	84,142.50
22	31	63,999.00	67,041.00	70,180.50	73,359.00	76,830.00	80,457.00	84,142.50	88,101.00
23	32	67,041.00	70,180.50	73,359.00	76,830.00	80,457.00	84,142.50	88,101.00	92,079.00
24	33	70,180.50	73,359.00	76,830.00	80,457.00	84,142.50	88,101.00	92,079.00	96,057.00
25	34	73,359.00	76,830.00	80,457.00	84,142.50	88,101.00	92,079.00	96,057.00	100,015.50
26	35	76,830.00	80,457.00	84,142.50	88,101.00	92,079.00	96,057.00	100,015.50	103,993.50

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

33       239 Classified Increases; January 8, 2016. RSA 99:3 is repealed and reenacted to read as  
34 follows:

35       99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of  
36 law to the contrary, classified employees of the state as of January 8, 2016, shall be placed in the  
37 corresponding steps in the new salary ranges as their length of service justifies and their salaries



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1 shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not  
2 be construed as affecting so-called longevity payments which shall be in addition to the regular  
3 salary scale.

4 240 Classified Increases; January 6, 2017. RSA 99:3 is repealed and reenacted to read as follows:

5 99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of law  
6 to the contrary, classified employees of the state as of January 6, 2017, shall be placed in the  
7 corresponding steps in the new salary ranges as their length of service justifies and their salaries shall be  
8 in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not be construed  
9 as affecting so-called longevity payments which shall be in addition to the regular salary scale.

10 241 State Trooper Salaries; January 8, 2016. RSA 99:1-b is repealed and reenacted to read as  
11 follows:

12 99:1-b Salaries Established; New Hampshire State Troopers. Commencing January 8, 2016, the  
13 salary ranges for individuals covered by the collective bargaining agreement between the state of  
14 New Hampshire and the New Hampshire Troopers Association shall be as follows:

15	GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
16	01	26,145.60	26,915.20	27,664.00	28,454.40	29,286.40	30,180.80	30,971.20	31,803.20
17	02	26,915.20	27,664.00	28,454.40	29,286.40	30,180.80	30,971.20	31,803.20	32,739.20
18	03	27,664.00	28,454.40	29,286.40	30,180.80	30,971.20	31,803.20	32,739.20	33,716.80
19	04	28,454.40	29,286.40	30,180.80	30,971.20	31,803.20	32,739.20	33,716.80	36,025.60
20	05	29,286.40	30,180.80	30,971.20	31,803.20	32,739.20	33,716.80	36,025.60	37,398.40
21	06	30,180.80	30,971.20	31,803.20	32,739.20	33,716.80	36,025.60	37,398.40	38,792.00
22	07	30,971.20	32,115.20	33,384.00	34,673.60	36,025.60	37,398.40	38,792.00	40,435.20
23	08	32,115.20	33,384.00	34,673.60	36,025.60	37,398.40	38,792.00	40,435.20	41,912.00
24	09	33,384.00	34,673.60	36,025.60	37,398.40	38,792.00	40,435.20	41,912.00	43,596.80
25	10	34,673.60	36,025.60	37,398.40	38,792.00	40,435.20	41,912.00	43,596.80	45,260.80
26	11	36,025.60	37,398.40	38,792.00	40,435.20	41,912.00	43,596.80	45,260.80	47,091.20
27	12	37,398.40	38,792.00	40,435.20	41,912.00	43,596.80	45,260.80	47,091.20	49,212.80
28	13	38,792.00	40,435.20	41,912.00	43,596.80	45,260.80	47,091.20	49,212.80	51,272.00
29	14	40,435.20	41,912.00	43,596.80	45,260.80	47,091.20	49,212.80	51,272.00	53,435.20
30	15	41,912.00	43,721.60	45,448.00	47,299.20	49,212.80	51,272.00	53,435.20	55,619.20
31	16	43,721.60	45,448.00	47,299.20	49,212.80	51,272.00	53,435.20	55,619.20	58,011.20
32	17	45,448.00	47,299.20	49,212.80	51,272.00	53,435.20	55,619.20	58,011.20	60,403.20
33	18	47,299.20	49,212.80	51,272.00	53,435.20	55,619.20	58,011.20	60,403.20	62,982.40
34	19	49,212.80	51,272.00	53,435.20	55,619.20	58,011.20	60,403.20	62,982.40	65,582.40
35	20	51,272.00	53,435.20	55,619.20	58,011.20	60,403.20	62,982.40	65,582.40	68,952.00
36	21	53,435.20	55,619.20	58,011.20	60,403.20	62,982.40	65,582.40	68,952.00	71,947.20
37	22	55,619.20	58,011.20	60,403.20	62,982.40	65,582.40	68,952.00	71,947.20	75,150.40

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1	23	58,011.20	60,548.80	63,232.00	66,081.60	68,952.00	71,947.20	75,150.40	78,540.80
2	24	60,548.80	63,232.00	66,081.60	68,952.00	71,947.20	75,150.40	78,540.80	81,993.60
3	25	63,232.00	66,081.60	68,952.00	71,947.20	75,150.40	78,540.80	81,993.60	85,633.60
4	26	66,081.60	68,952.00	71,947.20	75,150.40	78,540.80	81,993.60	85,633.60	89,398.40
5	27	68,952.00	71,947.20	75,150.40	78,540.80	81,993.60	85,633.60	89,398.40	93,412.80
6	28	71,947.20	75,150.40	78,540.80	81,993.60	85,633.60	89,398.40	93,412.80	98,404.80
7	29	75,150.40	78,540.80	81,993.60	85,633.60	89,398.40	93,412.80	98,404.80	103,064.00
8	30	78,540.80	81,993.60	85,633.60	89,398.40	93,412.80	98,404.80	103,064.00	107,848.00
9	31	81,993.60	85,820.80	89,876.80	93,974.40	98,404.80	103,064.00	107,848.00	112,944.00
10	32	85,820.80	89,876.80	93,974.40	98,404.80	103,064.00	107,848.00	112,944.00	118,040.00
11	33	89,876.80	93,974.40	98,404.80	103,064.00	107,848.00	112,944.00	118,040.00	123,156.80
12	34	93,974.40	98,404.80	103,064.00	107,848.00	112,944.00	118,040.00	123,156.80	128,252.80
13	35	98,404.80	103,064.00	107,848.00	112,944.00	118,040.00	123,156.80	128,252.80	133,348.80

14       242 State Trooper Salaries; January 6, 2017. RSA 99:1-b is repealed and reenacted to read as  
15 follows:

16       99:1-b Salaries Established; New Hampshire State Troopers. Commencing January 6, 2017, the  
17 salary ranges for individuals covered by the collective bargaining agreement between the state of  
18 New Hampshire and the New Hampshire Troopers Association, and state trooper command staff  
19 shall be as follows:

20	GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
21	01	26,686.40	27,456.00	28,225.60	29,036.80	29,889.60	30,804.80	31,595.20	32,448.00
22	02	27,456.00	28,225.60	29,036.80	29,889.60	30,804.80	31,595.20	32,448.00	33,404.80
23	03	28,225.60	29,036.80	29,889.60	30,804.80	31,595.20	32,448.00	33,404.80	34,403.20
24	04	29,036.80	29,889.60	30,804.80	31,595.20	32,448.00	33,404.80	34,403.20	36,753.60
25	05	29,889.60	30,804.80	31,595.20	32,448.00	33,404.80	34,403.20	36,753.60	38,147.20
26	06	30,804.80	31,595.20	32,448.00	33,404.80	34,403.20	36,753.60	38,147.20	39,582.40
27	07	31,595.20	32,760.00	34,070.40	35,380.80	36,753.60	38,147.20	39,582.40	41,246.40
28	08	32,760.00	34,070.40	35,380.80	36,753.60	38,147.20	39,582.40	41,246.40	42,764.80
29	09	34,070.40	35,380.80	36,753.60	38,147.20	39,582.40	41,246.40	42,764.80	44,470.40
30	10	35,380.80	36,753.60	38,147.20	39,582.40	41,246.40	42,764.80	44,470.40	46,176.00
31	11	36,753.60	38,147.20	39,582.40	41,246.40	42,764.80	44,470.40	46,176.00	48,048.00
32	12	38,147.20	39,582.40	41,246.40	42,764.80	44,470.40	46,176.00	48,048.00	50,211.20
33	13	39,582.40	41,246.40	42,764.80	44,470.40	46,176.00	48,048.00	50,211.20	52,312.00
34	14	41,246.40	42,764.80	44,470.40	46,176.00	48,048.00	50,211.20	52,312.00	54,516.80
35	15	42,764.80	44,616.00	46,363.20	48,256.00	50,211.20	52,312.00	54,516.80	56,742.40
36	16	44,616.00	46,363.20	48,256.00	50,211.20	52,312.00	54,516.80	56,742.40	59,176.00
37	17	46,363.20	48,256.00	50,211.20	52,312.00	54,516.80	56,742.40	59,176.00	61,630.40



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1 244 Compensation for Certain State Officers; Unclassified State Employees; January 6, 2017.

2 RSA 94:1-a, I (a) is repealed and reenacted to read as follows:

3 I.(a) The following salary ranges shall apply to the following grades:

4	<u>GRADE</u>	<u>STEP 1</u>	<u>STEP 2</u>	<u>STEP 3</u>	<u>STEP 4</u>	<u>STEP 5</u>	<u>STEP 6</u>
5	AA	53,800.24	57,308.68	60,817.12	64,324.00	67,831.40	71,339.84
6	BB	55,942.12	59,589.40	63,238.76	66,888.12	70,536.44	74,184.76
7	CC	58,537.44	62,361.52	66,184.56	70,008.12	73,831.16	77,655.24
8	DD	61,630.92	65,657.80	69,685.72	73,713.64	77,740.52	81,766.88
9	EE	65,271.96	69,544.28	73,815.56	78,087.36	82,359.16	86,632.52
10	FF	69,786.08	74,358.44	78,931.84	83,504.72	88,078.64	92,649.44
11	GG	75,331.88	80,272.40	85,213.44	90,153.44	95,094.48	100,035.52
12	HH	82,027.92	87,414.60	92,801.28	98,187.96	103,574.64	108,961.32
13	II	86,725.60	92,424.80	98,125.56	103,825.28	109,525.00	115,224.72
14	JJ	91,422.24	97,434.48	103,447.76	109,460.52	115,473.28	121,487.60
15	KK	93,759.12	99,928.40	106,097.68	112,266.96	118,436.24	124,606.04
16	LL	0.00	0.00	0.00	0.00	0.00	128,259.56
17	MM	0.00	0.00	0.00	0.00	0.00	132,592.72
18	NN	0.00	0.00	0.00	0.00	0.00	137,681.96
19	OO	0.00	0.00	0.00	0.00	0.00	143,631.80
20	PP	0.00	0.00	0.00	0.00	0.00	150,744.88
21	QQ	0.00	0.00	0.00	0.00	0.00	159,304.08

22 245 Salary Wages for Councilors and Commissioners; January 8, 2016. RSA 94:1-a, II is  
23 repealed and reenacted to read as follows:

24 II. The salary wages for the positions set forth below shall be as follows commencing  
25 January 8, 2016:

26	Minimum	Maximum
27 Governor's councilors		\$16,420
28 Racing and charitable gaming commissioners		\$12,735
29 Sweepstakes commission, chairman		\$18,522
30 Sweepstakes commission, members		\$10,426

31 246 Salary Wages for Councilors and Commissioners; January 6, 2017. RSA 94:1-a, II is  
32 repealed and reenacted to read as follows:

33 II. The salary wages for the positions set forth below shall be as follows commencing  
34 January 6, 2017:

35	Minimum	Maximum
36 Governor's councilors		\$16,748
37 Racing and charitable gaming commissioners		\$12,990
38 Sweepstakes commission, chairman		\$18,893
39 Sweepstakes commission, members		\$10,635

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1           247 Department of Justice; Attorney Salaries; January 8, 2016. RSA 94:1-a, I(c) is repealed and  
2 reenacted to read as follows:

3           I.(c) For attorney positions in the department of justice, except for the attorney general and  
4 deputy attorney general, the following shall apply commencing on January 8, 2016:

5	Minimum	Market anchor	Maximum
6	\$48,838		\$116,566
7	Attorney	\$58,871	
8	Assistant attorney general	\$80,193	
9	Senior assistant attorney general	\$99,007	
10	Associate attorney general	\$109,041	

11           248 Department of Justice; Attorney Salaries; January 6, 2017. RSA 94:1-a, I(c) is repealed and  
12 reenacted to read as follows:

13           I.(c) For attorney positions in the department of justice, except for the attorney general and  
14 deputy attorney general, the following shall apply commencing on January 6, 2017:

15	Minimum	Market anchor	Maximum
16	\$49,814		\$118,897
17	Attorney	\$60,049	
18	Assistant attorney general	\$81,797	
19	Senior assistant attorney general	\$100,987	
20	Associate attorney general	\$111,222	

21           249 Legislative Employees; January 8, 2016. Legislative employees shall receive 2 percent  
22 salary increases effective January 8, 2016, if such increases are approved by the appointing  
23 authority.

24           250 Legislative Employees; January 6, 2017. Legislative employees shall receive 2 percent salary  
25 increases effective January 6, 2017, if such increases are approved by the appointing authority.

26           251 Increases in Salary; Other Non-Classified or Unclassified Employees. All other  
27 nonclassified or unclassified employees not covered by the provisions for salary increases in this act  
28 shall be granted a salary increase of 2 percent effective January 8, 2016, and an additional salary  
29 increase of 2 percent effective January 6, 2017.

30           252 Judicial Salaries; January 8, 2016. RSA 491-A:1 is repealed and reenacted to read as  
31 follows:

32           491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

33	Chief justice, supreme court	\$163,976
34	Associate justices, supreme court	\$159,042
35	Chief justice, superior court and administrative	
36	judges appointed pursuant to supreme	
37	court rule 54	\$159,042

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1 Associate justices, superior court \$149,175

2 District court justices prohibited

3 from practice pursuant to

4 RSA 502-A:21 \$149,175

5 Probate judges prohibited from

6 practice pursuant to RSA 547:2-a \$149,175

7 253 Judicial Salaries; January 6, 2017. RSA 491-A:1 is repealed and reenacted to read as  
8 follows:

9 491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:

10 Chief justice, supreme court \$167,271

11 Associate justices, supreme court \$162,240

12 Chief justice, superior court and administrative

13 judges appointed pursuant to supreme

14 court rule 54 \$162,240

15 Associate justices, superior court \$152,159

16 District court justices prohibited

17 from practice pursuant to

18 RSA 502-A:21 \$152,159

19 Probate judges prohibited from

20 practice pursuant to RSA 547:2-a \$152,159

21 254 Judges; State Employee Health Plan; Application. The cost sharing and plan design for  
22 judges who participate in the health plans offered by the state shall be the same as those for  
23 individuals covered by the collective bargaining agreement between the state of New Hampshire and  
24 the State Employees' Association of New Hampshire, Inc.

25 255 Judicial Employees; January 8, 2016. All unrepresented judicial employees shall receive 2  
26 percent salary increases on January 8, 2016.

27 256 Judicial Employees; January 6, 2017. All unrepresented judicial employees shall receive 2  
28 percent salary increases on January 6, 2017.

29 257 Appropriation. The following sums are appropriated from the following sources for the  
30 purposes of sections 237-256 of this act for the fiscal years ending June 30, 2016 and June 30,  
31 2017:

32 FY 2016

33 All	Liquor	General	Federal	Highway	Turnpike	Fish & Game	Other
34 \$7,500,000	\$300,000	\$3,000,000	\$1,432,500	\$1,020,000	\$120,000	\$75,000	\$1,552,500

35 FY 2017

36 All	Liquor	General	Federal	Highway	Turnpike	Fish & Game	Other
37 \$22,500,000	\$900,000	\$9,000,000	\$4,297,500	\$3,060,000	\$360,000	\$225,000	\$4,657,500

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1 The Department of Administrative Services is authorized to make rounding adjustments of up to  
2 +\$.01 per hour as needed to properly process the employee's payroll within the currently designed  
3 Human Resources/Payroll System (NH FIRST).

4 258 General Fund Balance. Notwithstanding RSA 9:13-e, II, any budget surplus up to a  
5 maximum amount of \$13,000,000 for the close of the fiscal biennium ending June 30, 2015 shall not  
6 be deposited in the revenue stabilization reserve account but shall remain in the general fund. At  
7 the close of the fiscal biennium ending June 30, 2015, any budget surplus over \$13,000,000 shall be  
8 deposited in the revenue stabilization reserve account established in RSA 9:13-e, II.

9 259 General Fund; Transfer to Fish and Game Fund. The state treasurer shall transfer  
10 unrestricted general fund revenue to the fish and game department in the amounts of \$750,000 for  
11 the fiscal year ending June 30, 2016 and \$750,000 for the fiscal year ending June 30, 2017. Said  
12 transfers shall occur no later than August 1st of each fiscal year.

13 260 Department of Agriculture, Markets, and Food; Assistant State Veterinarian; Position  
14 Established. There is established within the department of agriculture, markets, and food the  
15 unclassified position of assistant state veterinarian. The assistant state veterinarian shall be qualified  
16 to hold that position by reason of education and experience, and shall be appointed by and serve at the  
17 pleasure of the commissioner of agriculture, markets, and food. The assistant state veterinarian shall  
18 assist the state veterinarian in carrying out the duties of the department of agriculture, markets, and  
19 food, division of animal industry. The salary of the assistant state veterinarian shall be determined  
20 after assessment and review of the appropriate temporary letter grade allocation in RSA 94:1-a, I for  
21 the position which shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Funding shall be  
22 transferred into a new expenditure class 011, within accounting unit 27000000.

23 261 New Sections; Agriculture, Horticulture and Animal Husbandry; Assistant State  
24 Veterinarian; Powers; Salary and Expenses. Amend RSA 436 by inserting after section 9 the  
25 following new sections:

26 436:9-a Appointment. The commissioner of agriculture, markets, and food shall appoint a  
27 graduate of a veterinary college of recognized standing, who shall have had at least 5 years'  
28 experience in the practice of veterinary medicine, including large animal practice, and who shall be  
29 known as the assistant state veterinarian.

30 436:9-b Powers. The assistant state veterinarian, under the direction of the commissioner and  
31 state veterinarian, shall assist the state veterinarian with the enforcement of this chapter and any  
32 other law over which the division has regulatory authority. The state veterinarian may direct the  
33 assistant state veterinarian to act for him or her in an official capacity whenever he or she may be  
34 absent from his or her duties.

35 436:9-c Salary and Expenses. The assistant state veterinarian shall receive the annual salary  
36 prescribed by RSA 94:1 - RSA 94:4, and shall be allowed his or her expenses when away from the  
37 office of the department on official business.

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1           262 New Subparagraph; Insect Pests and Plant Diseases. Amend RSA 430:31, IV by inserting  
2 after subparagraph (y) the following new subparagraph:

3                   (z) Establish late fees pursuant to registration certificates and permits issued pursuant  
4 to RSA 430:33 and pesticide product registrations issued pursuant to RSA 430:36.

5           263 New Subparagraph; Standards for Weights and Measures; Rulemaking Authority. Amend  
6 RSA 438:8, I by inserting after subparagraph (l) the following new subparagraph:

7                   (m) The imposition of late fees for all invoices that are late for service technician and  
8 weighmaster license fees, device license fees, and metrology laboratory fees, pursuant to the  
9 following schedule:

10                   (1) For all invoices that are more than 60 days late from the date of the invoice, a 5  
11 percent late fee shall be assessed for all invoices over \$100.

12                   (2) For all invoices that are more than 60 days late from the date of the invoice, a  
13 \$5.00 minimum late fee shall be assessed for all invoices under \$100.

14                   (3) For all invoices that are more than 90 days late from the date of the invoice, a 10  
15 percent late fee shall be assessed for all invoices over \$100.

16                   (4) For all invoices that are more than 90 days late from the date of the invoice, a  
17 \$10 minimum late fee shall be assessed for all invoices under \$100.

18           264 Standards for Weights and Measures; Fees for Licensing Commercial Devices. Amend  
19 RSA 438:10-a to read as follows:

20           438:10-a Fees for Licensing Commercial Devices.

21           **I.** The following annual device license fees shall be charged for the following categories:

22           ~~[I.]~~**(a)** Scales 100 pounds or less, \$18 each;

23           ~~[II.]~~**(b)** Scales over 100 pounds to 2,000 pounds, \$27 each;

24           ~~[III.]~~**(c)** Scales over 2,000 pounds to 5,000 pounds, \$54 each;

25           ~~[IV.]~~**(d)** Non-vehicle scales over 5,000 pounds, \$90 each;

26           ~~[V.]~~**(e)** Vehicle scales, \$180 each;

27           ~~[VI.]~~**(f)** Lift truck/forklifts, on board weighing systems/scales, \$90 each;

28           ~~[VII.]~~**(g)** On board weighing systems/scales, refuse or recyclable materials collection trucks,  
29 \$90 each;

30           ~~[VIII.]~~**(h)** Analytical balances, \$36 each;

31           ~~[IX.]~~**(i)** Retail motor fuel dispensers, except liquefied petroleum gas and natural gas  
32 dispensers, \$18 per meter;

33           ~~[X.]~~**(j)** Liquefied petroleum gas retail motor fuel dispensers, \$54 per meter;

34           ~~[XI.]~~**(k)** Natural gas retail motor fuel dispensers, \$54 per meter;

35           ~~[XII.]~~**(l)** Liquid vehicle tank meters, except liquefied petroleum gas and natural gas meters,  
36 \$54 per meter;

37           ~~[XIII.]~~**(m)** Liquid bulk storage meters, \$90 per meter;



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1           ~~[XIV.]~~(n) Liquefied gas meters, \$90 per meter;

2           ~~[XV.]~~(o) Taxi meters, \$27 per meter; and

3           ~~[XVI.]~~(p) Linear and cordage measures, \$18 per meter.

4           **II. An additional invoice for fees that are more than 60 days late may assess a**  
5 **minimum late fee pursuant to rules adopted by the commissioner.**

6           265 New Paragraph; Sale of Pets and Disposition of Unclaimed Animals. Amend RSA 437:5 by  
7 inserting after paragraph III the following new paragraph:

8           IV. The rules shall establish late fees pursuant to licenses issued pursuant to RSA 437:3.

9           266 Nurseries and Nursery Stock; Rulemaking Authority. Amend RSA 433:22, VII to read as  
10 follows:

11           VII. Reasonable rules as may be needed to carry out and enforce the provisions of this  
12 subdivision **including but not limited to the imposition of late fees.**

13           267 Animal Care, Breeding and Feed. Amend the introductory paragraph of RSA 435:25 to read  
14 as follows:

15           435:25 Rulemaking. The commissioner may adopt such rules for commercial feeds and pet foods  
16 as are specifically authorized in this subdivision and such other reasonable rules as may be  
17 necessary for the efficient enforcement of this subdivision, **including but not limited to the**  
18 **assessment of late fees.** In the interest of uniformity, the commissioner shall by rule adopt, unless  
19 he determines that they are inconsistent with the provisions of this subdivision and are not  
20 appropriate to conditions which exist in this state, the following:

21           268 Standards for Farm Products; Rulemaking; Fees. Amend RSA 426:8 to read as follows:

22           426:8 Rulemaking; Fees. The commissioner may adopt rules, pursuant to RSA 541-A, for carrying  
23 out the provisions of this chapter, **including but not limited to the assessment of late fees.**

24           269 New Paragraph; Horticultural Growing Media; Registration and Labeling; Rulemaking.  
25 Amend RSA 433-A:5 by inserting after paragraph IV the following new paragraph:

26           V. Establishing late fees pursuant to this chapter.

27           270 New Subparagraph; Seeds, Plants and Nursery Stock; Duties and Authority of  
28 Commissioner; Rulemaking. Amend RSA 433:7, III by inserting after subparagraph (m) the  
29 following new subparagraph:

30           (n) The assessment of late fees related to seed label licenses.

31           271 All Agencies; Administrative Services. Unless restricted by law or administrative rule,  
32 upon request of an intended recipient, an agency may provide documents by electronic mailing in  
33 lieu of mail.

34           272 Horse and Dog Racing; Lottery; Organization. Amend RSA 284:21-b to read as follows:

35           284:21-b Organization. The commissioners shall select one from their number to be chairperson  
36 and another to be secretary of the commission. Two of the members of the commission shall  
37 constitute a quorum to do business. It shall be the duty of the secretary to keep a record of all

1 proceedings of the commission and to preserve all books, documents, papers and records addressed to  
2 its care. *The commission shall appoint an independent certified public accountant to*  
3 *conduct the annual audit for presentation to the fiscal committee of the general court.*  
4 *Said audit and the independent auditor's report shall conform to generally accepted*  
5 *auditing standards as prescribed by the American Institute of Certified Public*  
6 *Accountants and shall be made available to the department of administrative services*  
7 *within a timeframe that allows the bureau of financial reporting to comply with the*  
8 *requirements of RSA 21-I:8, II(a) and (b).*

9 273 Legislative Budget Assistant; Charge Back of Financial Audits of Special Funds Agencies.  
10 Amend RSA 14:31-c to read as follows:

11 14:31-c Charge Back of Financial Audits of Special Funds Agencies. The cost of any financial  
12 audit done by the legislative budget assistant or by any other auditor under his or her direction or  
13 authority of any department, division, or agency funded by highway, fish and game, any self-  
14 sustaining, or special fund shall be a charge against the appropriate fund and said cost shall be  
15 transferred from said fund to the general fund. *The engagement letter which shall include the*  
16 *scope of services, audit schedule, estimated number of audit hours, and estimated cost of*  
17 *the audit shall be approved by the fiscal committee prior to the beginning of the audit. the*  
18 *approved engagement letter shall also be provided to the auditee prior to the beginning of*  
19 *the audit.*

20 274 New Subparagraph; Department of Administrative Services; Division of Accounting  
21 Services. Amend RSA 21-I:8, II by inserting after subparagraph (d) the following new subparagraph:

22 (e) The decision by the legislative budget assistant to outsource any or all components of  
23 the audits identified in subparagraphs (a) and (b) shall be made based on the lowest total cost to the  
24 state which shall consider all funding sources including but not limited to the general fund, the fish  
25 and game fund, and the education trust fund, and all financial audits required. The scope of the  
26 work shall be limited to meeting the annual financial audit requirements pursuant to this section  
27 and any other external legal obligations of the state.

28 275 Administrative Services; Health Coverage Shared Responsibility. Agencies may use funds  
29 in existing class 60 budgets to pay any penalties imposed under the employer shared responsibility  
30 for health coverage under section 4980H of the Internal Revenue Code.

31 276 Sale of Property; Laconia State School. Notwithstanding RSA 10 and RSA 227-C:9, the  
32 commissioner of the department of administrative services shall offer for sale the former Laconia  
33 state school land and buildings and the former Laconia state school and training center land and  
34 buildings, except those portions of the land and buildings required for state use. The commissioner  
35 of the department of administrative services shall submit quarterly reports on the progress of the  
36 sale to the fiscal committee of the general court. Any sale of such land and buildings shall be subject  
37 to the requirements of RSA 4:40, except that review and approval of the sale of the land and

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1 buildings by the council on resources and development and the long range capital planning and  
2 utilization committee shall not be required. All proceeds from the sale shall be deposited into the  
3 general fund.

4 277 Governor's Commission on Disability; Client Assistance Program; Contingent Transfer of  
5 Appropriation. The appropriation for the administration of the client assistance program that is  
6 received by the governor's commission on disability pursuant to 29 U.S.C. Section 732 for fiscal years  
7 2016 and 2017 may be transferred to another qualified agency or agencies upon certification by the  
8 governor to the commissioner of administrative services that the program has been redesignated. If  
9 the redesignation occurs and the governor's certification is made after July 1, 2015, the unexpended  
10 portion of the appropriation shall be transferred.

11 278 Repeal. RSA 486:4, relative to limitation of guarantee of construction bonds for sewage  
12 disposal facilities, is repealed.

13 279 Department of Environmental Services; Aid to Municipalities for Water Pollution Control.  
14 Amend RSA 486:1, I(a) to read as follows:

15 I.(a) The state of New Hampshire shall~~[, in addition to any federal grant made available~~  
16 ~~under the provisions of the Clean Water Act of 1977 (or subsequent amendments thereof),]~~ pay  
17 annually 20 percent of the annual amortization charges, meaning principal and interest, on the  
18 ~~[original]~~ **eligible** costs resulting from the acquisition and construction of sewage disposal facilities  
19 by municipalities (meaning counties, cities, towns, or village districts), in accordance with  
20 RSA 485:8, RSA 485-A:4, IX, and RSA 485-A:4, XII, for the control of water pollution. The word  
21 "construction" shall include engineering services, in addition to the construction of new sewage  
22 treatment plants, pumping stations, intercepting sewers, and sewer separation by storm drains  
23 when the latter can be demonstrated as a cost-effective method for eliminating a combined sewer  
24 overflow structure; the altering, improving or adding to existing treatment plants, pumping stations,  
25 intercepting sewers, and sewer separation by storm drains when the latter can be demonstrated as a  
26 cost-effective method for eliminating a combined sewer overflow structure; provided the construction  
27 has been directed by the department, or constitutes a voluntary undertaking designed to control or  
28 reduce pollution in the surface waters of the state as defined in RSA 485-A:2, and the plan therefor is  
29 approved in compliance with the provisions of RSA 485:8, RSA 485-A:4, IX, and RSA 485-A:4, XII.  
30 The term "eligible costs" as used in this ~~[section]~~ **chapter, except as noted**, shall mean the entire  
31 cost of the construction of treatment plants, pumping stations, intercepting sewers and sewer  
32 separation by storm drains as defined in the Clean Water Act of 1977, **less any other grant or**  
33 **subsidy. Cash payments, net of any other grant or subsidy, made by municipalities toward**  
34 **eligible costs shall also be eligible for state contributions in accordance with this section.**

35 280 Repeal. RSA 486:1, II and III, relative to aid to municipalities for water pollution control, is  
36 repealed.

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1       281 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486, or  
2 any other law to the contrary, for the biennium ending June 30, 2017, a moratorium shall be in place  
3 on state aid grants for any new infrastructure projects that would have otherwise been eligible for  
4 state aid grants under RSA 486-486-A or RSA 149-M, with the exception that infrastructure projects  
5 that had local authorization by December 31, 2008 to construct but were not listed in 2013, 144:101  
6 continue to be eligible for state aid grants subject to availability of funding. Nothing in this section  
7 shall affect the provision of the future water supply land protection grants under RSA 486-A if  
8 funding is available for such purposes.

9       282 New Section; Office of the Chief Operating Officer. Amend RSA 21-I by inserting after  
10 section 10 the following new section:

11       21-I:10-a Office of the Chief Operating Officer.

12       I. There is established within the department of administrative services the office of the  
13 state chief operating officer. The office shall be responsible for coordinating and implementing  
14 statewide efforts to monitor, oversee, and improve the operating efficiency, customer service, and  
15 transparency of state government activities. The chief operating officer shall regularly report to the  
16 governor and council and, the general court on ongoing efforts to improve state government  
17 efficiency, including the projected return on investment of projects.

18       II. There is established within the department of administrative services the unclassified  
19 position of chief operating officer, who shall be qualified to hold the position by reason of education  
20 and experience, shall be appointed by the governor, and who shall serve at the pleasure of the  
21 governor. The chief operating officer shall supervise the office of operating performance. and  
22 perform such duties as the governor may authorize and assign from time to time.

23       III. The salary of the chief operating officer shall be determined after assessment and review  
24 of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall  
25 be conducted pursuant to RSA 94:1-d and RSA 14:14-c.

26       IV. There is established with the department of administrative services a government  
27 innovation fund, to be overseen by the chief operating officer. Such fund shall be nonlapsing and  
28 continually appropriated to the department of administrative services. The chief operating officer,  
29 may, with the consent of governor and council, use the innovation fund to invest in projects to  
30 improve the efficiency of state government.

31       283 New Subparagraph; Government Innovation Fund. Amend RSA 6:12, I(b) by inserting after  
32 subparagraph (326) the following new subparagraph:

33       (327) Moneys appropriated to the government innovation fund established in  
34 RSA 21-I:10-a, IV.

35       284 Agency Reports; Racing and Charitable Gaming Deleted. Amend RSA 20:7 to read as follows:

36       20:7 Issuance of Reports. The following agency reports shall be issued annually: secretary of state,  
37 state treasurer, bank commissioner, insurance commissioner, division of personnel, commissioner of

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1 revenue administration, lottery commission, [~~rac~~ing and charitable gaming commission,] liquor  
2 commission, department of transportation, department of environmental services, department of safety,  
3 adult parole board, and the board of trustees of the state colleges and university. All other reports shall  
4 be issued biennially. All reports shall cover periods ending on June 30, and be submitted to the governor  
5 and council, the speaker of the house of representatives, and the senate president by October 1. Biennial  
6 reports shall cover periods ending in odd-numbered years.

7 285 Terms of Appointment. Amend RSA 21:33-a, III(a) to read as follows:

8 (a) That any commissioner or agency head of a department, as defined in RSA 21-  
9 G:5, VI, who is an unclassified employee of the state, and appointed to such position, shall serve  
10 for the appropriate term or unexpired portion thereof. The commissioner or agency head may  
11 serve beyond the appointed term or unexpired portion thereof with the written authorization of  
12 the governor, provided that such service shall not extend beyond 6 months. This subparagraph  
13 shall also apply to the adjutant general and the attorney general, and to appointees to the liquor  
14 commission, the lottery commission, [~~the rac~~ing and charitable gaming commission,] and the  
15 public utilities commission.

16 286 State Employees; Terms Defined. Amend RSA 98-A:1, III to read as follows:

17 III. "The equivalent of 6 months or more" shall mean the equivalent of 130 or more regularly  
18 scheduled work days, not necessarily consecutive, provided that whenever an employee of the [~~rac~~ing  
19 ~~commission or greyhound racing commission~~] **lottery commission** is employed on any day on a per  
20 diem basis he **or she** shall be deemed to have worked one day.

21 287 Racing and Charitable Gaming; Subdivision Heading Changed. Amend the subdivision  
22 heading preceding RSA 284:6 to read as follows:

23 Racing and Charitable Gaming [~~Commission~~]

24 288 Racing and Charitable Gaming Commission; Lottery Commission Authorization. Amend  
25 RSA 284:6-a to read as follows:

26 284:6-a Racing and Charitable Gaming; **Lottery** Commission.

27 I. [~~There shall be a state racing and charitable gaming commission consisting of 6 members~~  
28 ~~appointed by the governor with the advice and consent of the council. Each member shall hold office~~  
29 ~~for a term of 3 years. Any vacancy shall be filled for the unexpired term. Annually, one member~~  
30 ~~shall be chosen chairperson by the commission, and one shall be chosen as secretary.]**The**  
31 **regulation of racing and charitable gaming shall be under the authority of the lottery**  
32 **commission established under RSA 284:21-a.**~~

33 II. The [~~rac~~ing and charitable gaming] **lottery** commission shall assume the powers, rights,  
34 duties, and responsibilities granted to the [~~state~~] racing **and charitable gaming** commission [~~and~~  
35 ~~the state greyhound racing commission under RSA 284, and any reference to the state racing~~  
36 ~~commission or the state greyhound racing commission in RSA 284 or any other statutory cites shall~~  
37 ~~be deemed to refer to the New Hampshire racing and charitable gaming commission.] The~~

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1 ~~[New Hampshire racing and charitable gaming]~~ **lottery** commission shall, in carrying out the  
2 purpose of this chapter, use the applicable provisions for horse racing independent of the applicable  
3 provisions for simulcast dog racing.

4 III. The ~~[racing and charitable gaming]~~ **lottery** commission shall have all the powers, duties,  
5 and rights conferred upon state commissions under the United States Interstate Horseracing Act of  
6 1978 as it currently exists and as it may be amended from time to time.

7 IV. The ~~[racing and charitable gaming]~~ **lottery** commission shall administer RSA 287-E  
8 relating to bingo and lucky 7.

9 V. The ~~[racing and charitable gaming]~~ **lottery** commission shall administer RSA 287-D,  
10 relating to games of chance conducted by charitable organizations.

11 VI. The ~~[racing and charitable gaming]~~ **lottery** commission shall not authorize the use of  
12 any electronic gaming device in connection with the acceptance of wagers on running or harness  
13 horse racing, whether live or simulcast, or simulcast dog racing, the type of which was not in use  
14 prior to January 1, 2011, unless specific authorization for such electronic gaming device is enacted by  
15 the general court. Electronic gaming devices shall mean and include all electro-mechanical  
16 instruments and devices used for the purposes of gaming, other than wagering on live or simulcast  
17 horse racing or simulcast dog racing, whether in physical presence or through the Internet, and such  
18 shall include, but not be limited to, video slot machines and other gambling devices which function or  
19 are designed to function to emulate a video slot machine or historic racing machine. This section  
20 shall not be interpreted to prohibit licensees under RSA 284 from replacing equipment used in the  
21 conduct of wagering on live or simulcast horse racing or simulcast dog racing, which type of  
22 equipment was in service prior to January 1, 2011, with updated or new equipment which are the  
23 functional equivalent of the machines which are being replaced, provided the equipment is not an  
24 electronic gaming device as described in the previous sentence. This section shall not be interpreted  
25 as prohibiting licensees from accepting account wagers in compliance with applicable rules and  
26 regulations.

27 289 Supervision and Hearings. Amend RSA 284:13 to read as follows:

28 284:13 Supervision and Hearings. The **lottery** commission shall have the power to conduct  
29 hearings at which all matters pertaining to the administration of the affairs of the commission and  
30 all activities conducted under its jurisdiction may be investigated and determined and, under the  
31 hand of its chairperson, to issue subpoenas for the attendance of witnesses at such hearings. The  
32 **lottery** commission on its own motion or at the request of any party may cause a complete record to  
33 be made of such hearings by a competent reporter or by electronic recording which shall be  
34 transcribed at the request and expense of any party desiring the same, and a copy of such  
35 transcription shall be furnished to any other party upon the written request and at the expense of  
36 such other party. If the record is not transcribed, the **lottery** commission shall prepare a summary  
37 record of the proceedings and evidence. Any member of the **lottery** commission, *or the*

1 ***commission's designee***, may administer oaths and affirmations [~~and may~~] examine witnesses, ***and***  
 2 ***receive testimony and shall forward findings to the full commission as part of the hearing.***

3 Disobedience of such subpoenas or false swearing before the ***lottery*** commission shall be attended  
 4 with the same penalties as if such disobedience or false swearing occurred in an action in the  
 5 superior court. The ***lottery*** commission shall have the power and authority to regulate, supervise  
 6 and check the making of pari-mutuel pools and the distributions therefrom. It shall have the further  
 7 power and authority to investigate as to the direct and indirect ownership and control of any  
 8 licensee, and any expense incurred by the ***lottery*** commission in so doing shall be at the expense of  
 9 such licensee or of the applicant for a license. Any party aggrieved by any final decision entered in  
 10 proceedings before the ***lottery*** commission may, within 10 days after such decision is entered, appeal  
 11 to the superior court by petition specifying the grounds upon which the decision is claimed to be  
 12 unreasonable or unlawful. Findings and decisions by the ***lottery*** commission shall be deemed to be  
 13 prima facie lawful and reasonable, and shall not be set aside on appeal unless found to be arbitrary,  
 14 capricious, unreasonable, or unlawful.

15 ***II. The lottery commission may, in accordance with the rules adopted in***  
 16 ***accordance with RSA 541-A, appoint a hearings officer or hearings officers, as necessary,***  
 17 ***to preside over such hearings as are required to comply with federal and state statutes and***  
 18 ***federal or state rules or regulations. The decision of the officer shall not be contrary to***  
 19 ***rules adopted by the lottery commission pursuant to RSA 541-A. The officer's decision shall***  
 20 ***be binding on all parties unless such decision is overturned on appeal.***

21 290 Licensees; Restriction on Gambling. Amend RSA 284:17-c to read as follows:

22 284:17-c Restriction on Gambling. Notwithstanding any other provision of law, except as  
 23 provided in RSA 284:22-a and in the introductory paragraph of RSA 284:22, no licensee who holds  
 24 running horse races shall at the same facility hold any other kinds of races or permit any other type  
 25 of gambling except harness horse races and activities licensed by the lottery commission [~~or the~~  
 26 ~~racetrack and charitable gaming commission~~].

27 291 Stewards. Amend RSA 284:20 to read as follows:

28 284:20 Stewards. There shall be at least 3 stewards to supervise each running or harness horse  
 29 race or meet, conducted under the provisions of this chapter, at which pari-mutuel pools are sold.  
 30 One of such stewards shall be the official steward of the [~~state racing~~] ***lottery*** commission, and the  
 31 remaining stewards shall be appointed by the person, association, corporation, or any other type of  
 32 entity conducting the race or meet, subject to the approval of the commission. Said stewards shall be  
 33 authorized to assess fines and suspend licenses and shall exercise such other powers and perform  
 34 such duties at each race meet as may be prescribed by the rules and regulations of the ***lottery***  
 35 commission. Any person who has been assessed a fine or whose license has been suspended may  
 36 appeal any fine or suspension imposed by the stewards under this section to the ***lottery*** commission.

37 292 Rights Protected; Liability Limited. Amend RSA 284:20-a to read as follows:

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1 284:20-a Rights Protected. No licensee conducting a race or meet under this chapter, no  
2 member of the ~~[state racing]~~ **lottery** commission, no steward, judge, or assistant official appointed to  
3 act as such pursuant to the provisions of this chapter, shall be liable for damages to any person,  
4 association or corporation for any cause whatsoever arising out of or from the performance by such  
5 licensee, commissioner, steward, judge or assistant official of such person's duties and exercise of  
6 discretion with respect to such duties, so long as such person acted in good faith, without malice or  
7 improper motive.

8 293 Lottery Commission Revenues. Amend RSA 284:21-j, I to read as follows:

9 I. The state treasurer shall credit all moneys received from the lottery commission ~~[and all~~  
10 ~~moneys received from the racing and charitable gaming commission]~~ under RSA 284, RSA 287-D,  
11 and RSA 287-E, and interest received on such moneys, to a special fund from which the treasurer  
12 shall pay all expenses of the commission incident to the administration of this subdivision and all  
13 administration and enforcement expenses of ~~[the]~~ racing and charitable gaming ~~[commission]~~ under  
14 RSA 284, RSA 287-D, and RSA 287-E. Any balance left in such fund after such expenses are paid  
15 shall be deposited in the education trust fund established under RSA 198:39.

16 294 Change from Racing and Charitable Gaming to Lottery. Amend the following RSA provisions  
17 by replacing "racing and charitable gaming commission" or "commission" with "lottery commission":  
18 21-I:18, I(n); the introductory paragraph of 21-P:4, VI; 175:1, LVI; 273-C:2, VI; the introductory  
19 paragraph of 284:8; 284:12; 284:12-a; 284:13-a; 284:14; 284:15; 284:15-a; 284:15-b; 284:16; 284:16-a;  
20 284:16-b; 284:16-c; 284:17; 284:18; 284:19; 284:20; 284:20-a; 284:20-c; 284:20-d; 284:20-f; 284:20-g;  
21 284:21; 284:22; 284:23; 284:31; 284:32-a; 284:32-b; 284:38-a; 287-A:8, III; 787-D:1, V; 287-D:1-a; the  
22 introductory paragraph of 287-D:1-b; 287-D:2; 287-D:2-a; 287-D:2-b; 287-D:2-c; 287-D:2-d; 287-D:3;  
23 287-D:5; 287-D:6; 287-D:8; 287-D:9; 287-E:1, VI; 287-E:2; 287-E:16; and 647:2, V(a).

24 295 Bingo and Lucky 7; Penalties. Amend RSA 287-E:25 to read as follows:

25 287-E:25 **Suspension; Revocation.** The commission shall ~~[immediately]~~ **suspend or** revoke the  
26 license of any licensee **and/or impose an administrative fine upon the licensee upon a finding**  
27 **that the licensee has violated** ~~[who violates]~~ any provision of this subdivision. Any licensee whose  
28 license is revoked shall not be eligible for licensure for a period of up to one year from the date of  
29 revocation.

30 296 Bingo and Lucky-7; Process. Amend RSA 287-E:3, IV to read as follows:

31 IV. Procedures for a hearing following the revocation of a license **and the imposition of**  
32 **administrative orders and fines.**

33 297 New Paragraph; Bingo and Lucky-7; Process. Amend RSA 287-E:3 by inserting after  
34 paragraph XIV the following new paragraph:

35 XV. The issuance of subpoenas pursuant to RSA 287-E:14-a.

36 298 Administrative Orders; Subpoenas. RSA 287-E:14 is repealed and reenacted to read as follows:

37 287-E:14 Administrative Orders and Fines.



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1 I. The commission, pursuant to rules adopted under RSA 287-E:18, may impose an  
2 administrative order or fine, which shall be scaled to reflect the scope and severity of the violation  
3 for each offense, upon any person who violates any provision of this chapter or rules adopted  
4 pursuant to this chapter.

5 II. Any administrative fine imposed under this section shall not preclude the imposition Of  
6 further penalties or administrative actions under this chapter.

7 III. All fines imposed by the lottery commission shall be deposited in the special fund  
8 established pursuant to RSA 284:21-j.

9 299 New Section; Subpoenas. Amend RSA 287-E by inserting after section 14 the following new  
10 section:

11 287-E:14-a Subpoenas. The lottery commission or, when applicable, the hearings officer, may  
12 issue subpoenas for witnesses and for documents relative to investigations or adjudicatory hearings  
13 held by the commission.

14 300 New Paragraphs; Bingo and Lucky 7. Amend RSA 287-E:18 by inserting after paragraph VI  
15 the following new paragraphs:

16 VII. Procedures for a hearing following the revocation of a license, and the imposition of  
17 administrative fines.

18 VIII. The issuance of subpoenas pursuant to RSA 287-E:26-b.

19 IX. Other matters related to the proper administration of this chapter.

20 301 New Section; Administrative Orders and Fines. Amend RSA 287-E by inserting after  
21 section 25 the following new section:

22 287-E:25-a Administrative Orders and Fines.

23 I. The lottery commission, pursuant to rules adopted under RSA 287-E:18, may impose an  
24 administrative order and fine, which shall be scaled to reflect the scope and severity of the violation  
25 for each offense, upon any person who violates any provision of this chapter or rules adopted  
26 pursuant to this chapter.

27 II. Any administrative fine imposed under this section shall not preclude the imposition of  
28 further penalties or administrative actions under this chapter.

29 III. All fines imposed by the lottery commission shall be deposited in the special fund  
30 established pursuant to RSA 284:21-j.

31 302 New Section; Bingo and Lucky 7; Subpoenas. Amend RSA 287-E by inserting after section  
32 25 the following new section:

33 287-E:26-a Subpoenas. The lottery commission or, when applicable, the hearings officer, may  
34 issue subpoenas for witnesses and for documents relative to investigations or adjudicatory hearings  
35 held by the commission.

36 303 Repeal. The following are repealed:

37 I. RSA 6:12-d, II(l), relative to the racing and charitable gaming escrow account.



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1           II. Applications shall be made only on the forms supplied to the licensee by the lottery  
2 commission.

3           III. The application form shall be fully completed by the licensee.

4           IV. Applications for commercial premises keno licenses shall be submitted at least 30 days  
5 before the first game date.

6           V. The applicant shall certify under oath that:

7               (a) The information provided on the application is accurate.

8               (b) Neither the applicant nor any employee shall operate keno games if such person has  
9 been convicted of a felony within the previous 10 years which has not been annulled by a court, or a  
10 misdemeanor involving falsehood or dishonesty within the previous 5 years which has not been  
11 annulled by a court, or has violated the statutes or rules governing charitable gaming in this or any  
12 state.

13               (c) The applicant and any employee who will be participating in the operation of the  
14 keno games is aware of all statutes and rules applicable to the operation of keno games.

15           VI. To be eligible for licensure under this subdivision an applicant shall:

16               (a) Document that it is a liquor license holder under RSA 178:12-a, RSA 178:13,  
17 RSA 178:18, RSA 178:19, or RSA 178:20.

18               (b) Maintain a current list of employees.  
19 287-H:6 License; Issuance.

20           I. Upon receipt of an application under RSA 287-H:5 the lottery commission shall review the  
21 application and shall, in writing, grant or deny the application within 45 days of receipt.

22           II. The lottery commission shall deny a license application for any one of the following  
23 reasons:

24               (a) The license of the applicant has been previously revoked by the commission.

25               (b) The applicant has been convicted of a crime provided for in this chapter or in any  
26 other chapter for any gaming offense.

27               (c) The applicant loses his or her liquor license after submitting the application.

28           III. No person who has been convicted of a felony or class A misdemeanor within the  
29 previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past  
30 5 years which has not been annulled by a court, or who has violated any of the statutes or rules  
31 governing charitable gambling in the past in this or in any other state shall be licensed under this  
32 subdivision, or rent, lease, sublease, or otherwise provide any hall or keno paraphernalia for the  
33 conduct of keno licensed under this subdivision.

34 287-H:7 Operation of Keno Games.

35           I. A licensee may operate keno games at its business between the hours of 11 a.m. and 11 p.m.

36           II. A licensee may retain 8 percent of the proceeds from keno games. Of the remaining 92  
37 percent:

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1           (a) One percent shall be paid to the New Hampshire problem gambler support fund  
2 established in RSA 287-H:11 to support research, prevention, intervention, and treatment services  
3 for problem gamblers.

4           (b) The remainder, less the administrative costs of the lottery commission and prize  
5 payouts, shall be deposited in the education trust fund established under RSA 198:39.

6           III. No person who has been convicted of a felony or class A misdemeanor within the  
7 previous 10 years which has not been annulled by a court, or a class B misdemeanor within the past  
8 5 years which has not been annulled by a court, or who has violated any of the statutes or rules  
9 governing charitable gambling in the past in this or any other state shall operate a keno game  
10 licensed under this subdivision, or rent, lease, sublease, or otherwise provide any hall or keno  
11 paraphernalia for the conduct of keno licensed under this subdivision.

12           IV. The commission may use self-service terminals in the operation and administration of  
13 the game of keno, which terminals shall permit the sale of other lottery games; in addition, the self-  
14 service terminals may also offer audio and video enhancements and displays, during the transaction,  
15 consistent with the underlying theme of the game for sale.

16           287-H:8 Financial Reports and Inspection Required.

17           I. Any person which has been licensed to conduct keno games shall submit a complete  
18 financial report to the lottery commission for each license issued under RSA 287-H:6 within 15 days  
19 after the expiration of each license, provided, however, a complete monthly financial report shall be  
20 submitted in a timely fashion to the commission for each month covered by a license issued under  
21 RSA 287-H:6 on a form to be approved by the lottery commission.

22           II. All licensees shall maintain a separate checking account for the deposit and disbursement of  
23 all income relating to keno, except cash prizes awarded at the games. All expenses shall be paid by  
24 check, and all prizes of \$500 or more shall be paid by check. No keno funds shall be commingled with  
25 other funds of the licensee. The licensee shall retain all cancelled checks for the payment of expenses and  
26 prizes for at least 2 years from the date of the check. The licensee shall not cash checks which it issues.

27           III. All financial reports filed by the licensee shall be maintained by the lottery commission  
28 for a period of one year from the date of filing and shall be open to public inspection.

29           IV. All financial records pertaining to the operation of keno games shall be maintained by  
30 the licensee and shall be made available to representatives of the lottery commission or of the  
31 commissioner of the department of safety upon request.

32           V. A licensee which has been licensed to conduct keno games shall maintain complete and  
33 accurate documentation of all revenues and expenses contained in the financial reports for at least 2  
34 years from the date the financial report is filed.

35           287-H:9 Suspension; Revocation. The commission may suspend or revoke the license of any  
36 licensee who violates any provision of this subdivision. Any licensee whose license is revoked shall  
37 not be eligible for licensure for a period of up to one year from the date of revocation.

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1 287-H:10 Rehearing and Appeal. Any person aggrieved by a decision of the commission to deny  
2 or revoke a keno license may apply to the commission for a rehearing within 15 business days of the  
3 decision. Rehearings and appeals shall be governed by RSA 541.

4 287-H:11 Fund Established.

5 I. There is hereby established a special fund to be known as the New Hampshire problem  
6 gambler support fund. The fund shall be administered by the commissioner of the department of  
7 health and human services to support research, prevention, intervention and treatment of problem  
8 gamblers. The fund shall be nonlapsing and shall be continually appropriated to the department.

9 II. The New Hampshire problem gambler support fund shall be composed of one percent of  
10 the revenue from Keno machines licensed under this chapter.

11 306 Application of Receipts; Education Trust Fund. Amend RSA 6:12, I(b)(65) to read as follows:

12 (65) Money received under RSA 77-A, RSA 77-E, RSA 78, RSA 78-A, RSA 78-B,  
13 RSA 83-F, **RSA 287-H**, and from the sweepstakes fund, which shall be credited to the education  
14 trust fund under RSA 198:39.

15 307 Education Trust Fund Creation and Investments; Keno Profits Added. Amend RSA 198:39,  
16 I(k) to read as follows:

17 ***(k) Funds collected and paid over to the state treasurer by the lottery***  
18 ***commission pursuant to RSA 287-H, relative to keno profits.***

19 ***(l)*** Any other moneys appropriated from the general fund.

20 308 New Subparagraph; New Hampshire Problem Gambler Support Fund. Amend RSA 6:12,  
21 I(b) by inserting after subparagraph (326) the following new subparagraph:

22 (327) Money deposited in the New Hampshire problem gambler support fund,  
23 established in RSA 257-H:11.

24 309 Liquor Commission; Liquor Revenues to Alcohol Abuse Prevention and Treatment Fund  
25 Suspended. Notwithstanding RSA 176:16, III, for the biennium ending June 30, 2017, all gross  
26 revenue derived by the liquor commission from the sale of liquor and related products, or from  
27 license fees, shall be deposited into the liquor commission fund.

28 310 School Money; Determination of Adequate Education Grants. Amend RSA 198:41, III(b) to  
29 read as follows:

30 (b) Beginning July 1, [~~2013~~] **2015**, and each fiscal year thereafter, the department of  
31 education shall not distribute a total education grant on behalf of all pupils who reside in a  
32 municipality that exceeds [~~408~~] **115** percent of the total education grant distributed to such  
33 municipality in the previous fiscal year.

34 311 School Money; Determination of Grants. Amend RSA 198:41, IV to read as follows:

35 IV.(a) For fiscal year 2012, the department of education shall identify all municipalities in  
36 which the fiscal year 2012 total education grant will be less than the fiscal year 2011 total education  
37 grant. The department shall distribute a stabilization grant to each of those municipalities equal to  
38 100 percent of the decrease.

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1 (b) For fiscal year 2013, the department of education shall identify all municipalities in  
2 which the fiscal year 2013 total education grant, including any stabilization grant distributed  
3 pursuant to subparagraph (a), will be less than the fiscal year 2011 total education grant. The  
4 department shall distribute funds to each of those municipalities equal to 100 percent of the  
5 decrease.

6 (c) For fiscal year 2014~~[, and each fiscal year thereafter]~~ **and 2015**, the department of  
7 education shall distribute a total education grant to each municipality in an amount equal to the  
8 total education grant for the fiscal year in which the grant is calculated plus the amount of the fiscal  
9 year 2012 stabilization grant, if any, distributed to the municipality.

10 (d) *For fiscal year 2016, the department of education shall distribute a total*  
11 *education grant to each municipality in an amount equal to the total education grant for*  
12 *fiscal year 2016 plus the amount of the stabilization grant distributed pursuant to*  
13 *subparagraph (a), however, such stabilization grant shall be reduced by the amount the*  
14 *municipality's total education grant for 2016 is increased over the amount of the*  
15 *municipality's total education grant for 2015; and, if the number of pupils receiving free or*  
16 *reduced price lunch is less than the state average number of pupils receiving a free or*  
17 *reduced price lunch, than such stabilization grant shall be further reduced by 5 percent of*  
18 *the municipality's fiscal year stabilization grant.*

19 (e) *For fiscal year 2017, the department of education shall distribute a total*  
20 *education grant to each municipality in an amount equal to the total education grant for*  
21 *fiscal year 2017 plus the amount of the stabilization grant distributed for fiscal year 2016*  
22 *pursuant to RSA 198:41, IV(d); however, such stabilization grant shall be reduced by the*  
23 *amount the municipality's total education grant for 2017 is increased over the amount of*  
24 *the municipality's total education grant for 2016.*

25 312 School Building Aid; Alternative School Building Aid.

26 I. Notwithstanding RSA 198:15-a through RSA 198:15-hh and RSA 198:15-u through  
27 RSA 198:15-w, the commissioner of the department of education shall issue no school building aid or  
28 alternative school building aid for any project approved on or after June 30, 2015 through June 30, 2017.

29 II.(a) The commissioner of the department of education, upon recommendation of the state  
30 fire marshal, may grant a waiver to the suspension of school building aid under paragraph I if the  
31 state fire marshal or designee determines, based on reasonable information and belief, that:

32 (1) The condition of such school building or portion thereof constitutes a clear and  
33 imminent danger to the life or safety of occupants or other persons, and requires remediation prior to  
34 July 1, 2017; or

35 (2) A structural deficiency in the function or operation of a school building or portion  
36 thereof presents a substantial risk to the life or safety of the occupants or other persons, and is more  
37 than a technical violation of the fire code, and requires remediation prior to July 1, 2017.

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1 (b) Any school building aid provided under a waiver granted pursuant to this paragraph  
2 shall be limited to the costs associated with the remediation of the conditions or structural  
3 deficiencies set forth in this paragraph.

4 313 Meals and Rooms Tax; Distribution to Cities and Towns. Notwithstanding any other provision  
5 of law, for the fiscal year ending June 30, 2016, the state treasurer shall fund the distribution of revenue  
6 to cities and towns pursuant to the formula for determining the amount of revenue returnable to cities  
7 and towns under RSA 78-A:26, I and II at no more than the fiscal year 2015 distribution.

8 314 Department of Transportation; Municipal Bridge Aid. Amend RSA 234:10 to read as follows:

9 234:10 Bridge Aid; How Cost Borne. When public convenience and necessity require the  
10 construction or reconstruction of any bridge on a class II, IV, or V highway or a county-owned road  
11 the cost shall be borne ~~[1/5]~~ **15 percent** by the municipality and ~~[4/5]~~ **85 percent** by the state. When  
12 public convenience and necessity require the reconstruction of any county-owned bridge, the cost  
13 shall be borne ~~[1/5]~~ **15 percent** by the county and ~~[4/5]~~ **85 percent** by the state.

14 315 Department of Transportation; Municipal Bridge Aid. Amend RSA 234:12 to read as follows:

15 234:12 In 2 Municipalities. When a bridge crosses the boundary line between 2 municipalities  
16 within the state, the ~~[1/5]~~ **15 percent** cost to be borne by a municipality pursuant to RSA 234:10  
17 shall be borne by the 2 municipalities in proportion to their last equalized valuations, unless by  
18 mutual concurrence the 2 municipalities agree to some other financial arrangement to provide the  
19 required share of cost.

20 316 Department of Health and Human Services; Additional Revenues; Transfer Among  
21 Accounts. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the  
22 contrary except RSA 9:17-c, and subject to the approval of the fiscal committee of the general court  
23 and governor and council, for the biennium ending June 30, 2017, the commissioner of the  
24 department of health and human services is hereby authorized to transfer funds within and among  
25 all accounting units within the department, as the commissioner deems necessary and appropriate to  
26 address present or projected budget deficits, or to respond to changes in federal laws, regulations, or  
27 programs, and otherwise as necessary for the efficient management of the department, with the  
28 exception of class 60 transfers. If the department intends to transfer funds, which would otherwise  
29 meet the transfer requirements as set forth in RSA 9:17-a and RSA 9:17-c, prior approval of the  
30 fiscal committee shall be required for transfers of \$75,000 or more.

31 317 Department of Health and Human Services; Transfer Authority; Medicaid Managed Care  
32 Program. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the contrary  
33 except RSA 9:17-c, the commissioner of the department of health and human services is hereby  
34 authorized, by notification to the commissioner of the department of administrative services, to transfer  
35 funds within and among all accounting units within the department, as the commissioner deems  
36 necessary and appropriate to implement the Title XIX Medicaid managed care program. The commissioner  
37 will notify the fiscal committee of the general court and governor and council of such transfers.

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1           318 Department of Health and Human Services; Division of Community-Based Care Services,  
2 Bureau of Behavioral Health; Mental Health Low Utilizers and Prior Authorization. For the  
3 biennium ending June 30, 2017, the department of health and human services shall maintain a limit  
4 on benefits of \$4,000 per person per year for adults with low service utilization of community mental  
5 health services, as identified in He-M 401.07; provided, that the department shall also establish, by  
6 rule under RSA 541-A, a procedure for such persons or community health providers to request a  
7 waiver of the \$4,000 limit based on legitimate treatment considerations. Upon request by the  
8 commissioner of the department of health and human services, the fiscal committee of the general  
9 court may authorize a higher per person per year limit.

10           319 Department of Health and Human Services; Suspension of Home Health Rate Setting Rule.  
11 Notwithstanding any provision of law or rule to the contrary, He-W 553 relative to the home health  
12 services rate setting shall be suspended for the biennium ending June 30, 2017. Payments for home  
13 health services shall be limited to appropriations for home health services as may be restricted or  
14 reduced by action of the fiscal committee of the general court or by legislative action.

15           320 Department of Health and Human Services; Social Services Block Grant Cost of Living  
16 Adjustment to Income Levels. Notwithstanding any other provision of law, for the biennium ending  
17 June 30, 2017 the department of health and human services shall raise the income eligibility for  
18 elderly and adult clients under the Social Services Block Grant program each January, by the  
19 percentage amount of the cost of living increase in social security benefits on a yearly basis.

20           321 Department of Health and Human Services; Foster Grandparent Program. The  
21 reimbursements to the foster grandparent program through the senior volunteer grant program,  
22 established in RSA 161-F:40, are hereby suspended for the biennium ending June 30, 2017.

23           322 Department of Health and Human Services; Bureau of Adult and Elderly Services;  
24 Congregate Housing and Services. Congregate housing provided for under the Medicaid waiver  
25 pursuant to RSA 151-E and congregate services provided for in RSA 161-F:37 are suspended for the  
26 biennium ending June 30, 2017.

27           323 Department of Health and Human Services; Division for Children, Youth and Families.  
28 Upon the department's implementation of managed care, the rate of reimbursement for services and  
29 programs for a Medicaid eligible child shall be the rate agreed to by the provider and the managed  
30 care organization. The total rate of reimbursement for residential placement (board and care) for a  
31 Medicaid eligible child shall consist of the "room and board rate" and the "educational rate" as  
32 established by the department on July 1, 2015, and the treatment or the private non-medical  
33 institution rate as agreed to by the provider and the managed care organization.

34           324 Department of Health and Human Services; Suspension of Direct Graduate Medical  
35 Education. The commissioner of the department of health and human services shall submit a Title  
36 XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to  
37 suspend the provision of direct graduate medical education payments to hospitals as provided in 42



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1 U.S.C. section 1396a(a)(30)(A) effective July 1, 2015. Upon approval of the state plan amendment,  
2 and as of the effective date of the state plan amendment, any obligations for payment of direct  
3 graduate medical education shall be suspended for the biennium ending June 30, 2017.

4 325 Department of Health and Human Services; Suspension of Indirect Graduate Medical  
5 Education. The commissioner of the department of health and human services shall submit a Title  
6 XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to  
7 suspend the provision of indirect graduate medical education payments to hospitals effective July 1,  
8 2015. Upon approval of the state plan amendment, and as of the effective date of the state plan  
9 amendment, any obligations for payment of indirect graduate medical education shall be suspended  
10 for the biennium ending June 30, 2017.

11 326 Department of Health and Human Services; Medicaid Program. Amend RSA 126-A:5,  
12 XXIII(a) to read as follows:

13 XXIII.(a) The commissioner shall provide access to the health insurance premium payment  
14 (HIPP) program established by the department pursuant to section 1906 of the Social Security Act of  
15 1935 to Medicaid newly eligible adults from 0-133 percent of the federal poverty level (FPL) who are  
16 eligible for medical assistance under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act of 1935,  
17 as amended, 42 U.S.C. section 1396a(a)(10)(A)(i) (“newly eligible adults”) and their spouse and  
18 dependents if applicable [~~until December 31, 2016~~] to maximize the use of private insurance and  
19 available federal assistance. All newly eligible adults who have access to qualified employer  
20 sponsored insurance either directly as an employee or indirectly through another individual who is  
21 eligible for qualified employer sponsored insurance, shall be required to participate in the HIPP  
22 program in order to receive medical assistance, if eligible and determined by the department to be  
23 cost effective as required by the federal Centers for Medicare and Medicaid Services (CMS).

24 327 Department of Health and Human Services; Premium Assistance Program. Amend  
25 RSA 126-A:5, XXV(a) to read as follows:

26 XXV.(a) Consistent with the time frames in this paragraph, there is hereby established the  
27 marketplace premium assistance program. This will be a premium assistance program for newly  
28 eligible adults and their eligible spouse and dependents, if applicable, who are ineligible for the  
29 HIPP program established in RSA 126-A:5, XXIII [~~until December 31, 2016~~] and shall be  
30 administered by the department of health and human services. In order to receive medical  
31 assistance from the program, newly eligible adults who are ineligible for the HIPP program shall  
32 choose from any qualified health plans (QHPs) offered on the federally-facilitated exchange if cost  
33 effective; provided, however, that any newly eligible adult who had coverage under an alternative  
34 benefit plan (ABP) offered by a managed care organization (MCO) under paragraph XIX during the  
35 voluntary bridge to marketplace premium assistance program established under RSA 126-A:5, XXIV  
36 shall be automatically enrolled at the beginning of open enrollment in a comparable QHP by that  
37 same MCO if one is available, unless such newly eligible adult subsequently chooses a different QHP

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1 during the enrollment period. If a comparable QHP is not offered by the newly eligible adult's MCO  
2 then the newly eligible adult may choose from any QHPs, if cost effective. Provider payments shall  
3 be in an amount which shall be no less than before the effective date of this paragraph.

4 328 Department of Health and Human Services; Premium Assistance Program. Amend  
5 RSA 126-A:5, XXV (c) to read as follows:

6 (c) If the waiver to implement the marketplace premium assistance program is approved  
7 on or before March 31, 2015 then, [~~coverage under the voluntary bridge to marketplace premium~~  
8 ~~assistance program established in RSA 126-A:5, XXIV shall terminate on December 31, 2015.~~  
9 ~~Enrollment~~] enrollment in the marketplace premium assistance program shall begin on October [15]  
10 1, 2015 and coverage shall begin on January 1, 2016. [~~Coverage shall end on December 31, 2016.~~]  
11 The cost of the medical assistance provided under the marketplace premium assistance program  
12 shall be paid solely from federal funds **through December 31, 2016 and thereafter** as provided  
13 under 42 U.S.C. section 1396d(y).

14 329 New Hampshire Health Protection Program. Amend 2014, 3:10, I to read as follows:

15 I. If at any time the federal match rate applied to medical assistance for newly eligible  
16 adults under RSA 126-A:5, XXIII-XXV [~~between July 1, 2014—December 31, 2016~~] is less than [100  
17 percent] **the amount** as set forth in 42 U.S.C. section 1396d(y)(1), then RSA 126-A:5, XXIII, XXIV,  
18 and XXV shall immediately be repealed upon notification by the commissioner of the department of  
19 health and human services to the secretary of state and the director of legislative services.

20 330 Repeal. RSA 2014, 3:12, I-VII, relative to the prospective repeal of the New Hampshire  
21 health protection plan, are repealed.

22 331 Department of Health and Human Services; Public Safety and Welfare; Medicaid  
23 Enhancement for Children and Pregnant Women. Amend the introductory paragraph of  
24 RSA 167:68, I to read as follows:

25 I. Establish by July 1, 1999, categorically needy coverage groups under RSA 167:6, VII and  
26 Title XIX of the Social Security Act, sections 1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI) and  
27 1902(a)(10)(i)(VII) and establish less restrictive income and resource methodologies under section  
28 1902(r)(2) of Title XIX of the Social Security Act as necessary to increase the eligibility level for  
29 medicaid coverage to a minimum of [470] **133** percent of the federal poverty level disregarding  
30 resources for a family size equal to the size of the family including the woman, infant or child. This  
31 includes:

32 332 Department of Health and Human Services; Bureau of Adult and Elderly Services; County  
33 Payment of Funds for Persons Eligible to Receive Nursing Home Services: Limitation on County  
34 Payments; Credit. Amend RSA 167:18-a, II(a) to read as follows:

35 (a) The total billings to all counties made pursuant to this section shall not exceed the  
36 amounts set forth below for state fiscal years [2014-2015] **2016-2017**:

37 (1) State fiscal year [2014, \$109,000,000] **2016, \$109,650,000.**

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1                   (2) State fiscal year [~~2015, \$112,500,000~~] **2017, \$112,940,000.**

2           333 Repeal. RSA 167:18-a, III and IV, relative to county credits, are repealed.

3           334 Public Health; Vaccine Association. Amend RSA 126-Q:1, III to read as follows:

4                   III. "Assessable lives" means all children under 19 years of age residing in the state who  
5 have assessable coverage written or administered by an assessable entity, ***with the exception of***  
6 ***children whose vaccines are paid for under the federal Vaccines for Children program,***  
7 ***established under 42 U.S.C. section 1396s.***

8           335 Public Health; Vaccine Association; Assessment Determination. Amend RSA 126-Q:4, I to  
9 read as follows:

10                   I. The board shall determine an assessment for each assessable entity in accordance with  
11 this section, ***except that no assessment shall be made based on children excluded from***  
12 ***assessable lives whose vaccines are paid for under the federal Vaccines for Children***  
13 ***program, established under 42 U.S.C. section 1396s.*** An assessment determination made  
14 pursuant to this section is a pharmaceutical cost and not a regulatory cost for purposes of calculating  
15 the carrier's medical loss ratio.

16           336 Food Service Licensure; Fund Established. Amend RSA 143-A:9-a to read as follows:

17           143-A:9-a Failure to Pay Application Fee; Fee Disposition; ***Fund Established.***

18                   I. When a licensee fails to pay the applicable fee required by this chapter, the commissioner  
19 of the department of health and human services, after notice and hearing pursuant to rules adopted  
20 under RSA 541-A, may suspend or revoke the license or may issue an appropriate order.

21                   II. All fees collected under this chapter shall be forwarded to the state treasurer to be  
22 deposited in the [~~general fund~~] ***food service licensure fund, established in paragraph III.***

23                   ***III. There is hereby established in the office of the state treasurer a fund to be***  
24 ***known as the food service licensure fund, which shall be kept distinct and separate***  
25 ***from all other funds. The treasurer shall deposit all moneys received under this***  
26 ***chapter, and any interest on such funds, into the fund. All moneys in the fund shall be***  
27 ***nonlapsing and continually appropriated to the commissioner to be used for the***  
28 ***purposes of this chapter.***

29           337 New Subparagraph; Application of Receipts; Food Service Licensure Fund. Amend  
30 RSA 6:12, I(b) by inserting after subparagraph (326) the following new subparagraph:

31                   (327) Moneys received under RSA 143-A:9-a, II, which shall be credited to the food  
32 service licensure fund established in RSA 143-A:9-a, III.

33           338 New Paragraph; Commissioner of the Department of Health and Human Services;  
34 Substance Use Disorder Services. Amend RSA 126-A:5 by inserting after paragraph XXVII the  
35 following new paragraph:

36                   XXVIII. The commissioner shall submit a state plan amendment to the Center for Medicare  
37 and Medicaid Services to provide substance use disorder services to Title XIX and Title XXI

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1 beneficiaries. The commissioner shall design the benefit consistent with Substance Abuse and Mental  
2 Health Service Administration (SAMHSA) treatment guidelines. The commissioner shall also  
3 determine the process and timeline for implementing services and, if necessary, phase in the benefit.

4 339 New Section; Homeland Security and Emergency Management; Assessment Fund. Amend  
5 RSA 21-P by inserting after section 46-a the following new section:

6 21-P:46-b Division of Homeland Security and Emergency Management; Assessment Fund. There  
7 is established the homeland security and emergency management assessment fund which shall be  
8 nonlapsing and continually appropriated to the department of safety, division of homeland security and  
9 emergency management from which the state treasurer shall pay expenses incurred in the  
10 administration of the division of homeland security and emergency management, under RSA 21-P:36.

11 340 New Subparagraph; Dedicated Account. Amend RSA 6:12, I(b) by inserting after  
12 subparagraph (326) the following new subparagraph:

13 (327) Moneys deposited in the assessment fund under RSA 21-P:46-b.

14 341 New Section; Division of Homeland Security and Emergency Management. Amend  
15 RSA 400-A by inserting after section 39-d the following new section:

16 400-A:39-e Funding for the Division of Homeland Security and Emergency Management;  
17 Emergency Management Fund Established.

18 I. There is hereby established in the state treasury an emergency management fund for the sole  
19 purpose of funding an interagency transfer from the insurance department to the division of homeland  
20 security and emergency management within the department of safety. The amount of the interagency  
21 transfer shall equal 50 percent of the total budget approved by the general court for the division of  
22 homeland security and emergency management. The fund shall be administered by the commissioner.  
23 The state treasurer shall be the custodian of the fund and all moneys and securities in the fund shall be  
24 held in trust by the state treasurer and shall not constitute money or property of the state.

25 II. For the purposes of this section, "affiliate" shall be as defined in RSA 401-B:1, I.

26 III. The state treasurer is authorized to disburse moneys from the fund upon written order of  
27 both the commissioner and commissioner of administrative services in accordance with a budget  
28 approved by the general court. The state treasurer shall be required to give bond in an amount to be  
29 fixed and with securities approved by the insurance commissioner conditioned upon the faithful  
30 performance of his or her duty as custodian of the fund.

31 IV. Each insurer licensed to do property and casualty insurance business in this state  
32 pursuant to RSA 401:1, I, II, V, VI, VII or VIII shall make payments to the fund each year of its pro  
33 rata share of the department's interagency transfer costs to the division of homeland security and  
34 emergency management to be appropriated out of the fund. Such share is to be computed in  
35 accordance with paragraphs V and VI.

36 V. For each year, the total amount of such payments made to the fund by all such insurers  
37 shall be an amount that, when combined with any available fund balance, is not less than the

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1 department's expenses for interagency transfer to the division of homeland security and emergency  
2 management for the fiscal year commencing on the July 1 in which the payments are due.

3 VI. The amount payable each year by each such insurer shall be computed by the  
4 commissioner as follows:

5 (a) Based on the annual statement filed in such year by each insurer under RSA 400-  
6 A:31, the commissioner shall ascertain each insurer's amount of gross direct premiums written for  
7 property and casualty insurance, including policy, membership and other fees, service charges, policy  
8 dividends applied in payment for insurance, and all other considerations for insurance originating  
9 from policies covering property, subjects, or risks located, resident or to be performed in  
10 New Hampshire after deducting return premiums and dividends actually returned or credited to  
11 policyholders. If any such insurer does not otherwise timely provide the commissioner with the  
12 information necessary for such ascertainment, it shall do so on or before May 1 of each year.

13 (b) The commissioner shall total the amounts ascertained for all such insurers under  
14 subparagraph (a) so that the commissioner has a total for each nonaffiliated individual insurer and  
15 for each group of affiliated insurers.

16 VII. At the close of each fiscal year, the commissioner shall review the department's actual  
17 expenditures for the interagency transfer against funds collected to determine what part of the fund  
18 balance can be treated as an offset to the commissioner's assessment for the subsequent year. To the  
19 extent that it is reasonably practicable, the commissioner shall apportion available offsets to insurers  
20 based on the insurers' relative contributions to the fund overage. The commissioner shall not be  
21 required to return previously collected assessments. Offsets shall only be used to reduce future  
22 assessment liabilities.

23 VIII. The commissioner shall perform the calculations required by this section and notify  
24 each insurer of the insurer's assessment payable under this section as soon as practicable after July  
25 1 of each year.

26 IX. The commissioner shall be charged with the conservation of the assets of the fund. In  
27 furtherance of this purpose, the attorney general shall appoint a member of his or her staff to  
28 represent the fund in all proceedings brought to enforce payment of assessments as provided in  
29 paragraph VI.

30 X. This section shall not apply to fraternal benefit societies or town mutual insurance  
31 companies.

32 XI. Any insurer that does not pay amounts due under this section within 45 days of the  
33 billing date shall incur a late payment penalty equal to 10 percent of the amount assessed. In  
34 addition, the sum total of the assessment and penalty shall accrue with interest, from the 45th day  
35 until the date of payment, at a rate of 0.050 percent per day compounded daily.

36 XII. The commissioner shall restrict the authority of any insurer, who does not pay amounts  
37 due under this section within 90 days of the billing date, to servicing existing in-force business only.

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1           XIII. For any insurer, who does not pay amounts due under this section within 180 days of  
2 the billing date, the commissioner may suspend or revoke, after notice and hearing, the certificate of  
3 authority to transact insurance in this state.

4           XIV. The commissioner may adopt rules that provide for the administration of this section in  
5 accordance with state agency accounting principles and practices.

6           342 New Subparagraph; Dedicated Account. Amend RSA 6:12, I(b) by inserting after  
7 subparagraph (326) the following new subparagraph:

8                   (327) Moneys deposited in the emergency management fund under RSA 400-A:39-e.

9           343 Department of Resources and Economic Development; Travel and Tourism Revolving Fund.  
10 RSA 12-A:15-a, III is repealed and reenacted to read as follows:

11           III. The commissioner of the department of resources and economic development shall  
12 submit an annual report detailing the activities of the revolving fund, as well as the activities  
13 supported by and expenditures from the travel and tourism development fund established in RSA 12-  
14 A:43-a, to the governor and council, the fiscal committee of the general court, the president of the  
15 senate, and the speaker of the house of representatives within 60 days of the close of each fiscal year.

16           344 Department of Resources and Economic Development; Travel and Tourism Development  
17 Fund. Amend RSA 12-A:43-a, II to read as follows:

18           II. The commissioner of resources and economic development shall prepare an annual report  
19 to be presented [~~no later than December 1 of each year~~] to the ***governor and council, the fiscal***  
20 ***committee of the general court, the*** president of the senate, ***and*** the speaker of the house of  
21 representatives [~~and the governor and council, and filed with the state library~~]. The report shall  
22 detail the specific activities supported by, and expenditures from, the fund during the past year ***and***  
23 ***will additionally detail the activities of the travel and tourism revolving fund established***  
24 ***in RSA 12-A:15-a.***

25           345 Fees Increased. Amend RSA 261:141, III to read as follows:

26           III. Prorated fees:

27                   (a) For agricultural vehicles—~~[\$3.60]~~ ***\$12.***

28                   (b) For each agricultural tractor—~~[\$1.80]~~ ***\$12.***

29                   (c) For air compressors—~~[\$6]~~ ***\$11.***

30                   (d) For cement mixers—~~[\$6]~~ ***\$11.***

31                   (e) For saw rigs or log splitters—~~[\$6]~~ ***\$11.***

32 (If the equipment cited in RSA 261:141, III(c)-(e), is towed exclusively within the limits of a single  
33 city or town, the state registration fee shall not be collected.)

34                   (f) For antique motorcycles—~~[\$2.40]~~ ***\$12.***

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

36                           0-3000 lbs. ~~[\$31.20]~~ ***\$12.20*** (~~[\$2.60]~~ ***\$3.52*** per month)

37                           3001-5000 lbs. ~~[\$43.20]~~ ***\$58.20*** (~~[\$3.60]~~ ***\$4.85*** per month)

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1                   5001-8000 lbs. [~~\$55.20~~] **\$75.20** (~~[\$4.60]~~) **\$6.27** per month)

2                   **8001-10,000 lbs. \$143 per hundred lbs. gross weight**

3                   ~~[8001]~~ **10,001-73,280 lbs. [~~\$96~~] \$1.44** per hundred lbs. gross weight.

4                   (h) Truck-tractors to be used in conjunction with a semi-trailer, gross weight shall  
5 include the weight of such tractors, the weight of the heaviest semi-trailer to be used therewith, and  
6 the weight of the maximum load to be carried thereby: up to 73,280 pounds [~~\$96~~] **\$1.44** per 100  
7 pounds gross weight, over 73,280 pounds—~~[\$1.44]~~ **\$2.16** shall be charged for each 100 pounds gross  
8 weight or portion thereof in excess of 73,280 pounds.

9                   (i) Each additional semi-trailer used in conjunction with such truck-tractor—~~[\$24.00]~~ **\$33**.

10                   (j) For semi-trailers or automobile utility trailers (the weight of the trailer shall include  
11 the maximum load to be carried thereby):

12                   0-1000 lbs. [~~\$3.00~~] **\$14**

13                   1001-1500 lbs. [~~6.00~~] **\$16**

14                   1501-3000 lbs. [~~12.00~~] **\$19**

15                   3001-5000 lbs. [~~24.00~~] **\$36**

16                   5001-8000 lbs. [~~36.00~~] **\$52**

17                   8001-up [~~60~~] **\$95** per hundred lbs. gross weight.

18                   (k) For each semi-trailer not registered in connection with a truck-tractor, the gross  
19 weight shall include the weight of such trailer and the weight of the maximum load to be carried  
20 thereby. The registration fee shall be [~~\$60~~] **\$95** per hundred lbs. gross weight and such trailer  
21 shall not be registered for less than 10,000 lbs.

22                   (l) For equipment mounted on trucks of which the equipment is an integral part of the  
23 unit and the truck is not capable of carrying freight or merchandise, the registration fee shall be 1/3  
24 of the regular fee charged as determined by the corresponding weight chart specified in  
25 subparagraph (i).

26                   (m) For each farm truck or combination of motor type tractor and semi-trailer used only for  
27 transportation of agricultural products produced on and meant to be used in connection with the  
28 operation of a farm or farms owned, operated, or occupied by the registrant, for the first 16,000 pounds—  
29 ~~[\$24]~~ **\$33**, for any additional weight above 16,000 pounds—~~[\$.74]~~ **\$1.00** per hundred weight.

30                   (n) For each additional or extra semi-trailer used in connection with a motor type tractor  
31 registered for farm purposes—~~[\$24]~~ **\$33**. (~~In the event that~~ **If** a farm truck **is** registered under the  
32 ~~[\$24]~~ **\$33** fee as provided in this subparagraph and thereafter registered for general use during the  
33 same registration year, such fee shall be applied toward the fee for such general registration.)

34                   (o) For each motorcycle—~~[\$15]~~ **\$29**.

35                   (p) For each moped—~~[\$3]~~ **\$14**.

36                   (q) For each motor vehicle used exclusively as a school bus or owned by a religious  
37 organization or a nonprofit organization used exclusively as a bus for the transportation of its

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1 members in connection with functions of the organization for which no fee is charged—~~[\$24]~~ **\$35**.  
2 (These provisions shall not apply to municipally owned vehicles nor to vehicles of public utilities or  
3 common carriers.)

4 (r) For antique motor vehicles other than antique motorcycles—~~[\$6]~~ **\$16**.

5 (s) For each road oiler or bituminous distributor—\$72.

6 (t) For plates issued to motor vehicle repairer—~~[\$24]~~ **\$35** for the first set of plates, ~~[\$9]~~  
7 **\$19** for each additional set of plates.

8 (u)(1) For each vehicle, owned by or under control of a manufacturer, wholesaler, or  
9 dealer—~~[\$200]~~ **\$300** for the first plate.

10 (2) For every additional plate— ~~[\$12]~~ **\$19**.

11 (v) For motor vehicles owned by or under control of automotive recycling dealer  
12 licensee—~~[\$30]~~ **\$45** up to first 7,000 lbs., over 7,000 lbs.— ~~[\$.74]~~ **\$1.00** per 100 lbs. gross weight.

13 (w)(1) For motorcycles owned or under the control of a manufacturer or dealer in  
14 motorcycles—~~[\$12]~~ **\$35** for the first plate.

15 (2) For every additional plate—~~[\$3]~~ **\$19**.

16 (x)(1) For mopeds owned or under the control of a manufacturer or dealer in mopeds—  
17 ~~[\$12]~~ **\$35** for the first plate.

18 (2) For every additional plate—~~[\$3]~~ **\$19**.

19 (y) For each transporter—~~[\$36]~~ **\$50** Additional sets of number plates at ~~[\$18]~~ **\$19** per set.

20 (z) For each utility dealer registration—~~[\$36]~~ **\$50** Additional number plates at ~~[\$9]~~ **\$19**  
21 per plate.

22 (aa) For ski area vehicles—\$6.

23 (bb) For construction equipment as defined by RSA 259:42--the exclusive fee charged by  
24 the state shall be ~~[\$25]~~ **\$38**.

25 (cc) For each vanity number plate set—~~[\$40]~~ **\$43**.

26 (dd) For agricultural/industrial utility vehicles the registration fee shall be 1/3 of the  
27 registration fee determined by the corresponding weight chart specified in subparagraph (g).

28 346 Certificate of Title; Fees Increased. Amend RSA 261:20, I to read as follows:

29 I. The department shall be paid the following fees:

30 (a) For filing an application for a first certificate of title, with or without a lienholder  
31 named, ~~[\$25]~~ **\$35**;

32 (b) For a certificate of title after a transfer, with or without a lienholder named, ~~[\$25]~~ **\$35**;

33 (c) For a duplicate certificate of title, ~~[\$25]~~ **\$35**;

34 (d) For an ordinary certificate of title issued upon surrender of a distinctive certificate,  
35 ~~[\$20]~~ **\$30**;

36 (e) For filing a notice of security interest, ~~[\$20]~~ **\$30**;



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1 (f) For a certificate of search of the records of the division, for each name or identification  
2 number searched against, [~~\$20~~] **\$30**;

3 (g) For filing an assignment of security interest, \$2;

4 (h) For issuing a distinctive New Hampshire number in place of a vehicle identification  
5 number, [~~\$30~~] **\$40**;

6 (i) For issuing a salvage vehicle decal pursuant to RSA 261:22, IV, [~~\$50~~] **\$60**.

7 347 Driver Training Fund. Amend RSA 263:52, II to read as follows:

8 II. The [~~\$40~~] **\$43** vanity plate service fee and the fee for renewal of vanity number plates  
9 shall automatically be credited to the driver training fund until all fees in such fund equal the  
10 amount of money estimated by the general court as available for expenditure for course materials,  
11 licensing of schools, and certification services in connection with driver training from that fund for  
12 that fiscal year. Once the driver training course materials, licensing of schools, and certification  
13 services have been funded in accordance with the legislative estimates for the current fiscal year, the  
14 next [~~1.5~~] **2** million dollars shall be transferred to the department of safety as restricted revenue,  
15 thereafter the balance of all such fees shall be transferred to the general fund and shall be available  
16 as unrestricted revenue.

17 348 Penalty Assessments. Amend RSA 188-F:31, I to read as follows:

18 I. Every court shall levy a penalty assessment of \$2 or 24 percent, whichever is greater, on  
19 each fine or penalty imposed by the court for a criminal offense, including any fine or penalty for a  
20 violation of RSA title XXI or any municipal ordinance, except for a violation of a municipal ordinance  
21 relating to motor vehicles unlawfully left or parked. ***Notwithstanding any law or rule to the***  
22 ***contrary, the penalty assessment shall be levied in addition to the amount of the fine or***  
23 ***penalty imposed by the court.***

24 349 Transfer of State Highway Safety Agency. The functions and responsibilities of the state  
25 highway safety agency are hereby transferred to the department of safety. The transfer shall not  
26 affect the validity of actions taken by the state highway safety agency prior to the effective date of  
27 the transfer.

28 350 New Paragraph; Duties of Commissioner of Safety. Amend RSA 21-P:4 by inserting after  
29 paragraph XV the following new paragraph:

30 XVI. Implement the state highway safety program as provided in RSA 21-P:55 through  
31 RSA 21-P:63.

32 351 New Subdivisions; State Highway Safety Program; Traffic Safety Commission. Amend  
33 RSA 21-P by inserting after section 54 the following new subdivisions:

34 State Highway Safety Program

35 21-P:55 Policy. It is hereby declared to be the policy of this state and in the public interest  
36 to have a highway safety program designed to reduce traffic accidents and deaths, injuries and  
37 property damage resulting therefrom. Such program shall include, but not be limited to,

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1 improvement of driver performance, improvement of pedestrian performance, an accident record  
2 system, accident investigations, vehicle registration, operation, and inspection, highway design  
3 and maintenance, traffic control, vehicle codes and laws, surveillance of traffic and emergency  
4 services.

5 21-P:56 Provisions Accepted. The provisions of the federal Highway Safety Act of 1966,  
6 approved September 9, 1966, entitled "An Act to provide for a coordinated national highway safety  
7 program through financial assistance to the states to accelerate highway traffic safety programs, and  
8 for other purposes," and all acts amendatory thereof and supplementary thereto, are assented to,  
9 and the governor shall be the official of this state having the ultimate responsibility for dealing with  
10 the federal government with respect to programs and activities pursuant to carrying out the  
11 provisions of said acts.

12 21-P:57 Faith and Credit Pledged. The faith and credit of the state are pledged to make  
13 adequate provision, from time to time, by appropriation or otherwise, to meet all the obligations of  
14 the state incident to the acceptance of federal aid under the provisions of said act.

15 21-P:58 Expenditures. To meet such obligations the governor with the consent of the council is  
16 authorized to accept and expend any federal funds for the highway safety program.

17 21-P:59 Governor's Authority. The governor in addition to other duties and responsibilities  
18 conferred upon him or her by the constitution and laws of this state is hereby empowered to  
19 contract and to do all other things necessary in behalf of this state to secure the full benefits  
20 available to this state under the federal Highway Safety Act of 1966 and all acts amendatory and  
21 supplemental thereto, and in so doing, to cooperate with federal and state agencies, agencies  
22 private and public, interested organizations, and individuals, to effectuate the purposes of that  
23 enactment, and any and all subsequent amendments thereto. The governor shall coordinate the  
24 activities of any and all departments and agencies of this state and its subdivisions, relating  
25 thereto.

26 21-P:60 Local Highway Safety Programs.

27 I. The towns, village districts, school districts, cities, and counties are hereby authorized to  
28 establish highway safety programs.

29 II. A school district providing comprehensive driver training programs in accordance with  
30 the federal statutory provisions assented to in and under RSA 21-P:56 shall be eligible for  
31 reimbursement of federal funds apportioned to this state for such programs. A school district shall  
32 mean a town school district, a special school district, an incorporated school district operating within  
33 a city, a city operating a dependent school department, a cooperative school district, and an  
34 authorized regional enrollment (AREA) school.

35 III. Each political subdivision enumerated herein which implements highway safety  
36 programs approved by the governor in accordance with the Highway Safety Act of 1966 is eligible for  
37 reimbursement of federal funds apportioned to this state for such programs.



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1 I. The commission shall consist of [~~14~~] **12** members, each qualified pursuant to RSA 206:2-a,  
2 appointed by the governor and council. Whenever an appointment is to be made to the commission,  
3 the governor shall cause to be published the name of the nominee in a newspaper of statewide daily  
4 circulation. The council may not consent to an appointment under this section sooner than 30 days  
5 after the name of the nominee is submitted to the council.

6 356 Fish and Game; Qualifications of Commissioners. Amend RSA 206:2-a to read as follows:

7 206:2-a Qualifications of Commissioners.

8 I. Each member of the commission shall be a resident of a different county in the state  
9 except that one commission member shall be a resident of one of the tidewater towns of Portsmouth,  
10 Seabrook, Rye, Hampton, Hampton Falls, North Hampton, Newington, Greenland, Stratham,  
11 Exeter, Newfields, Newmarket, Durham, Madbury, Dover, Rollinsford, or New Castle, **and one at-**  
12 **large commission member shall be a member of the general public** and not more than 6  
13 commissioners shall be members of the same political party.

14 II. Each member shall also be qualified in the following manner:

15 (a) Well informed on the subject of fish and wildlife conservation and restoration[;].

16 (b) Dedicated to the conservation and protection of the state's fish and wildlife resources  
17 and of an environment conducive to the welfare of the same[;].

18 (c) Committed to a fish and game program providing reasonable balance between  
19 research, habitat management and law enforcement[;].

20 (d) **With the exception of the at-large member**, an active outdoorsman holding a  
21 resident fishing, hunting, or trapping license in at least 5 of the 10 years preceding the  
22 appointment[;].

23 (e) A personal record free of convictions of violation of fish and game laws and regulations  
24 of this state or any other jurisdiction within 5 years, preceding his **or her** appointment[; ~~and~~].

25 (f) At least 5 years' experience in one or a combination of the following fields:

26 (1) Forestry

27 (2) Agriculture

28 (3) Management of wild lands

29 (4) Soils conservation

30 (5) Conservation of water resources

31 (6) Fish and game management or propagation

32 (7) Conservation engineering

33 (8) Conservation law

34 (9) Wildlife education

35 (10) Active membership in a conservation or sportsmen's organization in this state.

36 (g) In the case of the coastal commission member, a general knowledge of all crustaceans  
37 and bivalves in coastal waters and salt water fishing in general.

1           ***(h) In the case of the at-large member, a general knowledge of nongame wildlife***  
2 ***conservation and preservation.***

3           III. Upon nomination by the governor, each nominee shall forthwith file with the secretary  
4 of state an affidavit, duly signed and sworn to, setting forth in detail how he ***or she*** complies with  
5 the qualifications cited in paragraph II and affirming his ***or her*** belief in the aims of subparagraphs  
6 (b) and (c) of paragraph II. His ***or her*** appointment shall not be confirmed by the council until such  
7 affidavit has been examined by them and such appointee has been found qualified pursuant to this  
8 section.

9           357 Repeal. 2014, 229:1, relative to appropriation for state matching funds for disaster  
10 assistance grants, is repealed.

11           358 Housing Finance Authority; Priority to Housing for Veterans. Notwithstanding the  
12 provisions of RSA 204-C:56 through 62, the housing finance authority shall give high priority to  
13 housing projects that demonstrate a commitment to providing housing to veterans.

14           359 Return of Transfer to Fish and Game Fund. The state treasurer shall transfer fish and  
15 game funds received from the general fund under 2013, 144:119, in the amount of \$75,606 to  
16 unrestricted general fund revenue for the fiscal year ending June 30, 2015.

17           360 Reduction in State Self-insured Health Plan Reserve. Amend RSA 21-I:30-b, I(a) to read as  
18 follows:

19                   (a) [~~Five~~] ***Three*** percent of estimated annual claims and administrative costs of the  
20 health plan; and

21           361 Fiscal Year 2015; Funds Transferred.

22           I. Notwithstanding RSA 263:34-e, I, for the fiscal year ending June 30, 2015 the  
23 commissioner of the department of safety shall transfer \$90,000 from the motorcycle rider safety  
24 fund to the detective bureau account 02-23-23-234010-5412, agency income, line 009.

25           II. Notwithstanding RSA 270-E:6-a, for the fiscal year ending June 30, 2015 the  
26 commissioner of the department of safety shall transfer \$210,000 from the navigation safety fund to  
27 the detective bureau account 02-23-23-234010-5412, agency income, line 009.

28           III. Any remaining shortfall in revenue in the anticipated detective bureau account agency  
29 income for fiscal year 2015 after the transfers in paragraphs I and II shall be funded by a transfer by  
30 the commissioner of the department of safety from the inventory fund for reflectorized motor vehicle  
31 plates in RSA 228:25 to the detective bureau account 02-23-23-234010-5412, agency income, line 009.

32           362 Effective Date.

33                   I. Sections 113-115, 305-308, and 359-361 of this act shall take effect upon its passage.

34                   II. Section 357 of this act shall take effect June 30, 2015.

35                   III. Sections 237, 239, 241, 243, 245, 247, and 252 shall take effect January 8, 2016.

36                   IV. Sections 238, 240, 242, 244, 246, 248, and 253 shall take effect January 6, 2017.

37                   V. The remainder of this act shall take effect July 1, 2015.

LBAO  
15-1032  
02/25/15

**HB 2-FN-A-LOCAL - FISCAL NOTE**

AN ACT                    relative to state fees, funds, revenues, and expenditures.

**FISCAL IMPACT:**

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill, **as introduced**, at this time. When completed, the fiscal note will be forwarded to the House Clerk's Office.