

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE

05/13/10 2077s

05/13/10 2089s

2010 SESSION

10-2021

09/01

HOUSE BILL

1128-FN-LOCAL

AN ACT relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, relative to the due date for the Medicaid enhancement tax, making certain general fund reductions and tax and revenue changes, and relative to video lottery and table gaming at certain locations throughout the state and relative to the recovery of horse racing.

SPONSORS: Rep. Chandler, Carr 1; Rep. Bettencourt, Rock 4; Rep. Seidel, Hills 20; Sen. Bradley, Dist 3

COMMITTEE: Finance

AMENDED ANALYSIS

1. Clarifies the administration of the New Hampshire employment program.
2. Makes the funded family assistance program (TANF) permissive rather than mandatory.
3. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.
4. Repeals 2009, 144:211 requiring a report relative to suspending certain administrative requirements for community mental health centers for the biennium ending June 30, 2011.
5. Authorizes the commissioner of the department of health and human services to transfer funds within and among all accounting units within the department, to address present or projected budget deficits, or to respond to changes in federal laws, regulations, or programs, and as otherwise necessary for the efficient management of the department.
6. Permits funds from the lead paint poisoning prevention fund to be used to support program staff and administrative costs.
7. Transfers powers and duties for the New Hampshire refugee resettlement program from the governor's office to the department of health and human services.
8. Establishes a special account for civil fines collected by the department of health and human services under RSA 151.
9. Changes the due date for the Medicaid enhancement tax.
10. Renames the "multiple DWI offender intervention detention center program" as the "multiple DWI offender intervention program," and authorizes the commissioner of the department of health and human services to directly operate the program, to approve community-based providers of the program, or to contract with public or private entities to operate the program.
11. Requires the commission to examine driving while impaired education and intervention programs to study penalties for intoxication or under the influence of drugs offenses and submit a report of its findings.

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE

12. Makes further reductions in the operating budget for the legislative and executive branches for fiscal years 2010 and 2011.
13. Requires the commissioner of the department of agriculture, markets and food to put out to bid administration of the animal population control fund.
14. Abolishes the position of animal population control assistant.
15. Provides that the department of health and human services shall not reduce funding provided to North Country Transportation used for meeting the state matching funds requirement for the Job Access and Reverse Committee (JARC).
16. Reduces required funding by the department of health and human services for juvenile placement programs.
17. Reduces the rate paid to residential providers subject to the rate setting rule of the department of health and human services by 2 percent.
18. Extends the suspension of direct graduate medical education payments to hospitals until July 1, 2011.
19. Prohibits suspension of the provision of indirect graduate medical education payments to hospitals through June, 2011 and prohibits suspension of catastrophic aid payments to hospitals effective June 15, 2010 through June 30, 2011.
20. Conditions eligibility for cash assistance and medical assistance benefits on the recipient filing an application for any federal cash assistance benefits for which the individual may be entitled.
21. Allows a municipality, with the approval of its legislative body, to adopt a local meals and rooms tax in addition to the state meals and rooms tax.
22. Removes the application of the rooms and meals tax to campsites.
23. Authorizes the state treasurer to refinance certain debt service obligations.
24. Increases the bonded appropriation for the university system of New Hampshire KEEP NH program by \$25,000,000 for the biennium ending June 30, 2011.
25. Increases the tax rate imposed on tobacco products other than cigarettes.
26. Authorizes the department of administrative services to transfer moneys from certain dedicated funds or accounts maintained separately on the books of the state.
27. Requires the lapse of certain retirement pension benefit-health insurance funds.
28. Requires the lapse of certain judicial council funds for contracts for program services.
29. Requires the lapse of certain appropriations to the state treasurer for debt service.
30. Makes distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares.
31. Establishes a commission to study business taxes.
32. Increases the license fees for selling animals and birds.

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE

33. Requires the lottery commission to submit a report to the governor and the legislature describing how it proposes to modernize and update its products.
34. Transfers certain appropriations relating to adequate education grants.
35. Specifies that state agency appropriation reductions in this bill are in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.
36. For the fiscal year ending June 30, 2011, suspends existing legal requirements for a special meeting of a school district and requires a special meeting of a school district to be held upon the majority vote of the school board to address changes to catastrophic aid funding.
37. Allows a town to call a special meeting during the 2011 fiscal year to address any reduction in the amount of state revenue distributed to the town which could affect the town's budget.
38. Allows state agencies to supplant general fund reductions with federal and other funds that may become available for that purpose.
39. Directs the department of health and human services to reduce state general fund appropriations from any line by a certain amount, excluding direct services unless approved by the fiscal committee of the general court and the governor and council.
40. Requires the relocation of the populations of the Anna Philbrook center.
41. Establishes a committee to study the state-owned facility options for the populations of the youth development center and the state prison for women.
42. Directs the state treasurer to deposit certain fine revenues in the general fund.
43. Increases the fees for marriage licenses and vital record copies and amendments and requires a portion of the increase to be deposited in the general fund.
44. Prohibits departments from delaying a payment or expenditure from one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended balance that would lapse in the preceding year.
45. Makes appropriation reductions for fiscal year 2011.
46. Requires the judicial branch to reduce general fund appropriations.
47. Exempts certain rates for services, placements, and programs for children and families from RSA 541-A.
48. Clarifies criteria for determining eligibility for services under the Medicaid waiver.
49. Repeals 2009, 144:160 relative to the catastrophic aid program and requires the department of health and human services to make catastrophic claims payments using the methodology in effect prior to the passage of 2009, 144:160.
50. Suspends a home health rate setting rule.
51. Makes an appropriation to the department of health and human services for child care services.
52. Amends the duties of the governor's commission on alcohol and drug abuse prevention, intervention, and treatment and deletes the authority for disbursement of funds from the alcohol abuse prevention and treatment fund.

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE

53. Establishes a commission to study the inventory of all state assets, enterprises, and resources that may be monetized by sale or lease.

54. Allows historical races approved by the racing and charitable gaming commission on which the licensee sells pari-mutuel pools.

55.(a) Allows video lottery machines at 4 facility locations in the state, 2 locations with up to 3,500 machines, one location with up to 2,000 machines and one location with up to 1,000 machines pursuant to a competitive application process.

(b) Establishes a permit process for table gaming.

(c) Establishes a gaming enforcement unit in the division of state police.

(d) Distributes proceeds of video lottery machines to the general fund, municipalities where the facility is located and abutting communities, all ten counties for property tax reduction, the alcohol and drug abuse treatment program for problem gaming programs, the fire standards and training and emergency medical services fund, the police standards and training council training fund, and the department of resources and economic development for the promotion of tourism.

(e) Distributes a percentage of the proceeds from table gaming to the general fund.

(f) Establishes a commission to study regulatory oversight agencies.

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.

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE

05/13/10 2077s
05/13/10 2089s

10-2021
09/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, relative to the due date for the Medicaid enhancement tax, making certain general fund reductions and tax and revenue changes, and relative to video lottery and table gaming at certain locations throughout the state and relative to the recovery of horse racing.

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

1 1 Administration of the New Hampshire Employment Program; Duties; Rulemaking. Amend
2 RSA 167:83, V to read as follows:

3 V. The commissioner [~~shall~~] **may** enter into an agreement or contract with the commissioner of
4 the department of employment security to carry out the employment program and may delegate
5 authority and duties for the employment program to the commissioner of the department of employment
6 security and other state agencies. The commissioner shall adopt rules for the employment program [~~in~~
7 ~~consultation with the commissioner of the department of employment security~~].

8 2 Non-TANF Funded Program for 2-Parent Families With Dependent Children. Amend
9 RSA 167:77-e to read as follows:

10 167:77-e Assistance Program for 2-Parent Families with Dependent Children. [~~By October 1,~~
11 ~~2008,~~] The department [~~shall~~] **may** establish a non-TANF, state-funded financial assistance program
12 for 2-parent needy families with dependent children in which one parent is underemployed or
13 unemployed. With the exception of parental underemployment or unemployment, client eligibility
14 and program requirements and administration shall be in accordance with this chapter and the rules
15 adopted under this chapter. In order to meet the federal work participation rate and avoid federally-
16 imposed penalties, the commissioner may add additional groups of families to this state-funded,
17 financial assistance program as funding permits and also may transfer cases back to the TANF
18 program, pursuant to rules adopted under RSA 541-A.

19 3 Authorizing the Department of Health and Human Services to File Claims for Medical and
20 Financial Assistance Against Abandoned Property Held by the Treasury; Filing of Claim With
21 Administrator. Amend RSA 471-C:26, I(c)(2) and (3) to read as follows:

22 (2) **Except as provided in subparagraphs (5)-(7)**, in the case of a closed estate
23 where the unclaimed property is valued at less than \$5,000 and does not include securities in share
24 form, in accordance with the final distribution of assets as approved by the probate court.

25 (3) **Except as provided in subparagraphs (5)-(7)**, in the absence of an open

1 estate or probate court decree of final distribution, and the unclaimed property is valued at less than
2 \$5,000 and does not include securities in share form, by the surviving spouse of the deceased owner,
3 or, if there is no surviving spouse, then to the next of kin in accordance with the provisions of
4 RSA 561:1.

5 4 New Subparagraphs; Filing of Claim With Administrator. Amend RSA 471-C:26, I(c) by
6 inserting after subparagraph (4) the following new subparagraphs:

7 (5) Before distributing any unclaimed property pursuant to subparagraphs (2) and
8 (3), the administrator shall first ensure that the department of health and human services does not
9 have a claim for medical and or financial assistance paid on behalf of the deceased owner.

10 (6) In the event that the department of health and human services has a claim for
11 medical and or financial assistance paid on behalf of the deceased owner, the department may submit a
12 claim for such assistance using an affidavit developed by the administrator that ensures that:

13 (A) No individual has moved to probate the deceased owner's estate through
14 which the department could assert its claim or probate administration for the deceased owner had
15 been open and no individual has moved to reopen the estate through which the department could
16 assert its claim;

17 (B) The department does not believe, based on the information available to it,
18 there are known expenses for the deceased owner's necessary funeral and burial; and

19 (C) Based on all facts known to the department, its recovery of this abandoned
20 property is not limited by the prohibitions to recovery as set forth in 42 U.S.C. section 1396p and
21 RSA 167:16-a, IV.

22 (7) If the department of health and human services has made a claim against a
23 deceased owner's unclaimed property as provided in subparagraph (6), under no circumstances shall
24 the administrator distribute to the department more than the claimed amount.

25 5 Repeal. 2009, 144:211, relative to community mental health centers; administrative
26 requirements suspended, is repealed.

27 6 Department of Health and Human Services; Transfer Among Accounts. Amend 2009, 144:39,
28 III to read as follows:

29 III. Notwithstanding the provisions of RSA 9:17-a or any other provision of law to the
30 contrary except RSA 9:17-c, and subject to the approval of the fiscal committee of the general court
31 and governor and council, for the biennium ending June 30, 2011, the commissioner of the
32 department of health and human services is hereby authorized to transfer funds within and among
33 all [PAUs] **accounting units** within the department, as the commissioner deems necessary and
34 appropriate to address present or projected budget deficits, or to respond to changes in federal laws,
35 regulations, or programs, and otherwise as necessary for the efficient management of the
36 department[~~, with the exception of class 60 transfers~~]. ***This transfer authority shall not apply to***
37 ***funds for employee benefits appropriated in class 60 which were previously transferred to***

1 *the employee benefit adjustment account as defined in RSA 9:17-c.*

2 7 Lead Paint Poisoning Prevention and Control; Rulemaking. Amend RSA 130-A:10, IV to read
3 as follows:

4 IV. Fees to be collected for the issuance of licenses to lead inspectors, lead risk assessors,
5 lead abatement contractors, for certification of lead abatement workers and lead clearance testing
6 technicians, for testing resulting from investigations, for certifications of training programs, **exam**
7 **and training fees**, ~~and~~ for notifications under RSA 130-A, **and other environmental fees**.
8 Property owners who own more than 4 but fewer than 7 dwelling units shall pay a fee for licensure
9 which is 1/2 of that paid by other lead abatement contractor licensees. Such reduced fee license shall
10 only be valid for work on dwellings or dwelling units owned by such license holder.

11 8 Lead Poisoning Prevention Fund. Amend RSA 130-A:15 to read as follows:

12 130-A:15 Lead Poisoning Prevention Fund. There is hereby established the lead poisoning
13 prevention fund to be used to carry out the provisions of this chapter. The fund shall be composed of
14 fees, fines, gifts, grants, donations, bequests, or other moneys from any public or private source and
15 shall be used to implement and encourage lead paint removal and education, **and to support**
16 **program staff and administrative costs**. The fund shall be nonlapsing and shall be continually
17 appropriated to the commissioner of the department of health and human services for the purposes
18 of this chapter.

19 9 New Paragraph; Department of Health and Human Services; Duties of the Department.
20 Amend RSA 161:2 by inserting after paragraph XVII the following new paragraph:

21 XVIII. Refugee Resettlement. Administer the New Hampshire refugee resettlement
22 program as funded by and in cooperation with the United States Department of Health and Human
23 Services under the Refugee Act of 1980.

24 10 New Section; Special Fund; Civil Fines. Amend RSA 151 by inserting after section 16-a the
25 following new section:

26 151:16-b Civil Fines. All administrative fines and other civil monetary penalties collected by the
27 department from facilities licensed under this chapter shall be kept by the state treasurer in a
28 separate, non-lapsing, interest bearing account. Interest earned on moneys deposited in the account
29 shall be deposited into the account. The moneys in the account shall be used by the department for
30 the protection of the health and property of residents of facilities licensed under this chapter.

31 11 New Subparagraph; Special Fund. Amend RSA 6:12, I(b) by inserting after subparagraph
32 (299) the following new subparagraph:

33 (300) Civil fines collected under RSA 151:16-b, which shall be deposited as provided
34 in such section.

35 12 Medicaid Enhancement Tax; Due Date. Amend RSA 84-A:3, II-a to read as follows:

36 II-a. For the taxable period beginning July 1, 1993, and for every taxable period thereafter,
37 each hospital shall pay 100 percent of its medicaid enhancement tax due and payable for the taxable

1 period no later than the fifteenth day of the ~~[third]~~ **fourth** month of the taxable period.
2 Notwithstanding any provision of this chapter or any other law, no penalty or interest shall be
3 imposed for failure to make payment of tax when due if such payment is made on or before the last
4 day of the month in which such payment is due.

5 13 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18,
6 I(a)(3) to read as follows:

7 (3) Required to furnish proof of successful completion of an impaired driver
8 intervention program prior to the restoration of the person's driver's license or privilege to drive,
9 provided that, if the person has previously completed, or been required by a court or the department
10 of safety to complete, an impaired driver intervention program (I.D.I.P.) or any similar program in
11 any jurisdiction, the person shall be required to furnish proof of successful completion of the multiple
12 DWI offender intervention ~~[detention-center]~~ program (M.O.P.) or an equivalent 7-day residential
13 intervention program approved by the commissioner of health and human services;

14 14 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18,
15 I(b)(3) to read as follows:

16 (3) Sentenced to a mandatory sentence of not less than 10 consecutive days of which
17 3 consecutive 24-hour periods shall be served in the county correctional facility and 7 consecutive
18 days shall be served at the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention~~
19 ~~center]~~ **program** established under RSA 265-A:40, which sentence shall begin no later than ~~[21]~~ **45**
20 days after conviction. In the event that the ~~[state-operated]~~ 7-day multiple DWI offender
21 intervention ~~[detention-center]~~ **program** has no available space, the person shall be assigned to an
22 equivalent 7-day residential intervention program approved by the commissioner of health and
23 human services. The person shall begin following any treatment recommendations arising out of the
24 final evaluation given to the person at the multiple DWI offender intervention ~~[detention-center]~~
25 **program** or equivalent program within 60 days after the person has completed serving the required
26 7 consecutive days or such other time as the court may order;

27 15 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18,
28 I(c)(3) to read as follows:

29 (3) Sentenced to a mandatory sentence of not less than 21 consecutive days of which
30 14 consecutive 24-hour periods shall be served in the county correctional facility followed by 7
31 consecutive days served at the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention~~
32 ~~center]~~ **program** established under RSA 265-A:40, which sentence shall begin no later than 21 days
33 after conviction. In the event that the ~~[state-operated]~~ 7-day multiple DWI offender intervention
34 ~~[detention-center]~~ **program** has no available space the person shall be assigned to an equivalent 7-
35 day residential intervention program approved by the commissioner of health and human services,
36 and the remainder of the sentence may be deferred at the court's discretion. The person shall begin
37 following any treatment recommendations arising out of the final evaluation given to the person at

1 the multiple DWI offender intervention [~~detention center~~] **program** or equivalent program within 60
2 days after the person has completed serving the required 7 consecutive days or such other time as
3 the court may order. The court may, at the satisfactory completion of any ordered treatment,
4 suspend any remaining deferred sentence. Failure to successfully complete any court-ordered
5 intervention program or recommended treatment shall result in the imposition of any remaining
6 deferred sentence; and

7 16 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18,
8 IV(a)(3)-(5) to read as follows:

9 (3)(A) If the complaint alleges that the prior conviction occurred within 2 years
10 preceding the date of the second offense, the person shall be sentenced to a mandatory sentence of
11 not less than 37 consecutive days of which 30 consecutive 24-hour periods shall be served in the
12 county correctional facility followed by 7 consecutive days to be served at the [~~state-operated~~] 7-day
13 multiple DWI offender intervention [~~detention center~~] **program** established under RSA 265-A:40
14 within 21 days after conviction, except that in circumstances where the [~~state-operated~~] 7-day
15 multiple DWI offender intervention [~~detention center~~] **program** has no available space the person
16 shall be assigned to an equivalent 7-day residential intervention program approved by the
17 commissioner of health and human services. The person shall begin following any treatment
18 recommendations arising out of the final evaluation given to the person at the multiple DWI offender
19 intervention [~~detention center~~] **program** or equivalent program within 60 days after the person has
20 completed serving the required 30 consecutive 24-hour periods or such other time as the court may
21 order.

22 (B) If the complaint alleges that the prior conviction occurred more than 2 but
23 not more than 10 years preceding the date of the second offense, the person shall be sentenced to a
24 mandatory sentence of not less than 10 consecutive days of which 3 consecutive 24-hour periods shall
25 be served in the county correctional facility and 7 consecutive days shall be served at the [~~state-~~
26 ~~operated~~] 7-day multiple DWI offender intervention [~~detention center~~] **program** established under
27 RSA 265-A:40, which sentence shall begin no later than 21 days after conviction. In the event that
28 the [~~state-operated~~] 7-day multiple DWI offender intervention [~~detention center~~] **program** has no
29 available space the person shall be assigned to an equivalent 7-day residential intervention program
30 approved by the commissioner of health and human services. The person shall begin following any
31 treatment recommendations arising out of the final evaluation given to the person at the multiple
32 DWI offender intervention [~~detention center~~] **program** or equivalent program within 60 days after
33 the person has completed serving the required 7 consecutive days or such other time as the court
34 may order.

35 (4) The person's driver's license or privilege to drive shall be revoked for not less
36 than 3 years.

37 (5) The person shall pay a fee to the commissioner, as established under RSA 126-

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 6 -

1 A:43, for the costs of the ~~[state-operated]~~ 7-day multiple DWI offender intervention ~~[detention-center]~~
2 program prior to license restoration. If the person attends an approved equivalent 7-day residential
3 intervention program, the fees and costs shall be paid to the program.

4 17 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18,
5 VI to read as follows:

6 VI. If any person is convicted of a violation of RSA 265-A:2, I or RSA 265-A:3, and the
7 conviction is not based upon a complaint which alleges prior convictions as provided in paragraph IV,
8 but the person is found to have had one or more such prior convictions in this state or in an out-of-
9 state jurisdiction within 10 years preceding the date of the offense, the person's driver's license or
10 privilege to drive shall be revoked for not less than one year nor more than 3 years. Except for good
11 cause found by the court and noted in writing, the court may suspend up to 6 months of this
12 sentence, provided that within 45 days after conviction the person has entered the 7-day program at
13 the ~~[state-operated]~~ multiple DWI offender intervention ~~[detention-center]~~ program or an equivalent
14 7-day residential intervention program approved by the commissioner of health and human services,
15 as provided in RSA 265-A:40 and RSA 265-A:42. The person's license shall not be restored until the
16 person has successfully completed the program. The court may further order attendance at a
17 residential treatment center, for a period not to exceed 30 days, at the person's own expense.

18 18 Penalties for Intoxication or Under the Influence of Drugs Offenses. Amend RSA 265-A:18,
19 XI to read as follows:

20 XI. Any person convicted of a violation of RSA 265-A:2, RSA 265-A:3, or RSA 265-A:19, II,
21 and who at the time of driving or attempting to drive a vehicle or off highway recreational vehicle or
22 operating or attempting to operate a boat was transporting a person under the age of 16, shall have
23 the driver's license or privilege to drive revoked for the maximum time period under the section
24 violated and the person's license or privilege to drive shall not be restored until the offender has
25 successfully completed a 7-day program at the ~~[state-operated]~~ multiple DWI offender program or an
26 equivalent 7-day residential intervention program approved by the commissioner at the person's own
27 expense.

28 19 Penalties for Boating While Intoxicated. Amend RSA 265-A:19, II to read as follows:

29 II. Any person convicted of a violation of RSA 265-A:2, II who at the time of the violation
30 was transporting a person under the age of 16 shall not operate a boat on the waters of this state
31 until the offender has successfully completed a 7-day program at the ~~[state-operated]~~ multiple DWI
32 offender program or an equivalent 7-day residential intervention program approved by the
33 department of health and human services at the person's own expense. Any person operating a boat
34 in violation of this paragraph is guilty of a misdemeanor.

35 20 Impaired Driver Intervention Programs. Amend RSA 265-A:39, I to read as follows:

36 I. Except as provided in paragraph IV, the commissioner of the department of health and
37 human services shall be responsible for biennially approving the impaired driver intervention

1 programs and 7-day residential intervention programs equivalent to the multiple DWI offender
2 intervention [~~detention center~~] program (M.O.P.) which persons convicted under RSA 265-A:2 or
3 RSA 265-A:3 shall attend in order to regain their driver's licenses or driving privileges; but the
4 commissioner of the department of health and human services shall not approve any impaired driver
5 intervention program unless such program is conducted without cost to the state. Notwithstanding
6 RSA 6:12, any fees collected under subparagraph IV(g) of this section shall be placed in a nonlapsing
7 revolving account and shall be used by the commissioner for the purposes of this subdivision only.

8 21 Multiple DWI Offender Intervention Program. RSA 265-A:40 is repealed and reenacted to
9 read as follows:

10 265-A:40 Multiple DWI Offender Intervention Program.

11 I. The commissioner of the department of health and human services shall be responsible for
12 the establishment and administration of the 7-day multiple DWI offender intervention program
13 which persons convicted under RSA 265-A:2 or RSA 265-A:3 or sentenced pursuant to RSA 651:2,
14 V(h) may be required to attend. The commissioner shall have the authority to directly operate the
15 program, to approve community-based providers to operate the program in accordance with rules
16 adopted pursuant to RSA 541-A, or to contract with public or private entities to operate the program.

17 II. Any person who attends the 7-day multiple DWI offender intervention program shall be
18 required to pay the fees for the program to the department of health and human services. Full
19 payment shall be made in advance unless the person has entered into a payment plan contract with
20 the office of reimbursements prior to entry into the program. Payment of all fees shall be made no
21 later than one year after completion of the program. The fees shall be sufficient to make the
22 program self-supporting, exclusive of start-up costs. The fees collected shall be deposited in a special
23 account in the office of the state treasurer and utilized as provided in RSA 265-A:41.

24 III. The 7-day multiple DWI offender intervention program shall furnish to the courts a
25 report indicating when a person has completed attendance at the program, and shall furnish to the
26 division of motor vehicles, department of safety, a report indicating when a person who attends the
27 program pursuant to RSA 265-A:18 has successfully completed the program and treatment or
28 involvement in a substance abuse program when appropriate and warranted.

29 IV. The commissioner of the department of health and human services shall adopt rules,
30 pursuant to RSA 541-A, relative to the operation of the 7-day multiple DWI offender intervention
31 program with respect to:

32 (a) Program curriculum and content.

33 (b) Any other matter related to the proper administration of this section.

34 22 Impaired Driver Intervention Programs; Utilization of Funds. Amend RSA 265-A:41 to read
35 as follows:

36 265-A:41 Utilization of Funds. All funds derived from the fees collected by the commissioner of
37 the department of health and human services under RSA 265-A:18 shall be paid over to the state

1 treasurer within 10 days of the subsequent month, or at an earlier date, for deposit into a separate
2 account in the treasury known as the 7-day multiple DWI offender intervention [~~detention center~~]
3 program account. These funds are appropriated as indicated in the operating budget as a source of
4 funds for the 7-day multiple DWI offender intervention [~~detention center~~] program. Any funds
5 remaining in the account over the appropriation indicated in the operating budget shall lapse into
6 the general fund at the end of each fiscal year.

7 23 Impaired Driver Intervention Programs; Attendance Required. Amend RSA 265-A:42, IV(b)
8 to read as follows:

9 (b) In the case of enrollment in the [~~state-operated~~] 7-day multiple DWI offender
10 intervention [~~detention center~~] **program**, a person shall provide such certified copy at the time of
11 enrollment or prior to the issuance of a report under RSA 265-A:40, III and RSA 265-A:18, VIII.

12 24 Sentences and Limitations. Amend RSA 651:2, V(h) to read as follows:

13 (h) In cases of a person convicted of a felony or class A misdemeanor, a court may
14 sentence such person to 7 consecutive 24-hour periods to be served at the [~~state-operated~~] 7-day
15 multiple DWI offender intervention [~~detention center~~] program established under RSA 265-A:40, if
16 the evidence demonstrates that alcohol was a contributing factor in the commission of the offense
17 and provided that space is available in the program and such person pays the fees for the program in
18 full prior to admission.

19 25 Report Required. The commission to examine driving while impaired education and
20 intervention programs shall, pursuant to the authority under 2008, 256:10, as extended by 2009,
21 202:5, study the penalties for intoxication or under the influence of drugs offenses, including but not
22 limited to the multiple DWI offender intervention program. Based upon available research and data,
23 the commission shall review and evaluate the merits of the penalties and the program in order to
24 develop recommendations on these issues. On or before November 1, 2010, the commission shall
25 report its findings to the governor's commission on alcohol and drug abuse prevention, intervention,
26 and treatment, the speaker of the house of representatives, the president of the senate, the
27 commissioner of the department of health and human services, the house clerk, the senate clerk, the
28 state library, and the governor and shall make recommendations, if appropriate, for future
29 legislation to address these issues.

30 26 State Treasurer; Application of Receipts. Amend RSA 6:12, I (b)(147) to read as follows:

31 (147) Moneys deposited in the 7-day multiple DWI offender intervention [~~detention~~
32 ~~center~~] program account under RSA 265-A:41.

33 27 Department of Health and Human Services; Office of Reimbursements; Duties. Amend RSA
34 126-A:34, I(a) to read as follows:

35 (a) Review and investigate all records of the New Hampshire hospital, Laconia
36 developmental services, the secure psychiatric unit, the Glencliff home, the Anna Philbrook center,
37 and the multiple DWI offender intervention [~~detention center~~] program (M.O.P.), relative to

1 expenses incurred by patients, residents, or clients at such institutions, facilities, or programs or
2 expenses incurred by patients, residents, or clients receiving care, treatment, services, or
3 maintenance at the direction of the commissioner of health and human services, and make
4 recommendations to the commissioner and to the respective superintendents or directors of such
5 institutions, facilities, or programs as to the rates to be charged for the care, treatment, and
6 maintenance of such patients, residents, or clients.

7 28 Department of Health and Human Services; Office of Reimbursements; Financial
8 Statements. Amend RSA 126-A:38, II-III to read as follows:

9 II. Persons admitted to the multiple DWI offender intervention [~~detention center~~] program
10 (M.O.P.) who do not pay program fees in full at the time of admission shall file a financial statement
11 under penalty of perjury on forms provided for this purpose by the office of reimbursements and
12 shall enter a payment contract for balance of fees due. The office of reimbursements shall be entitled
13 to recover reasonable attorneys fees and costs of collection for program fees not paid in accordance
14 with a payment contract.

15 III. Persons admitted to the multiple DWI offender intervention [~~detention center~~] program
16 (M.O.P.) shall notify the office of reimbursements of each change of mail address and actual street
17 address until that person has made payment in full of fees due in accordance with an M.O.P.
18 payment contract. Whenever notice to a person subject to a payment contract is required, notice to
19 the last mail address on file with the office of reimbursements shall be deemed notice to and binding
20 on the payer.

21 29 Operating Budget; Lapse; Legislative Branch. Notwithstanding 2009, 143:1, the legislative
22 branch shall lapse an additional \$312,000 for the fiscal year ending June 30, 2010 and lapse an
23 additional \$669,000 for the fiscal year ending June 30, 2011. The reductions required by this section
24 shall be in addition to the lapse required pursuant to 2009, 143:10 and in addition to the lapse
25 required pursuant to 2010, 4:1.

26 30 Operating Budget; General Fund Appropriation Reductions; Department of Information
27 Technology. Notwithstanding 2009, 143:1, the department of information technology, in consultation
28 with the department of administrative services, shall reduce class lines of the department by an
29 amount that will result in additional reductions of general funded agencies' appropriations for class
30 27 totaling \$2,175,000 for the fiscal year ending June 30, 2011. The reductions required under this
31 section shall be in addition to any reductions required pursuant to 2009, 143:12 and by Executive
32 Order No. 2010-02. The commissioner of the department of information technology shall submit to
33 the fiscal committee of the general court and the commissioner of the department of administrative
34 services an itemization of the reductions in expenditure classes made to implement this section on or
35 before July 31, 2010.

36 31 Operating Budget; General Fund Appropriation Reduction; Department of State.
37 Notwithstanding 2009, 143:1, the state general fund appropriations for the department of state shall

1 be reduced by an additional \$149,000 for the fiscal year ending June 30, 2011. The reduction
2 required by this section shall be in addition to any reductions required pursuant to Executive Order
3 No. 2010-02. The secretary of state shall submit to the fiscal committee of the general court an
4 itemization of the reductions in expenditure classes made to implement this section on or before
5 February 15, 2011.

6 32 Operating Budget; General Fund Appropriation Reduction; Board of Tax and Land Appeals.
7 Notwithstanding 2009, 143:1, the state general fund appropriations for the board of tax and land
8 appeals shall be reduced by an additional \$41,454 for the fiscal year ending June 30, 2011. The
9 reduction required by this section shall be in addition to any reductions required pursuant to
10 Executive Order No. 2010-02. The chairman of the board of land and tax appeals shall submit to the
11 fiscal committee of the general court an itemization of the reductions in expenditure classes made to
12 implement this section on or before February 15, 2011.

13 33 New Paragraph; Animal Population Control Program; Management of Fund. Amend RSA
14 437-A:4-a by inserting after paragraph II the following new paragraph:

15 III. The commissioner shall put out to bid the duties related to managing the application for
16 and distribution of moneys from the fund for the reimbursement of spay and neuter surgeries. The
17 contract for the duties shall not exceed \$20,000. The commissioner may assess an administrative
18 charge for the oversight of the program to the fund not to exceed \$5,000 annually.

19 34 Animal Population Control Program; Rulemaking. Amend RSA 437-A:5, II-a to read as
20 follows:

21 II-a. ~~[Administration]~~ **Oversight** of the fund established under RSA 437-A:4-a.

22 35 Animal Population Control Program; Assistant Position. The animal population control
23 program assistant position shall be abolished and, if the position is filled the department shall
24 transfer the individual to a vacant position of similar responsibility, or the individual shall be laid
25 off.

26 36 Operating Budget; General Fund Appropriation Reduction; Department of Environmental
27 Services. Notwithstanding 2009, 143:1, the state general fund appropriations for the department of
28 environmental services shall be reduced by an additional \$432,335 for the fiscal year ending June 30,
29 2011. The reduction required by this section shall be in addition to any reductions required
30 pursuant to Executive Order No. 2010-02 and any other section contained in this act. Such
31 reduction shall be attributable to a combination of vacant positions, supplanting general fund
32 appropriations with federal funds and other funds that might be available for that purpose, and
33 reductions in specific class line item appropriations provided that such reductions do not cause a
34 reduction of services, a reduction of grants or aid to local communities, or an increase in fees. The
35 commissioner of environmental services shall submit to the fiscal committee of the general court an
36 itemization of the reductions in expenditure classes made to implement this section on or before
37 February 15, 2011.

1 37 Health and Human Services; Contract Consolidation. For the fiscal year ending June 30,
2 2011, the department of health and human services shall reduce state general fund appropriations
3 by \$1,500,000 by consolidating social services and medical contracts in order to reduce
4 administrative costs. The department shall not reduce program services in order to meet the
5 reductions required under this section.

6 38 Health and Human Services; TANF Family Supports. For the fiscal year ending
7 June 30, 2011, the department of health and human services shall reduce state general fund
8 appropriations by \$1,500,000 by eliminating contracts for Temporary Assistance to Needy Families
9 (TANF) family supports and providing such services utilizing existing department staff.

10 39 Youth Development Center; Appropriation Reduction. Notwithstanding any provision of law
11 to the contrary, the department of health and human services shall decrease state general fund
12 appropriations for the youth development center under accounting unit 05-95-41-412010 by
13 \$1,561,514 for the fiscal year ending June 30, 2011. In order to meet this reduction, the department
14 shall eliminate 30 positions at the youth development center which are no longer necessary due to
15 the declining census at such center.

16 40 Department of Health and Human Services; North Country Transportation. For the
17 biennium ending June 30, 2011, the department of health and human services shall not reduce
18 funding provided to North Country Transportation used toward meeting the state matching funds
19 requirement for the Job Access and Reverse Commute (JARC) grant award from the United States
20 Department of Transportation.

21 41 Prevention Programs. Amend RSA 170-G:4, XVI to read as follows:

22 XVI. Encourage cities, towns, and counties to develop and maintain prevention programs,
23 court diversion programs, and alternative dispositions for juveniles other than placements outside of
24 the home through the use of a formula which shall allow for the transfer of funds to cities, towns,
25 and counties which have, or are developing, prevention programs or alternatives for juvenile care.
26 The amount to be distributed for this program shall be not less than ~~[4-5]~~ **3** percent of the annual
27 amount appropriated to the department of health and human services for placement costs. The
28 method of distribution shall be based upon rules adopted under RSA 541-A by the commissioner.
29 For purposes of this paragraph, prevention programs shall include programs or activities for the
30 prevention of child abuse and neglect.

31 42 Department of Health and Human Services; Suspension of Residential Rate Setting Rule.
32 Amend 2009, 144:32 to read as follows:

33 144:32 Department of Health and Human Services; Suspension of Residential Rate Setting
34 Rule. Notwithstanding any provision of the law or rule to the contrary, for the biennium ending
35 June 30, 2011, He-C 6422 relative to the residential child care facilities rate setting is suspended.
36 The base rate for residential providers for the ~~[biennium]~~ **state fiscal year** ending June 30, ~~[2011]~~
37 **2010** shall be the rate in effect on June 30, 2009. **For the state fiscal year ending June 30, 2011,**

1 *the rate paid to residential providers subject to the rate setting rule as of June 30, 2009*
2 *shall be reduced by 2 percent. The base rate for the calculation of the 2 percent rate*
3 *reduction shall be the rate in effect on June 30, 2009. Notwithstanding any provision of*
4 *law or rule to the contrary, for state fiscal year 2011, the rate established pursuant to RSA*
5 *170-G:4, XVII for all other services and programs which are paid for by the department*
6 *pursuant to RSA 169-B:40, 169-C:27, and 169-D:29 shall be reduced by 2 percent. The base*
7 *rate for the calculation of the 2 percent rate reduction shall be the rate in effect on July 1,*
8 *2009.*

9 43 Department of Health and Human Services; Direct Graduate Medical Education; Suspension.
10 Amend 2009, 144:24 to read as follows:

11 144:24 Department of Health and Human Services; Direct Graduate Medical Education. The
12 commissioner of the department of health and human services shall submit a Title XIX Medicaid
13 state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend the
14 provision of direct graduate medical education payments to hospitals as contemplated at 42 U.S.C.
15 section 1396a(a)(30)(A) to be effective July 1, 2009. Upon approval of the state plan amendment, and
16 as of the effective date of the state plan amendment, any obligations for payment of direct graduate
17 medical education are suspended until [~~June 30, 2011~~] **July 1, 2011.**

18 44 Department of Health and Human Services; Funding for Indirect Graduate Medical
19 Education and Catastrophic Aid Payments. For the biennium ending June 30, 2011, the department
20 of health and human services shall not suspend funding for indirect graduate medical education and
21 catastrophic aid payments to hospitals.

22 45 Department of Health and Human Services; Public Assistance; Definitions. Amend
23 RSA 167:6, VI to read as follows:

24 VI. For the purposes hereof, a person shall be eligible for aid to the permanently and totally
25 disabled who is between the ages of 18 and 64 years of age inclusive; is a resident of the state; and is
26 disabled as defined in the federal Social Security Act, Titles II and XVI and the regulations adopted
27 under such act, except that the minimum required duration of the impairment shall be 48 months,
28 unless and until the department adopts a 12-month standard in accordance with RSA 167:3-j. In
29 determining disability, the standards for “substantial gainful activity” as used in the Social Security
30 Act shall apply, including all work incentive provisions including Impairment Related Work
31 Expenses, Plans to Achieve Self Support, and subsidies. No person shall be eligible to receive such
32 aid while receiving old age assistance, aid to the needy blind, or aid to families with dependent
33 children. *Notwithstanding any provision of law to the contrary, eligibility for cash*
34 *assistance shall be conditioned upon the recipient filing an application for any federal*
35 *disability benefits for which the individual may be entitled and pursuing any appeals*
36 *available for those federal benefits. Cash assistance shall terminate upon a finding by a*
37 *federal administrative law judge that the individual is medically ineligible for the federal*

1 *benefits. The department may terminate cash assistance for failure to comply with the*
2 *requirements of this paragraph, subject to the recipient's right to an administrative*
3 *appeal.*

4 46 New Subdivision; Optional Local Meals and Rooms Tax. Amend RSA 78-A by inserting after
5 section 26 the following new subdivision:

6 Optional Local Meals and Rooms Tax

7 78-A:27 Local Meals and Rooms Tax.

8 I. A municipality may, in accordance with the procedures under RSA 78-A:28, adopt an
9 addition to the meals and rooms tax rate imposed under RSA 78-A:6, to be known as the local meals
10 and rooms tax, at a rate to be established by the municipality.

11 II. The commissioner shall assess, collect, administer, and enforce the local meals and rooms
12 tax in accordance with the applicable provisions of this chapter relative to the state meals and rooms
13 tax; except that the revenue collected from the local meals and rooms tax shall, after deduction of
14 administrative expenses, be remitted to the treasurer of the municipality imposing the local tax.

15 78-A:28 Procedure for Adoption and Modification of Local Meals and Rooms Tax.

16 I. Any town or city may adopt the provisions of RSA 78-A:27 in the following manner:

17 (a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the
18 question shall be placed on the warrant of a special or annual town meeting, by the governing body
19 or by petition pursuant to RSA 39:3.

20 (b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, the
21 legislative body may consider and act upon the question in accordance with its normal procedures for
22 passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of
23 such municipality may vote to place the question on the official ballot for any regular municipal
24 election.

25 II. The vote shall specify the provisions of the local meals and rooms tax, the amount of such
26 tax, and the manner of its determination, as listed in RSA 78-A:27. If a majority of those voting on
27 the question vote "yes," the tax shall take effect within the town or city, on the date set by the
28 governing body following its adoption.

29 III. A municipality may modify or rescind the tax provided in RSA 78-A:27 in the manner
30 described in this section.

31 47 Meals and Rooms Tax; Definition of Hotel; Campsites. Amend the introductory paragraph of
32 RSA 78-A:3, III to read as follows:

33 III. "Hotel" means an establishment which holds itself out to the public by offering sleeping
34 accommodations for rent, whether or not the major portion of its operating receipts is derived from
35 sleeping accommodations. The term includes, but is not limited to, inns, motels, tourist homes and
36 cabins, ski dormitories, ski lodges, lodging homes, rooming houses, furnished room houses, boarding
37 houses, private clubs, hostels, cottages, camps, [~~campsites,~~] chalets, barracks, dormitories, and

1 apartments. The term does not include the following:

2 48 Authorization for Debt Restructuring. The state treasurer is hereby authorized to refinance
3 all or a portion of the state's fiscal year 2011 debt service obligations by the issuance at one time or
4 from time to time of up to \$55,000,000 aggregate principal amount of general obligation refunding
5 bonds, which shall mature in such amounts and at such time as the state treasurer, with the
6 approval of the governor and council, shall determine; provided that the final maturity of such bonds
7 shall not be later than June 30, 2021. The issue of such bonds shall be subject to the same
8 requirements and provisions of law as would then be applicable to the issue of the bonds being
9 refunded, except as provided in this section. Such refinancing is intended to result in a general fund
10 reduction of the required debt service for the biennium ending June 30, 2011 of approximately
11 \$40,000,000. The amount of general fund debt service so refinanced shall lapse to the general fund
12 on or before June 30, 2011.

13 49 Capital Appropriation; University System of New Hampshire. Amend 2005, 259:2, I to read
14 as follows:

15 I. The Knowledge Economy Education Plan (KEEP NH) documents the need for investment
16 in university system of New Hampshire projects primarily to renovate and expand science,
17 engineering, and technology facilities. The sum of \$109,500,00 is hereby committed and
18 appropriated to the university system of New Hampshire (USNH) for the KEEP NH plan, effective
19 July 1, 2005 but limited to the drawdown of funds as stated in this section. The appropriation is for
20 the following capital projects:

21 A. DeMeritt Hall renovation and expansion (UNH);

22 B. James Hall renovation and expansion (UNH);

23 C. Parsons Hall renovation (UNH);

24 D. Planning for renovation of Nesmith Hall (UNH), renovation and expansion of
25 Physical Education Center (PSU), and conversion of former Zorn dining commons to academic
26 building (KSC);

27 E. Infrastructure work on the Keene State College and Plymouth State University
28 campuses;

29 F. NHPTV equipment (UNH); and

30 G. University Centers that would co-locate USNH and Community-Technical College
31 System programs.

32 ***I-a. The further sum of \$25,000,000 is hereby committed and appropriated to USNH,***
33 ***subject to the limitation on the drawdown of funds as stated in this section, for such other***
34 ***deferred maintenance, repair, renovation, and capital projects as may be approved by the***
35 ***university system board of trustees provided, however, that such projects shall not involve***
36 ***any of the buildings renovated or expanded with funding appropriated for the KEEP NH***
37 ***plan, 2001, 202:2, and paragraph I of this section, namely, at UNH: Murkland Hall,***

1 *Kingsbury Hall DeMeritt Hall, James Hall, and Parsons Hall; at PSU: Boyd Hall; and at*
2 *KSC: Mason Library and Science Building.*

3 50 Capital Appropriation; University System of New Hampshire; KEEP NH. Amend 2005,
4 259:2, II, to read as follows:

5 II. The university system board of trustees will determine the timing of the projects and the
6 specific dollar allocation to each from the above sum available, while ensuring the respective campus
7 priorities are addressed. The board of trustees shall report on the progress of the projects in
8 ~~paragraph~~ **paragraphs I and I-a** to the capital budget overview committee on a quarterly basis.
9 The appropriation shall be nonlapsing and in addition to any other appropriation to the university
10 system; provided, however, that the university system shall not receive actual cumulative payments
11 from the state for such purposes of more than:

12 A. \$4,500,000 through the biennium ending June 30, 2007.

13 B. \$39,500,000 through the biennium ending June 30, 2009 (\$35,000,000 in new
14 authorization for the biennium).

15 C. ~~[\$74,500,000]~~ **\$99,500,000** through the biennium ending June 30, 2011 (~~[\$35,000,000]~~
16 **\$60,000,000** in new authorization for the biennium).

17 D. ~~[\$109,500,000]~~ **\$134,500,000** through the biennium ending June 30, 2013
18 (\$35,000,000 in new authorization for the biennium).

19 51 Capital Budget; Bonds Authorized; University System of New Hampshire; KEEP. Amend
20 2005, 259:8, II to read as follows:

21 II. To provide funds for the appropriation made in section 2, paragraphs I, **I-a**, and II, the
22 state treasurer is hereby authorized to borrow upon the credit of the state not exceeding the sum of
23 ~~[\$109,500,000]~~ **\$134,500,000** and for said purposes may issue bonds and notes in the name of and on
24 behalf of the state of New Hampshire in accordance with RSA 6-A; provided the cumulative bonds or
25 notes shall not be issued in excess of:

26 (1) \$4,500,000 through the biennium ending June 30, 2007.

27 (2) \$39,500,000 through the biennium ending June 30, 2009.

28 (3) ~~[\$74,500,000]~~ **\$99,500,000** through the biennium ending June 30, 2011.

29 (4) ~~[\$109,500,000]~~ **\$134,500,000** through the biennium ending June 30, 2013.

30 52 Tobacco Tax; Tax on Products Other than Cigarettes. Amend RSA 78:7-c to read as follows:

31 78:7-c Tax Imposed on Tobacco Products Other Than Cigarettes. A tax upon the retail consumer
32 is hereby imposed on tobacco products other than cigarettes at a rate of ~~[48.59]~~ **65.03** percent of the
33 wholesale sales price. The tax under this section may be rounded to the nearest cent if the
34 commissioner determines that the amount of tax would not thereby be made materially
35 disproportionate. No such tax is imposed on any transactions, the taxation of which by this state is
36 prohibited by the Constitution of the United States. No such tax shall be imposed on premium
37 cigars.

1 53 Applicability; Tax on Tobacco Products Other than Cigarettes. Section 52 of this act shall
2 apply to all persons licensed under RSA 78:2. Such persons shall inventory all taxable tobacco
3 products other than cigarettes in their possession and file a report of such inventory with the
4 department of revenue administration on a form prescribed by the commissioner within 20 days after
5 the effective date of this section. The tax rate effective on the effective date of this section shall
6 apply to such inventory and the difference, if any, in the amount paid previously on such inventory
7 and the current effective rate of tax shall be due within 90 days of the effective date of this section.
8 The inventory form shall be treated as a tax return for the purpose of computing penalties under
9 RSA 21-J.

10 54 Operating Budget; Transfer of Dedicated Funds. Notwithstanding RSA 6:12 and any other
11 law to the contrary, for the fiscal year ending June 30, 2010, the department of administrative
12 services shall transfer funds from the following accounts or funds maintained separately on the
13 books of the state to the general fund in the following amounts:

Account/Fund	Amount Transferred to General Fund
Statewide Public Boat Access Fund, RSA 233-A:13	\$500,000
Nitrogen Oxide Emissions Reduction Fund, RSA 125-J:13, II	\$90,000
Laboratory Equipment Fund, RSA 131:3-a, II	\$100,000
New Hampshire Hazardous Waste Cleanup Fund, RSA 147-B:3	\$100,000
Default Bench Warrant Fund, RSA 263:56-d	\$100,000
Fire Standards and Training and Emergency Medical Services Fund, RSA 21-P:12-d	\$1,500,000
Recount Administrative and Fee Account, RSA 660:31	\$110,000
Reflectorized Plates Inventory Fund, RSA 228:25	\$250,000
Education Credentialing Fund, RSA 186:11, X	\$250,000
Sludge Analysis Fund, RSA 485-A:4, XIV-c	\$25,000
Wastewater Plant Operator Certification Fund, RSA 485-A:7-a	\$75,000

30 55 Operating Budget; Lapse of Appropriation. New Hampshire Retirement System; Retirement
31 Pension Benefit; Health Insurance. Amend 2009, 143:1, 01, 59, 59, 590510, 1052, class 064, footnote
32 F to read as follows:

33 ~~[*064—F. This appropriation shall not lapse until June 30, 2011]~~

34 56 Operating Budget. Lapse of Appropriation. Judicial Council; Contracts for Program
35 Services. Amend 2009, 143:1, 02, 07, 070010, 1094, class 102, footnote F to read as follows:

36 ~~[*102—F. This appropriation shall not lapse until June 30, 2011]~~

37 57 Department of Treasury. Lapse of Appropriation for Debt Service. Amend 2009, 143:1, 01,

1 38, 38, 380010, 2076, class 043, footnote F and class 044, footnote F to read as follows:

2 ~~[Class Notes, 043 F. This appropriation shall not lapse until on June 30, 2011.~~

3 ~~Class Notes, 044 F. This appropriation shall not lapse until on June 30, 2011.]~~

4 58 Taxation of Interest and Dividends; Who Taxable. Amend RSA 77:3, I(b) to read as follows:

5 (b) **Partnerships, limited liability companies, associations, and** trusts, the
6 beneficial interest in which is not represented by transferable shares, whose gross interest and
7 dividend income from all sources exceeds \$2,400 during the taxable year, but not including a
8 qualified investment company as defined in RSA 77-A:1, XXI, or a trust comprising a part of an
9 employee benefit plan, as defined in the Employee Retirement Income Security Act of 1974, section
10 3.

11 59 Taxation of Interest and Dividends; What Taxable. RSA 77:4, III is repealed and reenacted
12 to read as follows:

13 III. Dividends, other than stock dividends paid in new stock of the partnership, limited
14 liability company, association, or trust issuing the same, on shares in partnerships, limited liability
15 companies, associations, or trusts the beneficial interest in which is represented by transferable
16 shares.

17 60 New Sections; Taxation of Interests and Dividends; Partnerships and Limited Liability
18 Companies. Amend RSA 77 by inserting after section 14 the following new sections:

19 77:14-a Partnerships and Limited Liability Companies. Partnerships and limited liability
20 companies having a usual place of business in this state, any member of which is an inhabitant
21 thereof, shall be subject to taxes imposed by this chapter. If any of the members of the partnership
22 or limited liability company are not inhabitants of this state only so much of the income thereof as is
23 proportionate to the aggregate interest of the partners or members who are inhabitants of this state
24 in the profits of the partnership or limited liability company shall be taxed.

25 77:14-b Partners and Members. The tax shall be assessed on such a partnership or limited
26 liability company by the name under which it does business, and the partners or members shall not
27 be taxed with respect to the taxable income derived by them from such a partnership or limited
28 liability company.

29 77:14-c Members of Partnership or Limited Liability Company Outside the State. An inhabitant
30 of this state who is a member of a partnership or limited liability company having no usual place of
31 business in this state, who receives income from such partnership or limited liability company
32 derived from such a source that it would be taxable if received directly from such source by such
33 partner or member, shall as to such income be subject to the taxes imposed by this chapter.

34 77:14-d Application of Sections. RSA 77:14-a to 14-d shall apply, so far as apt, to associations
35 and trusts, but not to partnerships, limited liability companies, associations, and trusts the
36 beneficial interest in which is represented by transferable shares.

37 61 Repeal. RSA 77:1-a, relative to definitions, is repealed.

1 (d) Business tax credits and deductions including, but not limited to, net operating
2 losses.

3 (e) Offering tax credits to insurance companies that create new net jobs in New
4 Hampshire.

5 III. The commission may solicit and receive testimony and other information from any
6 person or organization with information or expertise relevant to the committee's objective. State
7 agencies shall cooperate with the commission, and provide data, information, reports, and testimony
8 to the commission upon request.

9 IV. The governor shall appoint a chair from among the members. The first meeting of the
10 commission shall be called by the chair and shall be held within 45 days of the effective date of this
11 section. Seven members of the commission shall constitute a quorum.

12 V. Legislative members of the commission shall receive mileage at the legislative rate when
13 attending meetings of the commission.

14 VI. The commission shall, following a public hearing on a draft final report, submit a final
15 report on the items included in subparagraphs II(a) and (b) or before December 1, 2010, containing
16 its findings and any recommendations for proposed legislation, to the governor, the president of the
17 senate, the speaker of the house of representatives, the chairs of the house and senate ways and
18 means committees, the house and senate clerks, and the state librarian.

19 VII. The commission shall, following a public hearing on a draft final report, submit a final
20 report on the items included in subparagraphs II(c) and (d) or before November 1, 2012, containing
21 its findings and any recommendations for proposed legislation, to the governor, the president of the
22 senate, the speaker of the house of representatives, the chairs of the house and senate ways and
23 means committees, the house and senate clerks, and the state librarian.

24 64 Repeal. RSA 77-F, relative to a commission to study business taxes, is repealed.

25 65 Department of Agriculture; Licenses; Transfers of Animals and Birds. Amend RSA 437:3 to
26 read as follows:

27 437:3 Licenses. Applications for licenses shall be made annually in writing to the department
28 accompanied by a license fee of [~~\$200~~] **\$350**. After January 1, the license fee shall be [~~\$100~~] **\$175**. If
29 after inspection the department finds that the premises, cages and facilities thereon meet the proper
30 standards for health and sanitation and that their use will not result in inhumane treatment of said
31 animals or birds, and proof is provided with the application that the zoning enforcement official of
32 the municipality wherein such facility is to be maintained has certified that the facility conforms to
33 the municipal zoning regulations, a license shall be issued. Licenses shall expire on June 30
34 following issue, and may be renewed on application to the department accompanied by a renewal fee
35 of [~~\$200~~] **\$350**. Such licenses shall be in the form prescribed by the department, shall be publicly
36 displayed at the premises covered by them and adjacent to animal display cages. Each such license
37 shall be subject to revocation at any time by the department, if in the judgment of the department

1 the conditions under which it was issued are not being maintained. Each licensee shall be inspected
2 by an employee of the department or by a person appointed by the department no less frequently
3 than every 6 months. Upon receipt of a written complaint alleging violation of this subdivision, the
4 department shall investigate said complaint within a reasonable time. All license fees shall be
5 deposited in the state treasury.

6 66 Lottery Commission; Report Required. The lottery commission shall submit to the governor,
7 the president of the senate, and the speaker of the house of representatives, no later than November
8 15, 2010, a comprehensive report describing how it proposes to modernize and update its products
9 within the next 5 years in order to maximize revenues in a competitive lottery environment.

10 67 Operating Budget; Transfer of Appropriations; Adequate Education Grants; Funds From
11 Education Trust Fund Transferred to General Fund.

12 I. The commissioner of the department of administrative services is authorized to transfer
13 up to \$80,000,000 from the appropriation in account 06-56-56-560010-7550 class line 086 for fiscal
14 year 2011 into account 06-56-56-560010-7550, class line 086 for fiscal year 2010 on or before June 30,
15 2010. Account 06-56-56-560010-7550, class line 079 for fiscal year 2010 shall be reduced by the same
16 amount that is transferred into account 06-56-56-560010-7550, class line 086 for fiscal year 2010,
17 and account 06-56-56-560010-7550, class line 079 for fiscal year 2011 shall be increased by the
18 corresponding amount.

19 II. Notwithstanding RSA 198:39, any funds remaining in the education trust fund as of June
20 30, 2010 shall be transferred to the general fund as undesignated surplus.

21 68 Application; Appropriations Reductions; All State Agencies. The reductions required by this
22 act shall be in addition to the reductions required by 2009, 143:22, I and 2009, 144:289.

23 69 Special School District Meetings. Notwithstanding RSA 197:2 and RSA 197:3, for the fiscal
24 year ending June 30, 2011, a special meeting of a school district shall be held upon the majority vote
25 of the school board only for the purpose of addressing changes in catastrophic aid funding which
26 could affect the school district during the 2011 year.

27 70 Repeal. Section 69 of this act, relative to special school district meetings, is repealed.

28 71 Special Meeting of Towns for the Fiscal Year Ending June 30, 2011. Notwithstanding any
29 other provision of law to the contrary, for the fiscal year ending June 30, 2011, any town, including
30 those towns that have adopted RSA 40:13 may, by a majority vote of the governing body, call a
31 special meeting without court approval to address any reduction in the amount of state revenue
32 distributed to the town which could affect the town's budget. Such meetings shall be subject to the
33 following:

34 I. The governing body of such town shall post a notice, which shall include the warrant, in at
35 least 2 public places within the political subdivision, one of which shall be on the political
36 subdivision's website, if such exists, at least 7 days prior to the meeting. Additional notice shall be
37 published in a newspaper of general circulation in the political subdivision, provided that if there is

1 no newspaper of general circulation in which notice can be published at least 7 days before the date
2 of the meeting, public notice shall be posted in at least one additional place within the political
3 subdivision.

4 II. The governing body shall hold a public hearing on the proposed warrant articles at the
5 town meeting.

6 III. The governing body of any town that has adopted the provisions of RSA 40:13 may elect
7 to hold and conduct the meeting in accordance with the provisions of RSA 39 and RSA 40 and other
8 applicable law without regard to RSA 40:13. If the governing body elects to follow the provisions of
9 RSA 40:13, it shall provide at least a 15-day period between the deliberative session and the vote for
10 the purposes of proceedings under this section.

11 72 Repeal. Section 71 of this act, relative to the special meetings of towns, is repealed.

12 73 State Agencies; Supplanting General Fund Reductions With Other Funds. For the fiscal year
13 ending June 30, 2011, any state agency may supplant general fund reductions required pursuant to
14 this act with federal and other funds that may become available for that purpose. The department of
15 administrative services shall report to the fiscal committee of the general court on or before July 30,
16 2010 detailing the use of any such funds.

17 74 Department of Health and Human Services; Reduction in Appropriation. Amend 2009, 143:9,
18 as amended by 2010, 4:3 to read as follows:

19 143:9 Department of Health and Human Services; Reduction in Appropriation. The department
20 of health and human services is hereby directed to reduce state general fund appropriations from any
21 line by [~~\$19,559,231~~] **\$8,676,231** for the biennium ending June 30, 2011. Any direct services to New
22 Hampshire citizens shall be excluded from these reductions unless expressly approved by the fiscal
23 committee of the general court and the governor and council. The department shall provide a
24 quarterly report of reductions made under this section to the fiscal committee of the general court
25 and the governor and council.

26 75 Transfer of Anna Philbrook Center Residents. Notwithstanding any provision of law to the
27 contrary, the department of health and human services shall transfer all residents of the Anna
28 Philbrook center to the F-Unit wing of New Hampshire hospital. After said transfer is complete, the
29 department shall consider utilizing the Anna Philbrook center for office space as needed by the
30 department, or taking steps to close the facility once vacant.

31 76 Shelter Care Services. For the biennium ending June 30, 2011, the department of health and
32 human services shall continue to fund shelter care services at Midway Shelter in Bradford, Antrim
33 Girls Shelter in Antrim, and North Country Shelter Care in Jefferson.

34 77 Committee to Study the Youth Development Center and State Prison for Women.

35 I. There is established a committee to study the state-owned facility options for the
36 populations of the youth development center and the state prison for women.

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

1 (a) Three members of the house of representatives, appointed by the speaker of the
2 house of representatives.

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

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

6 IV. The committee shall study the state-owned facility options for the populations of the
7 youth development center and state prison for women. The committee shall make a recommendation
8 on the use of state-owned facilities for said populations and determine all statutory or administrative
9 rule changes that will be necessary to effectuate said recommendation.

10 V. The members of the study committee shall elect a chairperson from among the members.
11 The first meeting of the committee shall be called by the first-named senate member. The first
12 meeting of the committee shall be held within 45 days of the effective date of this section. Three
13 members of the committee shall constitute a quorum.

14 VI. The committee shall report its findings and any recommendations for proposed
15 legislation to the president of the senate, the speaker of the house of representatives, the senate
16 clerk, the house clerk, the governor, and the state library on or before November 1, 2010.

17 78 Fine Revenues. Notwithstanding the provisions of RSA 262:44, the state treasurer shall
18 deposit into the general fund \$185,000 for fiscal year 2010 and \$760,000 for fiscal year 2011 from
19 fine revenues received under RSA 262:44, I.

20 79 Documentation of Marriages; Marriage License Fee. Amend RSA 457:29 to read as follows:

21 457:29 Marriage License Fee. The fee for the marriage license shall be [~~\$45~~] **\$50** to be paid by
22 the parties entering into the marriage. The clerk shall forward \$38 from each fee to the department
23 of health and human services for the purposes of RSA 173-B:15, **and \$5 to the state treasurer for**
24 **deposit in the general fund**. The clerk shall retain the remaining \$7 as the fee for making the
25 records of notice, issuing the certificate of marriage, and forwarding the [~~\$38~~] **\$43** portion of the
26 marriage license fee.

27 80 Fees for Copies, Verifications, and Amendments to Vital Records. Amend RSA 5-C:10, I-II to
28 read as follows:

29 I. A town clerk or the registrar shall be paid in advance, by any person requesting any copy
30 or verification as provided in RSA 5-C:9, the sum of [~~\$12~~] **\$20** for making a search, which sum shall
31 include payment for the issuance of such copy or verification, and [~~\$8~~] **\$10** for each subsequent copy,
32 provided that the fee to town clerks for examination of documents and issuance of a delayed birth
33 certificate shall be \$25.

34 II. The town clerk shall forward \$8 of each search fee collected by the clerk under this
35 section to the department of state for deposit in the vital records improvement fund established
36 under RSA 5-C:15, **\$8 to the state treasurer for deposit in the general fund**, and shall retain the
37 remaining \$4 as the clerk's fee for issuing such a copy. For subsequent copies issued at the same

1 time, the town clerk shall forward \$5 of the fee collected for each subsequent copy under this section
2 to the department for deposit in the vital records improvement fund established under RSA 5-C:15,
3 **\$2 to the state treasurer for deposit in the general fund,** and ~~the town clerk~~ shall retain the
4 remaining \$3 as the clerk's fee for issuing such a copy. The town clerk shall retain the \$25 fee for a
5 delayed birth certificate as the clerk's fee for examining documents and issuing the delayed birth
6 certificate. Fees collected by the registrar shall be forwarded to the state treasurer for deposit into
7 the vital records improvement fund established under RSA 5-C:15.

8 81 Prohibition on Delay of Payment or Expenditure. For the fiscal years ending June 30, 2010
9 and June 30, 2011, no department as defined in RSA 9:1 shall delay a payment or expenditure from
10 one fiscal year to the subsequent fiscal year solely for the purpose of generating an unexpended
11 balance that would lapse in the preceding year.

12 82 Appropriations and Charges. In addition to any other sums appropriated for the fiscal year
13 ending June 30, 2011, the following appropriations and charges are hereby authorized for the
14 following departments and agencies. Said appropriations shall be a charge against the funds as
15 specified in the individual appropriation:

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
01-14		Department of Administrative Services		
01-14-14-1400-1042		Commissioner - Administration		
01-14-14-1400-1042	020	Current Expenses	General Funds	(\$1,000)
01-14-14-1400-1042	030	Equipment New/Replacement	General Funds	(\$500)
01-14-14-1400-1042	080	Out-of State Travel	General Funds	(\$1,000)
01-14-14-1410-1044		Personnel Admin - Support		
01-14-14-1410-1044	020	Current Expenses	General Funds	(\$7,500)
01-14-14-1405-1310		Bureau of Accounting		
01-14-14-1405-1310	030	Equipment New/Replacement	General Funds	(\$250)
01-14-14-1405-1310	066	Employee Training	General Funds	(\$1,450)
01-14-14-1405-1330		Financial Reporting		
01-14-14-1405-1330	070	In-State Travel	General Funds	(\$150)
01-14-14-1405-1330	080	Out-of State Travel	General Funds	(\$1,000)
01-14-14-1400-1350		Budget Office		
01-14-14-1400-1350	080	Out-of State Travel	General Funds	(\$1,000)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 24 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
01-14-14-1400-1360		Business Office		
01-14-14-1400-1360	020	Current Expenses	General Funds	(\$500)
01-14-14-1420-1370		Financial Data Management		
01-14-14-1420-1370	037	Technology - Hardware	General Funds	(\$25,352)
01-14-14-1420-1370	046	Consultants(non-benefited)	General Funds	(\$30,000)
01-14-14-1400-1375		Risk Management Unit		
01-14-14-1400-1375	020	Current Expenses	General Funds	(\$500)
01-14-14-1400-1375	030	Equipment New/Replacement	General Funds	(\$250)
01-14-14-1400-1375	080	Out-of State Travel	General Funds	(\$1,000)
01-14-14-1415-1440		Plant & Property Administration		
01-14-14-1415-1440	070	In-State Travel	General Funds	(\$250)
01-14-14-1415-1440	080	Out-of State Travel	General Funds	(\$1,450)
01-14-14-1410-1442		Employee Relations		
01-14-14-1410-1442	020	Current Expenses	General Funds	(\$600)
01-14-14-1415-2040		General Services		
01-14-14-1415-2040	023	Heat, Electricity & Water	General Funds	(\$50,000)
01-14-14-1415-2040	080	Out-of State Travel	General Funds	(\$184)
01-14-14-1415-2042		Bureau Facilities and Assets Management		
01-14-14-1415-2042	030	Equipment New/Replacement	General Funds	(\$5,300)
01-14-14-1415-2045		Bureau of Court Facilities		
01-14-14-1415-2045	023	Heat, Electricity & Water	Other Funds	(\$125,000)
01-14-14-1415-2045	047	Own Forces Maintenance - Building & Grounds	Other Funds	(\$6,500)
01-14-14-1415-2045	070	In-State Travel	Other Funds	(\$5,000)
01-14-14-1415-2045	201	Sheriff's Reimbursement	General Funds	(\$100,000)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 25 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
01-14-14-1415-2083		M-S Building		
01-14-14-1415-2083	020	Current Expenses	General Funds	(\$10,000)
01-14-14-1415-2083	023	Heat, Electricity & Water	General Funds	(\$25,000)
01-14-14-1415-2083	030	Equipment New/Replacement	General Funds	(\$900)
01-14-14-1415-2083	070	In-State Travel	General Funds	(\$500)
01-14-14-1415-2091		Public Works Bureau		
01-14-14-1415-2091	020	Current Expenses	General Funds	(\$5,000)
01-14-14-1415-2091	030	Equipment New/Replacement	General Funds	(\$1,000)
01-14-14-1415-2091	070	In-State Travel	General Funds	(\$7,500)
01-14-14-1415-2098		Dept. Of Justice Building		
01-14-14-1415-2098	023	Heat, Electricity & Water	General Funds	(\$15,000)
01-14-14-1415-2098	030	Equipment New/Replacement	General Funds	(\$1,000)
01-14-14-1415-2099		Upham Walker Building		
01-14-14-1415-2099	023	Heat, Electricity & Water	General Funds	(\$5,000)
01-14-14-1415-5320		Lakes Region Campus		
01-14-14-1415-5320	070	In-State Travel	General Funds	(\$300)
01-14-14-1400-1356		Retirees Health		
01-14-14-1400-1356	046	Consultants (Non-benefited)	General Funds	(\$7,790)
01-14-14-1400-1356	100	Prescription Drug Expenditures	General Funds	(\$1,423,300)
01-14-14-1400-1356	101	Medical Payments To Providers	General Funds	(\$1,010,800)
01-14-14-1400-1356	102	Contracts for Program Services	General Funds	(\$108,110)
01-34		Department of Cultural Resources		
01-34-34-3420-3420		Office of Preservation		
01-34-34-3420-3420	010	Personal Services - Permanent Classified	General Funds	(\$38,560)
01-34-34-3420-3420	060	Benefits	General Funds	(\$31,614)
01-34-34-3420-3441		Federal Preservation Programs		
01-34-34-3420-3441	010	Personal Services - Permanent	Federal Funds	\$38,560

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 26 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
		Classified		
01-34-34-3420-3441	060	Benefits	Federal Funds	\$31,614
01-34-34-3405-7000		Central Library Services		
01-34-34-3405-7000	010	Personal Services - Permanent	General Funds	(\$115,595)
		Classified		
01-34-34-3405-7000	060	Benefits	General Funds	(\$44,512)
01-34-34-3410-1250		State Arts Development		
01-34-34-3410-1250	011	Personal Services - Unclassified	General Funds	(\$32,561)
01-34-34-3410-1250	060	Benefits	General Funds	(\$12,469)
01-84		Dept of Revenue Administration		
01-84-84-8400-7884		Administration		
01-84-84-8400-7884	070	In-State Travel	General Funds	(\$50,000)
01-84-84-8405-1301		Audit Division		
01-84-84-8405-1301	010	Personal Services - Permanent	General Funds	(\$319,665)
		Classified		
01-84-84-8405-1301	060	Benefits	General Funds	(\$180,391)
01-84-84-8405-1401		Collections Division		
01-84-84-8405-1401	010	Personal Services - Permanent	General Funds	(\$47,981)
		Classified		
01-84-84-8405-1401	060	Benefits	General Funds	(\$24,135)
01-84-84-8405-1501		Documents Processing Division		
01-84-84-8405-1501	010	Personal Services - Permanent	General Funds	(\$126,805)
		Classified		
01-84-84-8405-1501	012	Personal Services - Unclassified	General Funds	(\$70,853)
01-84-84-8405-1501	045	Personal Services (Non-Benefited)	General Funds	(\$30,000)
01-84-84-8405-1501	060	Benefits	General Funds	(\$126,972)
01-84-84-8410-5413		Appraisal Services		
01-84-84-8410-5413	010	Personal Services - Permanent	General Funds	(\$33,291)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 27 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
		Classified		
01-84-84-8410-5413	060	Benefits	General Funds	(\$14,258)
01-28		Real Estate Commission		
01-28-28-2800-2054		Real Estate Comm Admin		
01-28-28-2800-2054	010	Personal Services- Permanent	General Funds	(\$11,000)
		Classified		
01-28-28-2800-2054	104	Certification Expense	General Funds	(\$27,000)
01-29		Real Estate Appraiser Board		
01-29-29-2923-1140		Real Estate Appraiser Board Admin		
01-29-29-2923-1140	060	Benefits	General Funds	(\$7,155)
01-51		Board of Accountancy		
01-51-51-5100-2115		Board of Accountancy Admin		
01-51-51-5100-2115	020	Current Expenses	General Funds	(\$8,000)
01-51-51-5100-2115	046	Consultants (Non-benefited)	General Funds	(\$4,100)
01-31		Joint Board		
01-31-31-3100-2250		Joint Board Admin		
01-31-31-3100-2250	010	Personal Services- Permanent	General Funds	(\$33,840)
		Classified		
01-31-31-3100-2250	060	Benefits	General Funds	(\$23,561)
01-39		Board of Manufactured Housing		
01-39-39-3923-4423		Board of Manufactured Housing		
01-39-39-3923-4423	020	Current Expense	General Funds	(\$1,451)
01-39-39-3923-4423	070	In-State Travel	General Funds	(\$260)
01-05		Executive Council		
01-05-05-0520-1001		Executive Council		
01-05-05-0520-1001	012	Personal Services - Unclassified	General Funds	(\$300)
01-05-05-0520-1001	020	Current Expense	General Funds	(\$2,180)
01-05-05-0520-1001	027	Transfers to DoIT	General Funds	(\$500)
01-05-05-0520-1001	030	Equipment	General Funds	(\$600)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 28 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
01-05-05-0520-1001	080	Out-of-state Travel	General Funds	(\$1,215)
01-02		Executive Office		
01-02-02-0200		Executive Office		
01-02-02-0200-1036		Office of the Governor		
01-02-02-0200-1036		Personal Services/Current Expenses/Benefits	General Funds	(\$75,665)
01-02-02-0205		Governor's Commission on Disability		
01-02-02-0205-1004		Commission on Disability		
01-02-02-0205-1004	011	Personal Services - Unclassified	General Funds	(\$31,237)
01-02-02-0205-1006	020	Current Expenses	General Funds	(\$500)
01-02-02-0205-1004	026	Organizational Dues	General Funds	(\$100)
01-02-02-0205-1006	030	Equipment	General Funds	(\$500)
01-02-02-0205-1006	046	Consultants (Non-Benefited)	General Funds	(\$750)
01-02-02-0205-1004	060	Benefits	General Funds	(\$4,881)
01-02-02-0205-1006	070	In-state Travel	General Funds	(\$1,500)
01-02-02-0205-1006	080	Out-of-State	General Funds	(\$559)
01-02-02-0205-1004	230	Interpreter Services	General Funds	(\$2,000)
01-02-02-0240		Office of Energy and Planning Administration		
01-02-02-0240-6400		Administration		
01-02-02-0240-6400	010	Personal Services- Permanent Classified	General Funds	(\$21,204)
01-02-02-0240-6400	016	Personal Services - Non-Classified	General Funds	(\$12,659)
01-02-02-0240-6400	046	Consultants (Non-Benefited)	General Funds	(\$10,000)
01-02-02-0240-6400	060	Benefits	General Funds	(\$6,942)
01-02-02-0240-6400	068	Remuneration	General Funds	(\$18,607)
01-02-02-0240-6570		Municipal/Regional Assistance		
01-02-02-0240-6570	010	Personal Services- Permanent Classified	General Funds	(\$2,150)
01-02-02-0240-6570	060	Benefits	General Funds	(\$332)
01-02-02-0240-6570	073	Grants - Non Federal	General Funds	(\$30,000)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 29 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
01-02-02-0240-4096		Connecticut River Valley		
01-02-02-0240-4096	068	Remuneration	General Funds	(\$26,136)
01-02-02-0240-8114		Unemployment Compensation		
01-02-02-0240-8114	061	Unemployment Compensation	General Funds	(\$5,000)
02-12		Adjutant General Department		
02-12-12-1200-2220		Administration and Armories		
02-12-12-1200-2220	010	Personal Services- Permanent Classified	General Funds	(\$89,318)
02-12-12-1200-2220	020	Current Expense	General Funds	(\$15,000)
02-12-12-1200-2220	022	Rents & Leases Other than State	General Funds	(\$6,853)
02-12-12-1200-2220	060	Benefits	General Funds	(\$63,308)
02-12-12-1200-2233		Air National Guard MNT/OPER		
02-12-12-1200-2233	020	Current Expenses	General Funds	(\$5,000)
02-12-12-1200-2233	020	Current Expenses	Federal Funds	(\$15,000)
02-12-12-1200-2233	023	Heat, Electricity, & Water	General Funds	(\$5,000)
02-12-12-1200-2233	023	Heat, Electricity, & Water	Federal Funds	(\$15,000)
02-12-12-1200-2233	047	Own Forces Maintenance - Building & Grounds	General Funds	(\$5,000)
02-12-12-1200-2233	047	Own Forces Maintenance - Building & Grounds	Federal Funds	(\$15,000)
02-12-12-1200-2240		Army and State 50/50		
02-12-12-1200-2240	023	Heat, Electricity, & Water	General Funds	(\$45,000)
02-12-12-1200-2240	023	Heat, Electricity, & Water	Federal Funds	(\$45,000)
02-12-12-1200-2240	103	Contracts for Operational Services	General Funds	(\$88,374)
02-12-12-1200-2240	103	Contracts for Operational Services	Federal Funds	(\$88,374)
02-12-12-1210-2260		NH State Veterans Cemetery Operations		
02-12-12-1210-2260	050	Personal Services - Temporary/Appointed	General Funds	(\$15,000)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 30 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
02-12-12-1210-2260	060	Benefits	General Funds	(\$1,147)
02-18		Department of Agriculture, Markets & Food		
02-18-18-1825-2705		Animal Population Control		
02-18-18-1825-2705	010	Personal Services- Permanent Classified	General Funds	(\$30,888)
02-18-18-1825-2705	060	Benefits	General Funds	(\$30,098)
02-18-18-1830-2137		Pesticide Regulation		
02-18-18-1830-2137	060	Benefits	General Funds	(\$31,626)
02-18-18-1830-2137	060	Benefits	Other Funds	\$31,626
02-18-18-1805-2133		Division of Weights & Measures		
02-18-18-1805-2133	018	Overtime	General Funds	(\$31,041)
02-18-19-1900-7883		Board of Veterinary Medicine		
02-18-19-1900-7883	010	Personal Services- Permanent Classified	General Funds	(\$9,688)
02-18-19-1900-7883	060	Benefits	General Funds	(\$5,677)
02-20		Department of Justice		
02-20-20-2000-2601		Attorney General		
02-20-20-2000-2601	010	Personal Services- Permanent Classified	General Funds	(\$89,379)
02-20-20-2000-2601	060	Benefits	General Funds	(\$32,799)
02-20-20-2005-2610		Criminal Bureau		
02-20-20-2005-2610	010	Personal Services- Permanent Classified	General Funds	(\$124,374)
02-20-20-2005-2610	060	Benefits	General Funds	(\$63,229)
02-20-20-2005-2610	010	Personal Services- Permanent Classified	Federal Funds	\$92,428
02-20-20-2005-2610	060	Benefits	Federal Funds	\$42,264

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 31 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
02-20-20-2005-2611		Consumer Bureau		
02-20-20-2005-2611	010	Personal Services- Permanent Classified	General Funds	(\$39,990)
02-20-20-2005-2611	014	Personal Services- Unclassified	General Funds	(\$68,092)
02-20-20-2005-2611	060	Benefits	General Funds	(\$43,025)
02-20-20-2005-2611	010	Personal Services- Permanent Classified	Other Funds	\$39,990
02-20-20-2005-2611	014	Personal Services- Unclassified	Other Funds	\$68,092
02-20-20-2005-2611	060	Benefits	Other Funds	\$43,025
02-20-20-2010-2620		Civil Bureau		
02-20-20-2010-2620	010	Personal Services- Permanent Classified	General Funds	(\$47,310)
02-20-20-2010-2620	013	Personal Services- Unclassified	General Funds	(\$172,374)
02-20-20-2010-2620	060	Benefits	General Funds	(\$106,062)
02-73		Public Employee Labor Relations Board		
02-73-73-7300-2066		Public Employee Labor Relations Board		
02-73-73-7300-2066	010	Personal Services- Permanent Classified	General Funds	(\$14,936)
02-73-73-7300-2066	020	Current Expenses	General Funds	(\$1,500)
02-73-73-7300-2066	026	Organizational Dues	General Funds	(\$115)
02-73-73-7300-2066	046	Consultants (Non-Benefited)	General Funds	(\$1,200)
02-73-73-7300-2066	050	Personal Services- Temporary / Appointed	General Funds	(\$4,500)
02-73-73-7300-2066	070	In-State Travel	General Funds	(\$250)
02-86		Racing & Charitable Gaming Commission		
02-86-86-8600-2210		Racing & Charitable Gaming Commission		
02-86-86-8600-2210	018	Overtime	General Funds	(\$5,000)
02-86-86-8600-2210	019	Holiday Pay	General Funds	(\$1,000)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 32 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
02-86-86-8600-2210	020	Current Expenses	General Funds	(\$15,000)
02-86-86-8600-2210	024	Maintenance Other than Building & Grounds	General Funds	(\$500)
02-86-86-8600-2210	059	Full-Time Temporary	General Funds	(\$20,000)
02-86-86-8600-2210	060	Benefits	General Funds	(\$10,000)
02-86-86-8600-2210	070	In-State Travel	General Funds	(\$5,000)
02-26		Department of Labor		
02-26-26-2605-6100		Inspection Division		
02-26-26-2605-6100	010	Personal Services- Permanent Classified	General Funds	(\$57,826)
02-26-26-2605-6100	060	Benefits	General Funds	(\$50,174)
02-77		Liquor Commission		
02-77-77-7705-7878		Enforcement		
02-77-77-7705-7878	18	Overtime	Other Funds	(\$60,000)
02-77-77-7705-7878	30	Equipment New/Replacement	Other Funds	(\$70,000)
02-77-77-7705-1021		Licensing		
02-77-77-7705-1021	22	Rents & Leases Other Than State	Other Funds	(\$40,000)
02-77-77-7710-1023		Financial Administration		
02-77-77-7710-1023	22	Rents & Leases Other Than State	Other Funds	(\$110,000)
02-77-77-7715-1024		Merchandising - Administration		
02-77-77-7715-1024	46	Consultants (Non-Benefited)	Other Funds	(\$225,000)
02-46		Department of Corrections		
02-46-46-4650-8236		Pharmacy		
02-46-46-4650-8236	070	In-State travel	General Funds	(\$1,601)
02-46-46-4650-8236	100	Prescription Drug Expenditures	General Funds	(\$750,000)
02-46-46-4600-7101		Commissioner's Office		
02-46-46-4600-7101	020	Current Expenses	General Funds	(\$15,000)
02-46-46-4600-7101	066	Employee Training	General Funds	(\$15,000)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 33 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
02-46-46-4600-7101	070	In-State travel	General Funds	(\$1,722)
02-46-46-4660-7111		NH State Prison for Women		
02-46-46-4660-7111	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4660-7111	023	Heat, Electricity & Water	General Funds	(\$11,493)
02-46-46-4660-7111	047	Own Forces Maintenance - Building & Grounds	General Funds	(\$2,000)
02-46-46-4660-7111	048	Contractual Maintenance - Building & Grounds	General Funds	(\$3,000)
02-46-46-4660-7111	068	Remuneration	General Funds	(\$12,497)
02-46-46-4660-7111	070	In-State travel	General Funds	(\$3,257)
02-46-46-4660-7111	102	Contracts For Program Services	General Funds	(\$242,000)
02-46-46-4650-5833		Secured Psych Unit (SPU)		
02-46-46-4650-5833	020	Current Expenses	General Funds	(\$5,000)
02-46-46-4650-5833	024	Maintenance Other Than Building & Grounds	General Funds	(\$1,000)
02-46-46-4650-5833	047	Own Forces Maintenance - Building & Grounds	General Funds	(\$5,000)
02-46-46-4650-5833	068	Remuneration	General Funds	(\$4,507)
02-46-46-4650-5833	070	In-State travel	General Funds	(\$1,831)
02-46-46-4630-7103		NHSP/M - Kitchen		
02-46-46-4630-7103	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4630-7103	024	Maintenance Other Than Building & Grounds	General Funds	(\$2,000)
02-46-46-4630-7108		NHSP/M - Warehouse		
02-46-46-4630-7108	020	Current Expenses	General Funds	(\$40,000)
02-46-46-4630-7108	070	In-State travel	General Funds	(\$217)
02-46-46-4630-7113		NHSP/M - Admin		
02-46-46-4630-7113	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4630-7113	024	Maintenance Other Than Building & Grounds	General Funds	(\$1,000)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 34 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
02-46-46-4630-7113	070	In-State travel	General Funds	(\$25,727)
02-46-46-4630-7120		NHSP/M - Security		
02-46-46-4630-7120	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4630-7120	068	Remuneration	General Funds	(\$150,173)
02-46-46-4630-7140		NHSP/M - Maintenance		
02-46-46-4630-7140	020	Current Expenses	General Funds	(\$40,000)
02-46-46-4630-7140	023	Heat, Electricity & Water	General Funds	(\$158,914)
02-46-46-4630-7140	047	Own Forces Maintenance - Building & Grounds	General Funds	(\$10,000)
02-46-46-4630-7140	070	In-State travel	General Funds	(\$3,257)
02-46-46-4600-7170		Parole Board		
02-46-46-4600-7170	020	Current Expenses	General Funds	(\$5,000)
02-46-46-4600-7170	068	Remuneration	General Funds	(\$200)
02-46-46-4600-7170	070	In-State travel	General Funds	(\$9,874)
02-46-46-4650-8231		Mental Health		
02-46-46-4650-8231	020	Current Expenses	General Funds	(\$1,000)
02-46-46-4650-8231	070	In-State travel	General Funds	(\$2,569)
02-46-46-4650-8235		Residential Treatment Unit (RTU)		
02-46-46-4650-8235	020	Current Expenses	General Funds	(\$5,000)
02-46-46-4650-8235	070	In-State travel	General Funds	(\$2,910)
02-46-46-4610-8300		Financial Services		
02-46-46-4610-8300	020	Current Expenses	General Funds	(\$1,000)
02-46-46-4610-8300	070	In-State travel	General Funds	(\$286)
02-46-46-4640-8302		Field Services		
02-46-46-4640-8302	020	Current Expenses	General Funds	(\$10,000)
02-46-46-4640-8302	023	Heat, Electricity & Water	General Funds	(\$1,562)
02-46-46-4640-8302	047	Own Forces Maintenance - Building & Grounds	General Funds	(\$2,000)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 35 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
02-46-46-4640-8302	070	In-State travel	General Funds	(\$90,733)
02-46-46-4600-8360		Training		
02-46-46-4600-8360	020	Current Expenses	General Funds	(\$2,000)
02-46-46-4600-8360	070	In-State travel	General Funds	(\$1,329)
02-46-46-4645-7874		Calumet House		
02-46-46-4645-7874	023	Heat, Electricity & Water	General Funds	(\$2,455)
02-46-46-4645-7874	024	Maintenance Other Than Building & Grounds	General Funds	(\$2,000)
02-46-46-4645-7874	070	In-State travel	General Funds	(\$1,086)
02-46-46-4650-8234		Medical - Dental		
02-46-46-4650-8234	024	Maintenance Other Than Building & Grounds	General Funds	(\$3,000)
02-46-46-4650-8234	070	In-State travel	General Funds	(\$11,326)
02-46-46-4645-5172		Shea Farm		
02-46-46-4645-5172	023	Heat, Electricity & Water	General Funds	(\$2,947)
02-46-46-4645-5172	048	Contractual Maintenance - Building & Grounds	General Funds	(\$6,000)
02-46-46-4645-7107		North End House		
02-46-46-4645-7107	070	In-State travel	General Funds	(\$543)
02-46-46-4600-8301		Human Resources		
02-46-46-4600-8301	070	In-State travel	General Funds	(\$615)
02-76		NH Commission for Human Rights		
02-76-76-7600-7882		NH Commission for Human Rights		
02-76-76-7600-7882	020	Current Expenses	General Funds	(\$2,175)
02-76-76-7600-7882	020	Current Expenses	Federal Funds	(\$458)
02-76-76-7600-7882	038	Technology - Software	General Funds	(\$2,557)
02-76-76-7600-7882	038	Technology - Software	Federal Funds	(\$539)
02-76-76-7600-7882	050	Personal Services- Temporary /	General Funds	(\$1,638)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 36 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
		Appointed		
02-76-76-7600-7882	050	Personal Services- Temporary / Appointed	Federal Funds	(\$345)
02-76-76-7600-7882	057	Books, Periodicals,Subscriptions	General Funds	(\$1,922)
02-76-76-7600-7882	057	Books, Periodicals,Subscriptions	Federal Funds	(\$405)
02-76-76-7600-7882	066	Employee Training	General Funds	(\$814)
02-76-76-7600-7882	066	Employee Training	Federal Funds	(\$171)
02-76-76-7600-7882	068	Remuneration	General Funds	(\$826)
02-76-76-7600-7882	068	Remuneration	Federal Funds	(\$174)
02-76-76-7600-7882	070	In-State Travel	General Funds	(\$1,264)
02-76-76-7600-7882	070	In-State Travel	Federal Funds	(\$266)
02-76-76-7600-7882	103	Contracts for Operational Services	General Funds	(\$25)
02-76-76-7600-7882	103	Contracts for Operational Services	Federal Funds	(\$5)
03-35		Department of Resources and Economic Development		
03-35-35-3500-3400		Office of the Commissioner		
03-35-35-3500-3400	040	Indirect Costs	General Funds	(\$1,657)
03-35-35-3500-3401		Design Development-Maintenance		
03-35-35-3500-3401	010	Personal Services- Permanent Classified	General Funds	(\$36,025)
03-35-35-3500-3401	010	Personal Services- Permanent Classified	Other Funds	(\$41,782)
03-35-35-3500-3401	060	Benefits	General Funds	(\$14,395)
03-35-35-3500-3401	060	Benefits	Other Funds	(\$16,694)
03-35-35-3500-3402		Bureau Of Historic Sites		
03-35-35-3500-3402	070	In-State Travel	General Funds	(\$500)
03-35-35-3510-3500		Forest And Lands/Adm.		
03-35-35-3510-3500	045	Personal Services (Non-Benefited)	General Funds	(\$16,000)
03-35-35-3510-3505		Management & Protection		
03-35-35-3510-3505	010	Personal Services- Permanent	Other Funds	(\$19,413)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 37 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
		Classified		
03-35-35-3510-3505	060	Benefits	Other Funds	(\$7,765)
03-35-35-3510-3510		Forest Management		
03-35-35-3510-3510	010	Personal Services- Permanent Classified	General Funds	(\$86,509)
03-35-35-3510-3510	010	Personal Services- Permanent Classified	Other Funds	\$86,509
03-35-35-3510-3510	020	Current Expenses	General Funds	(\$10,000)
03-35-35-3510-3510	060	Benefits	General Funds	(\$24,825)
03-35-35-3510-3510	060	Benefits	Other Funds	\$24,825
03-35-35-3510-2102		Fuelwood		
03-35-35-3510-2102	020	Current Expenses	Other Funds	\$10,000
03-35-35-3510-3520		Forest Protection		
03-35-35-3510-3520	010	Personal Services- Permanent Classified	General Funds	(\$55,996)
03-35-35-3510-3520	050	Personal Services - Temporary / Appointed	General Funds	(\$29,778)
03-35-35-3510-3520	060	Benefits	General Funds	(\$32,758)
03-35-35-3510-3492		Special Deputy Training		
03-35-35-3510-3492	050	Personal Services - Temporary / Appointed	Other Funds	\$25,000
03-35-35-3510-3492	060	Benefits	Other Funds	\$1,912
03-35-35-3505-3600		Economic Development Admin.		
03-35-35-3505-3600	020	Current Expenses	General Funds	(\$4,458)
03-35-35-3505-3600	069	Promotional And Marketing Expense	General Funds	(\$100,000)
03-35-35-3505-3612		Office of International Comm.		
03-35-35-3505-3612	020	Current Expenses	General Funds	(\$86,000)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 38 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
03-35-35-3505-3615		Industrial Research Center		
03-35-35-3505-3615	102	Contracts For Program Services	General Funds	(\$100,000)
03-35-35-3520-3620		Travel & Tourism		
03-35-35-3520-3620	069	Promotional And Marketing Expense	General Funds	(\$165,000)
03-35-35-3520-3576		International Tourism		
03-35-35-3520-3576	069	Promotional And Marketing Expense	General Funds	(\$5,000)
03-35-35-3520-5874		Travel & Tourism Dev Fund		
03-35-35-3520-5874	069	Promotional And Marketing Expense	General Funds	(\$40,000)
03-44		Environmental Services		
03-44-44-4400-1002		Administration and Support		
03-44-44-4400-1002	102	Contracts for Program Services	General Funds	(\$220,000)
03-44-44-4420-1003		State Aid Grants		
03-44-44-4420-1003	073	Grants - Non-Federal	General Funds	(\$327,701)
03-44-44-4420-1518		Lakes - Rivers Management		
03-44-44-4420-1518	102	Contracts for Program Services	General Funds	(\$100,000)
03-44-44-4420-1523		ShellFish Healthy Tides		
03-44-44-4420-1523	102	Contracts for Program Services	General Funds	(\$16,500)
03-44-44-4420-3800		Dam Maintenance Administration		
03-44-44-4420-3800	102	Contracts for Program Services	General Funds	(\$78,700)
03-44-44-4420-3800	303	Public Access Projects	General Funds	(\$25,000)
03-44-44-4440-2589		CERCLA Maintenance		
03-44-44-4440-2589	102	Contracts for Program Services	General Funds	(\$200,000)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 39 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
03-44-44-4400-1002		Administration and Support		
03-44-44-4400-1002	010	Personal Services - Permanent Classified	General Funds	(\$75,373)
03-44-44-4400-1002	010	Personal Services - Permanent Classified	Other Funds	(\$34,982)
03-44-44-4400-1002	060	Benefits	General Funds	(\$40,861)
03-44-44-4400-1002	060	Benefits	Other Funds	(\$18,965)
03-44-44-4420-3800		Dam Bureau Administration		
03-44-44-4420-3800	010	Personal Services - Permanent Classified	General Funds	(\$110,070)
03-44-44-4420-3800	060	Benefits	General Funds	(\$64,534)
03-44-44-4420-3800	010	Personal Services - Permanent Classified	Other Funds	(\$22,545)
03-44-44-4420-3800	060	Benefits	Other Funds	(\$13,218)
03-44-44-4420-3815		Wetlands Administration		
03-44-44-4420-3815	010	Personal Services - Permanent Classified	General Funds	(\$64,254)
03-44-44-4420-3815	060	Benefits	General Funds	(\$51,343)
03-44-44-4440-5402		Solid Waste Assist- Prmt- Enfor		
03-44-44-4440-5402	010	Personal Services - Permanent Classified	General Funds	(\$147,661)
03-44-44-4440-5402	060	Benefits	General Funds	(\$72,576)
03-44-44-4440-5492		RCRA State Match		
03-44-44-4440-5492	010	Personal Services - Permanent Classified	General Funds	(\$94,551)
03-44-44-4440-5492	060	Benefits	General Funds	(\$56,607)
03-44-44-4430-5496		Radon Program		
03-44-44-4430-5496	010	Personal Services - Permanent Classified	General Funds	(\$31,907)
03-44-44-4430-5496	060	Benefits	General Funds	(\$10,027)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 40 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
03-44-44-4430-5496	010	Personal Services - Permanent Classified	Federal Funds	(\$31,907)
03-44-44-4430-5496	060	Benefits	Federal Funds	(\$10,028)
04-96		Department of Transportation		
04-96-96-9640-2931		Railroad		
04-96-96-9640-2931	010	Personal Services- Permanent Classified	General Funds	(\$34,866)
04-96-96-9640-2931	060	Benefits	General Funds	(\$21,800)
04-96-96-9640-2931	010	Personal Services- Permanent Classified	Federal Funds	\$34,866
04-96-96-9640-2931	060	Benefits	Federal Funds	\$21,800
04-96-96-9640-2107		Aeronautics		
04-96-96-9640-2107	070	In-State Travel	General Funds	(\$4)
04-96-96-9640-2049		Land & Buildings		
04-96-96-9640-2049	046	Consultants (Non-Benefited)	General Funds	(\$2,500)
04-96-96-9640-2049	048	Contractual Maintenance - Buildings & Grounds	General Funds	(\$17,500)
04-96-96-9640-2049	400	Construction, Repair & Material	General Funds	(\$5,000)
04-96-96-9640-2058		Maintenance/Critical Repair		
04-96-96-9640-2058	048	Contractual Maintenance - Buildings & Grounds	General Funds	(\$10,000)
05-95		Department of Health and Human Services		
05-95-40		Division for Children, Youth and Families		
05-95-40-4030-5855		Child-Family Services		
05-95-40-4030-5855	101	Medical Payments to Providers	General Funds	(\$6,997)
05-95-40-4030-5855	101	Medical Payments to Providers	Federal Funds	(\$7,031)
05-95-40-4030-5855	533	Foster Care Services	General Funds	(\$172,486)
05-95-40-4030-5855	533	Foster Care Services	Federal Funds	(\$173,320)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 41 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
05-95-40-4030-5855	535	Out Of Home Placements	General Funds	(\$232,263)
05-95-40-4030-5855	535	Out Of Home Placements	Federal Funds	(\$233,385)
05-95-40-4030-5855	550	Assessment and Counseling	General Funds	(\$1,716)
05-95-40-4030-5855	550	Assessment and Counseling	Federal Funds	(\$1,724)
05-95-40-4030-5855	563	Community Based Services	General Funds	(\$59,040)
05-95-40-4030-5855	563	Community Based Services	Federal Funds	(\$59,325)
05-95-40-4030-5857		DCYF-Prevention Programs		
05-95-40-4030-5857	073	Grants - Non-Federal	General Funds	(\$784,911)
05-95-45		Division of Family Assistance		
05-95-45-4500-6127		Employment Support		
05-95-45-4500-6127	102	Contracts For Program Services	General Funds	(\$73,000)
05-95-45-4500-6127	102	Contracts For Program Services	Federal Funds	(\$554,000)
05-95-48		Bureau of Elderly and Adult Services		
05-95-48-4810-8915		Congregate Housing		
05-95-48-4810-8915	502	Payments to Providers	General Funds	(\$15,000)
05-95-48-4815-6173		Nursing Services		
05-95-48-4815-6173	504	Nursing Home Payments	General Funds	(\$2,057,000)
05-95-48-4815-6173	504	Nursing Home Payments	Federal Funds	(\$2,057,000)
05-95-48-4815-6173	505	Mid-Level Care Expenses	General Funds	(\$71,000)
05-95-48-4815-6173	505	Mid-Level Care Expenses	Federal Funds	(\$70,000)
05-95-48-4815-6173	506	Home Nursing Services	General Funds	(\$435,000)
05-95-48-4815-6173	506	Home Nursing Services	Federal Funds	(\$436,000)
05-95-48-4815-6173	529	Home Health Services	General Funds	(\$161,000)
05-95-48-4815-6173	529	Home Health Services	Federal Funds	(\$161,000)
05-95-90		Division of Public Health Services		
05-95-90-9015-5121		Health Promotion		
05-95-90-9015-5121	020	Current Expenses	General Funds	(\$12,422)
05-95-90-9015-5121	022	Rents & Leases Other than State	General Funds	(\$1,500)
05-95-90-9015-5121	050	Personal Services -	General Funds	(\$9,503)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 42 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
		Temporary/Appointed		
05-95-90-9015-5121	060	Benefits	General Funds	(\$727)
05-95-90-9025-5178		Immunization Program		
05-95-90-9025-5178	102	Contracts For Program Services	Federal Funds	(\$5,000)
05-95-90-9030-5230		Public Health Laboratories		
05-95-90-9030-5230	020	Current Expenses	General Funds	(\$20,400)
05-95-90-9030-5230	548	Reagents	General Funds	(\$27,000)
05-95-92		Bureau of Behavioral Health		
05-95-92-9200-7010		Community Mental Health Services		
05-95-92-9200-7010	552	Rehab Services	General Funds	(\$466,000)
05-95-92-9200-7010	552	Rehab Services	Federal Funds	(\$617,000)
05-95-93		Division of Developmental Services		
05-95-93-9300-7100		Developmental Services		
05-95-93-9300-7100	102	Contracts for Program Services	General Funds	(\$30,000)
05-95-93-9300-7100	557	Medicaid Waiver Services	General Funds	(\$487,000)
05-95-93-9300-7100	557	Medicaid Waiver Services	Federal Funds	(\$487,000)
05-95-93-9300-7016		Acquired Brain Disorder Services		
05-95-93-9300-7016	557	Medicaid Waiver Services	General Funds	(\$87,000)
05-95-93-9300-7016	557	Medicaid Waiver Services	Federal Funds	(\$87,000)
05-95-93-9300-7559		NH Brain Injury Program		
05-95-93-9300-7559	502	Payments to Providers	General Funds	(\$50,000)
05-95-93-9300-5191		Special Medical Services		
05-95-93-9300-5191	046	Consultants (Non-Benefited)	General Funds	(\$41,000)
05-95-93-9300-5191	102	Contracts for Program Services	General Funds	(\$15,000)
05-95-93-9300-5191	561	Specialty Clinics	General Funds	(\$99,000)
05-95-94		New Hampshire Hospital		
05-95-94-9400-8750		Acute Psychiatric Services		

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 43 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
05-95-94-9400-8750	102	Contracts for Program Services	General Funds	(\$190,000)
05-95-94-9400-8750	102	Contracts for Program Services	Federal Funds	(\$22,000)
05-95-95-9560		Office of Medicaid and Business Policy		
05-95-95-9560-6126		Medicaid Administration		
05-95-95-9560-6126	512	Transportation Of Clients	General Funds	(\$306,000)
05-95-95-9560-6126	512	Transportation Of Clients	Federal Funds	(\$306,000)
05-95-95-9560-6143		Pharmacy Services		
05-95-95-9560-6143	503	State Phase Down	General Funds	(\$5,500,000)
05-95-95-9560-6147		Provider Payments		
05-95-95-9560-6147	101	Medical Payments to Providers	General Funds	(\$1,455,046)
05-95-95-9560-6147	101	Medical Payments to Providers	Federal Funds	(\$1,455,046)
05-95-95-9560-6147	565	Outpatient Hospital	General Funds	(\$350,000)
05-95-95-9560-6147	565	Outpatient Hospital	Federal Funds	(\$350,000)
05-95-95-9584		DCBCS Treatment & Prevention		
05-95-95-9584-1388		Governor		
05-95-95-9584-1388	102	Contracts for Program Services	General Funds	(\$76,000)
05-43		New Hampshire Veterans Home		
05-43-43-4300-5358		Custodial Services		
05-43-43-4300-5358	018	Overtime	General Funds	(\$10,000)
05-43-43-4300-5358	019	Holiday Pay	General Funds	(\$5,000)
05-43-43-4300-5358	020	Current Expenses	General Funds	(\$10,000)
05-43-43-4300-5358	021	Food Institutions	General Funds	(\$26,000)
05-43-43-4300-5358	023	Heat, Electricity & Water	General Funds	(\$40,000)
05-43-43-4300-5358	047	Own Forces Maintenance - Building & Grounds	General Funds	(\$50,000)
05-43-43-4300-5358	050	Personal Services - Temporary/Appointed	General Funds	(\$20,000)
05-43-43-4300-5358	070	In-State Travel	General Funds	(\$7,000)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 44 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
05-43-43-4300-5359		Professional Services		
05-43-43-4300-5359	010	Personal Services- Permanent Classified	General Funds	(\$773,535)
05-43-43-4300-5359	010	Personal Services- Permanent Classified	Federal Funds	\$773,535
05-43-43-4300-5359	011	Personal Services - Unclassified	General Funds	(\$5,727)
05-43-43-4300-5359	011	Personal Services - Unclassified	Federal Funds	\$5,727
05-43-43-4300-5359	018	Overtime	General Funds	(\$6,180)
05-43-43-4300-5359	018	Overtime	Federal Funds	\$6,180
05-43-43-4300-5359	019	Holiday Pay	General Funds	(\$23,619)
05-43-43-4300-5359	019	Holiday Pay	Federal Funds	\$10,974
05-43-43-4300-5359	019	Holiday Pay	Other Funds	(\$9,540)
05-43-43-4300-5359	020	Current Expenses	General Funds	(\$31,999)
05-43-43-4300-5359	020	Current Expenses	Federal Funds	\$27,640
05-43-43-4300-5359	020	Current Expenses	Other Funds	(\$3,289)
05-43-43-4300-5359	026	Organizational Dues	General Funds	(\$119)
05-43-43-4300-5359	026	Organizational Dues	Federal Funds	\$119
05-43-43-4300-5359	027	Transfers to Office Information Technology	General Funds	(\$7,520)
05-43-43-4300-5359	027	Transfers to Office Information Technology	Federal Funds	\$7,520
05-43-43-4300-5359	030	Equipment New/Replacement	General Funds	(\$10,952)
05-43-43-4300-5359	030	Equipment New/Replacement	Federal Funds	\$10,952
05-43-43-4300-5359	041	Audit Fund Set Aside	General Funds	(\$377)
05-43-43-4300-5359	041	Audit Fund Set Aside	Federal Funds	\$377
05-43-43-4300-5359	046	Consultants (Non-Benefited)	General Funds	(\$18,775)
05-43-43-4300-5359	046	Consultants (Non-Benefited)	Federal Funds	\$18,775
05-43-43-4300-5359	050	Personal Services - Temporary / Appointed	General Funds	(\$40,051)
05-43-43-4300-5359	050	Personal Services - Temporary / Appointed	Federal Funds	\$40,051
05-43-43-4300-5359	060	Benefits	General Funds	(\$407,826)
05-43-43-4300-5359	060	Benefits	Federal Funds	\$407,826
05-43-43-4300-5359	070	In-State Travel	General Funds	(\$1,366)
05-43-43-4300-5359	070	In-State Travel	Federal Funds	\$527

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 45 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
05-43-43-4300-5359	070	In-State Travel	Other Funds	(\$633)
05-43-43-4300-5359	080	Out-of State Travel	General Funds	(\$313)
05-43-43-4300-5359	080	Out-of State Travel	Federal Funds	\$313
05-43-43-4300-5360		Pharmacy Services		
05-43-43-4300-5360	100	Prescription Drug Expenditures	General Funds	(\$54,000)
05-74		HHS Admin Attached Boards		
05-74-74-7405-7400		Board of Medicine		
05-74-74-7405-7400	018	Overtime	General Funds	(\$31)
05-74-74-7405-7400	020	Current Expenses	General Funds	(\$5,000)
05-74-74-7405-7400	050	Personal Services - Temporary / Appointed	General Funds	(\$18,810)
05-74-74-7405-7400	060	Benefits	General Funds	(\$1,552)
05-74-74-7410-7410		Board of Optometry		
05-74-74-7410-7410	020	Current Expenses	General Funds	(\$1,500)
05-74-74-7410-7410	070	In-State Travel	General Funds	(\$539)
05-74-74-7420-7420		Nursing Home Exam Board		
05-74-74-7420-7420	020	Current Expenses	General Funds	(\$500)
05-74-74-7420-7420	050	Personal Services - Temporary / Appointed	General Funds	(\$924)
05-74-74-7420-7420	060	Benefits	General Funds	(\$77)
05-74-74-7425-7425		Off of Allied Health Prof		
05-74-74-7425-7425	046	Consultants (Non-Benefited)	General Funds	(\$700)
05-74-74-7425-7425	050	Personal Services - Temporary / Appointed	General Funds	(\$4,883)
05-74-74-7425-7425	060	Benefits	General Funds	(\$117)
	070	In-State Travel	General Funds	(\$2,000)
05-74-74-7430-7430		Nurses Registration		
05-74-74-7430-7430	018	Overtime	General Funds	(\$8,000)
05-74-74-7430-7430	020	Current Expenses	General Funds	(\$10,000)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 46 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
05-74-74-7430-7430	024	Maintenance Other Than Building & Grounds	General Funds	(\$3,000)
05-74-74-7430-7430	046	Consultants (Non-Benefited)	General Funds	(\$3,500)
05-74-74-7430-7430	050	Personal Services - Temporary / Appointed	General Funds	(\$924)
05-74-74-7430-7430	060	Benefits	General Funds	(\$77)
05-74-74-7430-7430	070	In-State Travel	General Funds	(\$500)
05-74-74-7431-7431		Nurses Registration		
05-74-74-7431-7431	020	Current Expenses	Other Funds	(\$1,000)
05-74-74-7431-7431	024	Maintenance Other Than Building & Grounds	Other Funds	(\$3,000)
05-74-74-7431-7431	042	Post Retirement (Additional Fringe Benefits)	Other Funds	(\$1,442)
05-74-74-7431-7431	050	Personal Services - Temporary / Appointed	Other Funds	(\$306)
05-74-74-7431-7431	060	Benefits	Other Funds	(\$500)
05-74-74-7432-7432		Nurses Registration		
05-74-74-7432-7432	020	Current Expenses	Other Funds	(\$9,000)
05-74-74-7432-7432	046	Consultants (Non-Benefited)	Other Funds	(\$250)
05-74-74-7432-7432	070	In-State Travel	Other Funds	(\$1,000)
05-74-74-7435-7435		Pharmacy Board		
05-74-74-7435-7435	018	Overtime	General Funds	(\$8,000)
05-74-74-7435-7435	020	Current Expenses	General Funds	(\$2,004)
05-74-74-7435-7435	022	Rents & Leases Other than State	General Funds	(\$1,000)
05-74-74-7435-7435	026	Organizational Dues	General Funds	(\$600)
05-74-74-7435-7435	046	Consultants (Non-Benefited)	General Funds	(\$2,500)
05-74-74-7435-7435	070	In-State Travel	General Funds	(\$6,000)
05-74-74-7440-7440		Chiropractic Examiners		
05-74-74-7440-7440	010	Personal Services- Permanent Classified	General Funds	(\$10,156)
05-74-74-7440-7440	060	Benefits	General Funds	(\$5,542)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 47 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
05-74-74-7445-7445		Cosmetology/Barbers Board		
05-74-74-7445-7445	010	Personal Services- Permanent Classified	General Funds	(\$8,385)
05-74-74-7445-7445	060	Benefits	General Funds	(\$10,632)
05-74-74-7450-7450		Dental Board		
05-74-74-7450-7450	020	Current Expenses	General Funds	(\$5,500)
05-74-74-7450-7450	026	Organizational Dues	General Funds	(\$590)
05-74-74-7450-7450	046	Consultants (Non-Benefited)	General Funds	(\$1,000)
05-74-74-7455-7455		Electrolysis Board		
05-74-74-7455-7455	020	Current Expenses	General Funds	(\$334)
05-74-74-7460-7460		Funeral Directors - Embalmers		
05-74-74-7460-7460	020	Current Expenses	General Funds	(\$994)
05-74-74-7460-7460	026	Organizational Dues	General Funds	(\$75)
05-74-74-7460-7460	046	Consultants (Non-Benefited)	General Funds	(\$1,000)
05-74-74-7465-7465		NH Bd of Mental Health Practice		
05-74-74-7465-7465	020	Current Expenses	General Funds	(\$3,000)
05-74-74-7465-7465	046	Consultants (Non-Benefited)	General Funds	(\$1,000)
05-74-74-7465-7465	050	Personal Services - Temporary / Appointed	General Funds	(\$8,847)
05-74-74-7465-7465	060	Benefits	General Funds	(\$733)
05-74-74-7470-7470		Ophthalmic Dispensers		
05-74-74-7470-7470	020	Current Expenses	General Funds	(\$1,410)
05-74-74-7475-7475		Naturopathic Examiners		
05-74-74-7475-7475	020	Current Expenses	General Funds	(\$197)
05-74-74-7475-7475	050	Personal Services - Temporary / Appointed	General Funds	(\$584)
05-74-74-7475-7475	060	Benefits	General Funds	(\$48)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 48 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
05-74-74-7480-7480		Hearing Aid Dealers		
05-74-74-7480-7480	020	Current Expenses	General Funds	(\$1,000)
05-74-74-7480-7480	070	In-State Travel	General Funds	(\$128)
05-74-74-7485-7485		Board of Acupuncture		
05-74-74-7485-7485	020	Current Expenses	General Funds	(\$183)
05-74-74-7485-7485	050	Personal Services - Temporary / Appointed	General Funds	(\$544)
05-74-74-7485-7485	060	Benefits	General Funds	(\$45)
05-74-74-7490-7490		Midwifery Council		
05-74-74-7490-7490	020	Current Expenses	General Funds	(\$64)
05-74-74-7492-7492		Bd of Alc - ODA Professionals		
05-74-74-7492-7492	070	In-State Travel	General Funds	(\$1,962)
05-74-74-7493-7493		Massage Therapy Advisory Board		
05-74-74-7493-7493	020	Current Expenses	General Funds	(\$5,821)
05-74-74-7495-7495		Bd of Licensed Dietitians		
05-74-74-7495-7495	050	Personal Services - Temporary / Appointed	General Funds	(\$1,158)
05-74-74-7495-7495	060	Benefits	General Funds	(\$96)
06-57		Postsecondary Education Commission		
06-57-57-5700-5407		Administration - Financial Aid		
06-57-57-5700-5407	021	Food Institutions	General Funds	(\$2,000)
06-57-57-5700-5407	050	Personal Services - Temporary / Appointed	General Funds	(\$20,659)
06-57-57-5700-5407	060	Benefits	General Funds	(\$1,580)
06-57-57-5700-6074		Granite State Scholars		
06-57-57-5700-6074	107	Scholarships & Grants	General Funds	(\$160,949)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 49 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
06-57-57-5700-6075		Veterinary Education Program		
06-57-57-5700-6075	107	Scholarships & Grants	General Funds	(\$21,813)
06-57-57-5700-6076		Medical Education Program		
06-57-57-5700-6076	107	Scholarships & Grants	General Funds	(\$5,000)
06-56		Department of Education		
06-56-56-5605-2022		Governance and Standards		
06-56-56-5605-2022	010	Personal Services- Permanent Classified	General Funds	(\$72,852)
06-56-56-5605-2022	046	Consultants (Non-Benefited)	General Funds	(\$7,810)
06-56-56-5605-2022	060	Benefits	General Funds	(\$21,412)
06-56-56-5605-2022	067	Training & Providers	General Funds	(\$5,000)
06-56-56-5605-2022	235	Transcription Services	General Funds	(\$1,203)
06-56-56-5610-6019		Other State Aid		
06-56-56-5610-6019	078	Cat Aid - Education	General Funds	(\$3,946,405)
06-56-56-5610-6019	600	Tuition and Transportation Aid	General Funds	(\$607,993)
06-56-56-5610-6019	606	Dropout Prevention	General Funds	(\$128,065)
06-56-56-5610-6019	607	Statewide Special Education	General Funds	(\$23,942)
06-56-56-5610-6019	609	Local Education Improvement	General Funds	(\$39,903)
06-56-56-5610-6019	610	Career Tech Student Orgs	General Funds	(\$9,178)
06-56-56-5615-4101		Court Ordered Placements		
06-56-56-5615-4101	602	State Fund Non-Match	General Funds	(\$122,710)
06-56-56-5620-6401		Instruction - State		
06-56-56-5620-6401	010	Personal Services- Permanent Classified	General Funds	(\$137,710)
06-56-56-5620-6401	060	Benefits	General Funds	(\$62,529)
06-56-56-5620-3260		Curriculum and Assessment		
06-56-56-5620-3260	010	Personal Services- Permanent Classified	General Funds	(\$63,180)
06-56-56-5620-3260	060	Benefits	General Funds	(\$27,613)

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 50 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
06-56-56-5620-3260	067	Training & Providers	General Funds	(\$1,836)
06-56-56-5620-3260	102	Contracts for Program Services	General Funds	(\$4,589)
06-56-56-5620-3260	103	Contracts for Operational Services	General Funds	(\$120)
06-56-56-5620-3260	612	State Testing	General Funds	(\$240,420)
06-56-56-5620-5406		Parent As Teacher		
06-56-56-5620-5406	602	State Fund Non-Match	General Funds	(\$65,000)
06-56-56-5635-4000		Program Support - State		
06-56-56-5635-4000	010	Personal Services- Permanent Classified	General Funds	(\$73,682)
06-56-56-5635-4000	060	Benefits	General Funds	(\$30,926)
06-56-56-5635-4000	614	Data/Info Processing	General Funds	(\$2,190)
06-56-56-5640-3004		School Nutrition - Section IV		
06-56-56-5640-3004	602	State Fund Non-Match	General Funds	(\$15,961)
06-56-56-5650-4082		Career Tech - Adult Learn - ADM		
06-56-56-5650-4082	011	Personal Services-Unclassified	General Funds	(\$92,106)
06-56-56-5650-4082	060	Benefits	General Funds	(\$25,218)
06-56-56-5650-6030		Vocational Education - State		
06-56-56-5650-6030	010	Personal Services- Permanent Classified	General Funds	(\$30,888)
06-56-56-5650-6030	060	Benefits	General Funds	(\$13,235)
06-56-56-5660-7004		Adult Education		
06-56-56-5660-7004	602	State Fund Non-Match	General Funds	(\$102,920)
06-83		Lottery Commission		
06-83-83-8300-1029		Lottery Division		
06-83-83-8300-1029	022	Rents & Leases Other than State	Other Funds	(\$650,000)
06-61		McAuliffe-Shepard Discovery Center		

HB 1128-FN-LOCAL – AS AMENDED BY THE SENATE
- Page 51 -

Accounting Unit	Class	Department/Agency	Fund Source	FY 2011
06-61-61-6100-3432		Administration		
06-61-61-6100-3432	018	Overtime	General Funds	(\$1,500)
06-61-61-6100-3432	020	Current Expenses	General Funds	(\$12,700)
06-61-61-6100-3432	023	Heat, Electricity & Water	General Funds	(\$21,100)
06-61-61-6100-3432	024	Maintenance Other Than Building & Grounds	General Funds	(\$1,500)
06-61-61-6100-3432	048	Contractual Maintenance - Building & Grounds	General Funds	(\$8,200)

1

2 Total appropriations and charges as included in category 01 thru and including 06

3 General fund (\$31,615,456)

4 Federal funds (\$5,732,455)

5 Other funds (\$1,165,845)

6 Total (\$38,513,756)

7 83 Operating Budget; General Fund Appropriation Reduction; Judicial Branch.
8 Notwithstanding 2009, 143:1, the state general fund appropriation for the judicial branch shall be
9 reduced by an additional \$2,000,000 for the fiscal year ending June 30, 2011. The reduction required
10 by this section shall be in addition to the reductions required of the judicial branch pursuant to 2009,
11 143:18 and in addition to the reductions undertaken in order to attain the judicial branch's
12 proportional reduction under 2009, 144:289, including, specifically, the reductions effected pursuant
13 to Supreme Court Administrative Order 2010-01. The director of the administrative office of the
14 courts shall submit to the fiscal committee of the general court and the commissioner of the
15 department of administrative services an itemization of the reductions in expenditure classes made
16 to implement this section on or before June 15, 2011.

17 84 Department; Powers and Duties; Publication of Rates of Reimbursement Exempt From
18 Rulemaking. Amend RSA 170-G:4, XVII to read as follows:

19 XVII. Establish rates for all services, placements and programs which are paid for by the
20 department pursuant to RSA 169-B:40, 169-C:27, 169-D:29, and any services required to be provided
21 by the department pursuant to paragraph II of this section. When educational aspects are present in
22 any service, placement or program subject to rate-setting by the department, rates for the educational
23 component shall be addressed jointly by the department and the department of education.
24 **Publication of rates of reimbursement shall be exempt from the provisions of RSA 541-A.**

25 85 New Paragraph; Administrative Procedure Act; Exception Added. Amend RSA 541-A:21 by
26 inserting after paragraph VI the following new paragraph:

27 VII. RSA 170-G:4, XVII, relative to the publication of rates for services, placements, and

1 programs which are paid for by the department of health and human services pursuant to RSA 169-
2 B:40, RSA 169-C:27, and RSA 169-D:29 shall be exempt from RSA 541-A.

3 86 Eligibility for Services Under the Medicaid Waiver. Amend RSA 151-E:3, II to read as
4 follows:

5 II. A person is eligible for services under the medicaid waiver if the person has been
6 determined *clinically* eligible under RSA 151-E:3, I(a), *and financially eligible pursuant to*
7 *rules adopted by the commissioner under RSA 541-A.*

8 87 Repeal. 2009, 144:160, relative to the catastrophic aid program, is repealed.

9 88 Catastrophic Aid Program. Notwithstanding any provision of law to the contrary, the
10 department of health and human services shall make catastrophic claims payments using the
11 methodology which was in effect prior to the passage of 2009, 144:160. The department of health
12 and human services shall submit to the federal Centers for Medicare and Medicaid Services a
13 Medicaid state plan amendment for the purpose of defining the criteria by which catastrophic claims
14 payments shall be made. Said payments shall be based upon the percentage calculated of each
15 hospital's total claims request divided against the total amount of requests received from all
16 hospitals.

17 89 Department of Health and Human Services; Suspension of Home Health Rate Setting Rule.
18 Notwithstanding any provision of the law or rule to the contrary, for the biennium ending June 30,
19 2011, He-W 553 relative to the home health services rate setting is suspended. Payments for home
20 health services shall be limited to appropriations for home health services as may be restricted or
21 reduced by action by the fiscal committee of the general court or other legislative action. The
22 commissioner of health and human services shall retain the discretion to prioritize within the line
23 items.

24 90 Authorization. The general court may authorize additional modifications to the 2010-2011
25 state budget, 2009, 143, as may be required to accomplish a balanced budget in a time of fluctuating
26 revenues.

27 91 Appropriation; Department of Health and Human Services. The sum of \$2,700,000 is hereby
28 appropriated to the department of health and human service for the fiscal year ending June 30,
29 2011, for the purpose of changing the current per child cost share requirement for child care services
30 back to a family cost share, and utilizing any remaining funds to address projected shortfalls in child
31 care services appropriations. The governor is authorized to draw a warrant for such amount out of
32 any money in the treasury not otherwise appropriated.

33 92 Department of Health and Human Services. Alcohol Abuse Prevention and Treatment Fund.
34 Amend RSA 176-A:1, III to read as follows:

35 III. Moneys shall be disbursed from the fund upon the authorization of the [governor's
36 ~~commission on alcohol and drug abuse prevention, intervention, and treatment established pursuant~~
37 ~~to RSA 12 J:1]~~ *commissioner of the department of health and human services.* Funds

1 disbursed shall be used for alcohol and other drug abuse prevention, intervention, and treatment
2 services, and [~~other purposes related to the duties of the commission under RSA 12-J:3~~] **for costs**
3 **related to the administration of this fund.**

4 93 Governor’s Commission on Alcohol and Drug Abuse Prevention, Intervention, and Treatment;
5 Duties. Amend RSA 12-J:3 to read as follows:

6 12-J:3 Duties. The duties of the commission shall be to:

7 I. ***Collaborate with the department of health and human services to*** develop and
8 revise, as necessary, a statewide plan for the effective prevention of alcohol and drug abuse,
9 particularly among youth, and a comprehensive system of intervention and treatment for individuals
10 and families affected by alcohol and drug abuse. The statewide plan shall:

11 (a) Identify the causes, nature and scope, and the impact of alcohol and drug abuse in
12 New Hampshire.

13 (b) Identify and prioritize unmet needs for prevention, intervention, and treatment.

14 (c) Recommend initiatives to reduce the incidence of alcohol and drug abuse in New
15 Hampshire.

16 (d) Identify and quantify public and private resources available to support alcohol and
17 drug abuse prevention, intervention and treatment.

18 (e) Specify additional resources necessary to address unmet needs for prevention,
19 intervention, and treatment.

20 (f) Specify evaluation and monitoring methodology.

21 II. Promote collaboration between and among state agencies and communities to foster the
22 development of effective community-based alcohol and drug abuse prevention programs.

23 III. Promote the development of treatment services to meet the needs of citizens addicted to
24 alcohol or other drugs.

25 IV. Identify unmet needs and the resources required to reduce the incidence of alcohol and
26 drug abuse in New Hampshire and to make recommendations to the governor regarding legislation
27 and funding to address such needs.

28 [~~V. Authorize the disbursement of moneys from the alcohol abuse prevention and treatment~~
29 ~~fund, pursuant to RSA 176 A:1, III.~~]

30 94 Governor’s Commission on Alcohol and Drug Abuse Prevention, Intervention, and Treatment;
31 Meetings and Reports. Amend RSA 12-J:4, II(b) to read as follows:

32 (b) Indicate the progress made during the prior year toward the implementation of the
33 statewide plan developed [~~by the commission~~] pursuant to RSA 12-J:3, I;

34 95 New Subdivision; Commission Exploring Certain State Inventory. Amend RSA 21-I by
35 inserting after section 86 the following new subdivision:

36 Commission Exploring Certain State Inventory

1 21-I:87 Commission Established. There is established a commission to study the inventory of all
2 state assets, enterprises, and resources that may be monetized by sale or lease.

3 21-I:88 Membership and Compensation.

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

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

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

8 (c) The state treasurer, or designee.

9 (d) The commissioner of the department of administrative services, or designee.

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

12 21-I:89 Duties. The commission shall study the inventory of all state assets, enterprises, and
13 resources that may be monetized by sale or lease.

14 21-I:90 Chairperson; Quorum. The members of the commission shall elect a chairperson from
15 among the members. The first meeting of the commission shall be called by the first-named senate
16 member. The first meeting of the commission shall be held within 45 days of the effective date of
17 this section. Four members of the commission shall constitute a quorum.

18 21-I:91 Report. The commission shall report its findings and any recommendations for proposed
19 legislation to the president of the senate, the speaker of the house of representatives, the chairman
20 of the house and senate finance committee, and the chairman of the house and senate ways and
21 means committees, the senate clerk, the house clerk, the governor, and the state library on or before
22 October 1, 2010.

23 96 Repeal. RSA 21-I:86-91, relative to a commission to study the inventory of all state assets,
24 enterprises, and resources that may be monetized by sale or lease, is repealed.

25 97 Pari-Mutuel Pools on Simulcast Racing; Historical Races Added. Amend RSA 284:22-a to
26 read as follows:

27 284:22-a Pari-Mutuel Pools on Simulcast Racing ***and Historical Races.***

28 I. In this section:

29 (a) “State” means each state of the United States, the District of Columbia, the
30 Commonwealth of Puerto Rico and any territory or possession of the United States.

31 (b) “Simulcast” means a licensee’s receipt of the transmission of races conducted at a
32 racetrack other than the licensee’s racetrack and which races are exhibited simultaneously at the
33 licensee’s racetrack by television or other means of electronic reproduction with the conduct of such
34 races at the point of origin and on which races the licensee sells pari-mutuel pools.

35 (c) “Licensee” means any individual, association, partnership, joint venture, corporation,
36 or other organization or other entity which holds a license under RSA 284 to conduct a race meet, or
37 if the election is made pursuant to RSA 284:22-a,II(c), “licensee” means any individual, association,

1 partnership, joint venture, corporation, or other organization or entity which holds a license under
2 RSA 284 to conduct simulcasting at a facility at which live running or harness horse racing or live
3 dog racing was conducted in 2008.

4 **(d) “Historical races” means those races displayed by electronic means on which**
5 **the licensee sells pari-mutuel pools and which are approved by the commission.**

6 II.(a) During the calendar years 1941-2029, a licensee may sell pari-mutuel pools on races
7 held at racetracks other than the racetrack at which the licensee conducts its race meet, provided:

8 (1) Such sales are within the enclosure of the racetrack at which the licensee holds a
9 license for the current year to conduct live racing in this state;

10 (2) Wagers are made on races which are exhibited by television or other means of
11 electronic reproduction at the licensee’s racetrack **either (i) as historical races, or (ii)**
12 **simultaneously with the conduct of each such race at its point of origin with the agreement or**
13 **approval of the racetrack which provides the transmission of the races to be simulcast and the**
14 **racetrack which conducts the races to be simulcast;**

15 (3) The licensee has scheduled at least 50 calendar days of live racing in the calendar
16 year in which the licensee simulcasts **or displays historical races**, or if the licensee does not have
17 scheduled at least 50 calendar days of live racing in such calendar year, the licensee conducts live
18 racing on the day on which the licensee simulcasts **or displays historical races**; and

19 (4) The licensee obtains the consents and approvals set forth in RSA 284:22-a, III.

20 (b) [Repealed.]

21 (c) Notwithstanding subparagraph II(a), an individual, association, partnership, joint
22 venture, corporation, or other organization or entity may be issued a license to conduct simulcasting
23 without conducting live racing provided such person or entity makes such election with the approval
24 of the commission and such person or entity either held a license on January 1, 2009 under this
25 chapter to conduct a race meet or seeks to conduct simulcasting without conducting live racing at a
26 facility at which live racing was authorized to be conducted in 2009.

27 III. A licensee may sell pari-mutuel pools on **historical races or on** races held at other
28 appropriately licensed racetracks, whether such racetracks are in the state of New Hampshire or
29 outside the state of New Hampshire with the agreement or approval of the racetrack which provides
30 the transmission of the races to be simulcast and the racetrack which conducts the races to be
31 simulcast. A licensee may sell pari-mutuel pools under RSA 284:22-a on the same types of races that
32 it conducts live at its racetrack with the approval of the commission. A licensee may sell pari-mutuel
33 pools under RSA 284:22-a on types of races different from the type of races conducted live at the
34 licensee’s racetrack provided:

35 (a) The licensee obtains the approval of the commission; and

36 (b) The licensee shall have received city or town approval under RSA 284:17 to conduct
37 the type of racing which is to be simulcast **or displayed** prior to or subsequent to the effective date

1 of RSA 284:22-a; the type of racing which is to be simulcast *or displayed* shall have been approved
2 by the city or town in which the licensee's racetrack is located in accordance with RSA 284:17 prior
3 to or subsequent to the effective date of RSA 284:22-a; or the acceptance of wagers or simulcast races
4 *or historical races* of a type other than the type of racing which the licensee conducts live at its
5 racetrack shall have been approved by a majority vote at an annual town meeting or special town
6 meeting called for such purpose in the town in which the licensee's racetrack is located.

7 IV. A licensee which has scheduled less than 50 calendar days of live racing in a calendar
8 year may simulcast *or display historical races* on a day on which live racing is scheduled at the
9 licensee's race track, without conducting live racing, provided that the live racing program is
10 cancelled due to weather or other conditions which produce unsafe conditions at the racetrack of the
11 licensee. The determination to cancel a live program based upon weather or the condition of the
12 racetrack shall be made by the licensee, and notice shall be provided to the commission.
13 Notwithstanding the foregoing, a licensee which has scheduled less than 50 calendar days of live
14 racing shall be limited to no more than 10 such cancellations in a calendar year.

15 V.(a) A licensee may sell pari-mutuel pools for *historical races or* simulcast races for races
16 held at racetracks within or outside the state of New Hampshire in accordance with RSA 284:22-a,
17 II, within the enclosure of said licensee's racetrack or a licensee, with the written agreement with
18 the licensee which conducts or transmits the race which is to be simulcast *or displayed*, may sell a
19 common pari-mutuel pool in conjunction with the licensee which conducts or transmits the race
20 which is to be simulcast *or displayed*. In the event of common pools, the licensee which conducts or
21 transmits the race shall pay the tax required under RSA 284:23 for the portion of the common pool
22 actually contributed at said licensee's racetrack and the licensee which simulcasts *or displays*
23 *historical races* shall pay the tax due under RSA 284:23 for the portion of the common pool
24 actually contributed at said licensee's racetrack.

25 (b) A licensee may sell pari-mutuel pools for *historical races or* simulcast races for
26 races held at racetracks outside the state of New Hampshire in accordance with RSA 284:22-a, II,
27 within the enclosure of said licensee's racetrack or said licensee, with the written agreement with
28 the entity which conducts the race which is to be simulcast *or displayed*, may sell a common pari-
29 mutuel pool in conjunction with the entity which conducts the race which is to be simulcast *or*
30 *displayed*. In the event of such common pools, the commission shall be in the amount established
31 by the law of the state in which the race to be simulcast *or displayed* is actually conducted,
32 provided, however, the licensee shall pay the tax as provided under RSA 284:23.

33 VI. Racing officials, as defined in the rules adopted by the commission, any employee or
34 owner of the entity which provides the totalizator system to the licensee, and any person responsible
35 for the operation of the electronic reproduction equipment which receives the simulcast *or display*
36 *of a historical race* shall be prohibited from participating in wagering, directly or indirectly, on
37 simulcast races *or historical races* shown at the licensee's racetrack.

1 VII. The provisions of RSA 284:15-c, RSA 284:16-a, RSA 284:16-c, RSA 284:17, RSA 284:17-
2 a, and RSA 284:17-c shall not apply to simulcast, **historical races**, and pari-mutuel pools under
3 RSA 284:22-a, except as specifically provided in RSA 284:22-a.

4 VIII. RSA 284:22, I, II, III, and IV shall apply according to the type of race on which the
5 simulcast **and historical race** wagers are made, excepting, however, interstate common pools as
6 provided in RSA 284:22-a, V(b) and that the provisions made for purses made in RSA 284:22, I shall
7 not apply to simulcast races **and historical races**. The commission on simulcast race pools shall be
8 available to the simulcasting licensee to satisfy obligations to the racing association originating or
9 transmitting such simulcast races or to the horsemen's group of such association.

10 98 Pari-Mutuel Pools; Distribution of Tax. Amend RSA 284:23 to read as follows:
11 284:23 Tax.

12 I.(a) Each person, association or corporation licensed to conduct a running horse race or
13 running horse meet under this chapter shall pay to the state treasurer a sum of money equal to one
14 percent of the total contributions to all pari-mutuel pools conducted, made, or sold at any such race
15 or meet licensed under this chapter. The amounts so paid to the state treasurer shall be for the use
16 of the state.

17 (b) Each person, association, or corporation licensed to **display historical races or to**
18 simulcast a running horse race or running horse meet under this chapter shall pay to the state
19 treasurer a sum of money equal to 1- 1/4 percent of the total contributions to all such pari-mutuel
20 pools conducted, made, or sold at such **historical race**, simulcast race, or simulcast race, meet by
21 such person, association, or corporation licensed to simulcast such races **or display historical**
22 **races**. The amount so paid to the state treasurer shall be for the use of the state.

23 II.(a) Each person, association, or corporation licensed to conduct a harness horse race or
24 harness horse race meet under this chapter shall pay to the state treasurer a sum of money equal to
25 one percent of all total contributions to all pari-mutuel pools in a calendar day. The amount so paid
26 to the state treasurer shall be for the use of the state.

27 (b) Each person, association, or corporation licensed to **display historical races or to**
28 simulcast a harness horse race or simulcast a harness horse race meet under this chapter shall pay
29 to the state treasurer a sum of money equal to 1-1/4 percent of the total contributions to all such
30 pari-mutuel pools conducted, made, or sold at such **historical race**, simulcast race, or race meet by
31 such person, association, or corporation licensed to simulcast such races. The amount so paid to the
32 state treasurer shall be for the use of the state.

33 III.(a) Each person, association, or corporation licensed to conduct a dog race or a dog race
34 meet under this chapter shall pay to the state treasurer a sum of money equal to 1-1/4 percent of so
35 much of the total contributions to all pari-mutuel pools conducted, made, or sold at any dog race or
36 dog race meet licensed under this chapter. The amount so paid to the state treasurer shall be for the
37 use of the state.

1 (b) Each person, association or corporation licensed to *display historical races or to*
2 simulcast a dog race or simulcast a dog race meet under this chapter shall pay to the state treasurer
3 a sum of money equal to 1-1/2 percent of all pari-mutuel pools conducted, made, or sold at such
4 *historical race*, simulcast race, or simulcast race meet by such person, association, or corporation
5 licensed under this chapter. The amount so paid to the state treasurer shall be for the use of the
6 state.

7 IV. Each person, association, or corporation licensed to conduct a race or race meet under
8 this chapter shall also pay to the city or town treasurer in which the racing plant is located for each
9 day of racing, whether such day includes live racing only, *historical races and* simulcast racing
10 only, or a combination thereof, the fees assessed in subparagraphs (a) and (b) below, based upon the
11 aggregate pari-mutuel pools conducted, made, or sold by such person, association, or corporation on
12 each such day. This rate is provided if said person, association, or corporation has a license to
13 conduct races or race meets for more than 10 days during the year for which the license is issued. If
14 said person, association, or corporation has a license to conduct races or race meets for 10 days or
15 less, the per diem fee shall be determined by the commission.

16 (a) Each Weekday including Saturday

Pari-mutuel pool	Fee
Under \$300,000	\$300 per day
\$300,000 or more	\$350 per day

20 (b) Each Sunday

Pari-mutuel pool	Fee
Under \$350,000	\$400 per day
\$350,000 but under \$500,000	\$800 per day
\$500,000 or more	\$1,200 per day

25 V. [Repealed.]

26 VI. During each calendar year, by March 31, each licensee shall make a report to the
27 commission with regard to such licensee's efforts to enhance live racing at such licensee's race track.
28 Such report shall include, but not be limited to, licensee's enhancement of purses, capital
29 improvements, promotion, advertising, and other activities determined by the licensee to enhance
30 live racing. The report shall be in writing and shall be in sufficient detail as determined by the
31 commission. The report shall be distributed to the commission and each member of the fiscal
32 committee.

33 VII. For the purposes of this chapter, "racing program" means live racing with any number
34 of individual races as determined by the racing and charitable gaming commission. A live race or
35 racing program may include a combined live and simulcast race *or historical race* where the
36 combination contains at least one more live race to simulcast *or display* in the same combination.
37 Any such live racing program or combined racing program upon which a separate tax is paid may

1 constitute a live racing performance day.

2 99 Unclaimed Ticket Money. Amend RSA 284:31 to read as follows:

3 284:31 Unclaimed Ticket Money. On or before January 31 of each year every person, association
4 or corporation conducting a race or race meet, whether live racing [~~or~~], simulcast racing, **or display**
5 **of historical races** hereunder shall pay to the state treasurer all moneys collected during the
6 previous year of pari-mutuel pool tickets which have not been redeemed. The books or records of
7 said person, association or corporation, which clearly show the tickets entitled to reimbursement in
8 any given race, live [~~or~~], simulcast, **or historical**, shall be forwarded to the commission. Such
9 moneys shall become a part of the general funds of the state. The state treasurer shall pay the
10 amount due on any ticket to the holder thereof from funds not otherwise appropriated upon an order
11 from the commission. Pari-mutuel tickets which remain unclaimed after 11 months shall not be
12 paid.

13 100 Statement of Purpose: The general court finds that:

14 I. Regulation of all forms of gaming is vitally important to the economy of the state and the
15 general welfare of New Hampshire citizens.

16 II. By virtue of New Hampshire's location, natural resources, and development, tourism is a
17 critically important and valuable asset in the continued viability of the state and strength of its
18 communities.

19 III. New Hampshire has an interest in promoting economic recovery, revenue, and job
20 creation as soon as possible through the development of regulated gaming in order to preserve the
21 quality of life for New Hampshire residents.

22 IV. The state will limit the proliferation of gaming by controlling the locations for gaming
23 sites in New Hampshire. The locations shall be determined based on demographics, population,
24 access to appropriate transportation, suitability for tourism, local resources, and development
25 opportunities.

26 V. Any license issued or permission granted pursuant to the provisions of RSA 284-A is a
27 revocable privilege and no holder acquires any vested right in such license or permission.

28 101 New Chapters; Video Lottery Machines; Table Games; Commission to Study Regulatory
29 Oversight Commission. Amend RSA by inserting after chapter 284 the following new chapters:

CHAPTER 284-A

VIDEO LOTTERY MACHINES

30 284-A:1 Definitions.

31 I. "Affiliated" means a person who directly or indirectly through one or more intermediaries,
32 controls, is controlled by, or is under common control with, a specified person.

33 II. "Applicant" means any person, officer, director, or key employee, who on his or her own
34 behalf or on behalf of another, is applying for permission to engage in any act or activity which is
35 regulated under the provisions of this chapter. In cases in which the applicant is a corporation,
36
37

1 foundation, organization, business trust, estate, limited liability company, trust, partnership, limited
2 partnership, association, or any other form of legal business entity, the lottery commission shall
3 determine the affiliated persons whose qualifications must be provided and reviewed as a
4 precondition to the licensing of the applicant.

5 III. “Central computer system” means a central monitor and control system provided and
6 monitored by the lottery commission to which video lottery terminals communicate for purposes of
7 information retrieval, retrieval of the win and loss determination from video lottery machines, and
8 programs to activate and disable video lottery machines.

9 IV. “Charitable gaming” means games of chance and other gaming as permitted under RSA
10 287-A, RSA 287-D, and RSA 287-E.

11 V. “Facility operator applicant” means the applicant applying for approval by the lottery
12 commission as a facility operator licensee.

13 VI. “Facility operator licensee” means the facility operator licensed by the lottery
14 commission to possess, conduct, and operate video lottery machines at a facility location.

15 VII. “Facility location” means the land, buildings, structures, and any portion thereof
16 approved by the lottery commission for video lottery machine operations by a facility operator
17 licensee.

18 VIII. “Key employee” means any individual who is employed in a director or department
19 head capacity and who is authorized to make discretionary decisions that regulate video lottery
20 machine operations, including the general manager and assistant manager of the operator licensee
21 or technology provider, director of operations, director of cage or credit operations, director of
22 surveillance, director of marketing, director of management information systems, director of
23 security, comptroller, and any employee who supervises the operations of these departments or to
24 whom these department directors or department heads report, and such other positions which the
25 lottery commission shall determine based on detailed analyses of job descriptions as provided in the
26 internal controls of the licensee. All other gaming employees shall be considered non-key employees.

27 IX. “License A” means the license issued to a facility operator licensee to operate up to 3,500
28 video lottery machines at a facility location pursuant to this chapter and for which license the facility
29 operator licensee pays an initial license fee of \$50,000,000.

30 X. “License B” means the license issued to a facility operator licensee to operate up to 3,500
31 video lottery machines at a facility location pursuant to this chapter and for which license the facility
32 operator licensee pays an initial license fee of \$50,000,000.

33 XI. License C” means the license issued to a facility operator licensee to operate up to 2,000
34 video lottery machines at a facility location pursuant to this chapter and for which license the facility
35 operator licensee pays an initial license fee of \$30,000,000.

36 XII. “License D” means the license issued to a facility operator licensee to operate up to
37 1,000 video lottery machines at a facility location pursuant to this chapter and for which license the

1 facility operator licensee pays an initial license fee of \$15,000,000.

2 XIII. “Licensee” means any applicant licensed by the lottery commission under this chapter.

3 XIV. “Net machine income” means all cash or other consideration utilized to play a video
4 lottery machine at a facility licensee, less all cash or other consideration paid to players of video
5 lottery machines as winnings. Non-cashable promotional credits shall be excluded from the
6 calculation.

7 XV. “Progressive jackpot” means a prize that increases over time or as video lottery
8 machines that are linked to a progressive system are played. Upon conditions established by the
9 lottery commission, a progressive jackpot may be paid by annuity.

10 XVI. “Progressive system” means one or more video lottery machines linked to one or more
11 common progressive jackpots.

12 XVII. “Request for application” means a request for applications to be submitted by
13 applicants to the lottery commission pursuant to RSA 284-A:3.

14 XVIII. “Table game” means games authorized pursuant to RSA 284-B.

15 XIX. “Technology provider” means any person or entity which designs, manufactures,
16 installs, distributes, or supplies video lottery machines for sale or lease to the facility operator
17 licensees, and which are for use by a facility operator licensee for conducting video lottery games in
18 accordance with this chapter.

19 XX. “Technology provider license” means the license issued by the lottery commission to a
20 technology provider licensee which allows the technology provider licensee to design, manufacture,
21 install, distribute, or supply video lottery machines for sale or lease to the facility operator licensees.

22 XXI. “Technology provider licensee” means a technology provider that is licensed by the
23 lottery commission.

24 XXII. “Token” means the coin or coupon, which is not legal tender, sold by a cashier in a face
25 amount equal to the cash paid by a player for the sole purpose of playing a video lottery machine at
26 the facility licensee or paid to a player of a video lottery machine, which can be exchanged for cash at
27 the facility licensee.

28 XXIII. “Video lottery” means any lottery conducted with a video lottery machine or linked
29 video lottery machines with an aggregate progression prize or prizes. Video lottery conducted
30 pursuant to this chapter shall not be considered a state-run lottery.

31 XXIV. “Video lottery machine” means an electronic, mechanical, or computerized machine
32 which, upon the insertion of bills, coins, tokens, or any representative of value is available to be
33 played where, by chance or skill, or both, the player may receive cash, cash equivalents, or tokens.
34 Video lottery machines include, but are not limited to, slot machines, video poker machines, and
35 other lottery machines. A machine shall be considered a video lottery machine notwithstanding the
36 use of an electronic credit system making the deposit of bills, coins, or tokens unnecessary. Video
37 lottery machines do not include any redemption slot machines and redemption poker machines as

1 defined in RSA 647 or video poker machines or other similar machines used for amusement purposes
2 only.

3 284-A:2 Video Lottery Oversight and Regulation.

4 I. No license shall be issued to any person under this chapter without prior approval of the
5 lottery commission pursuant to this chapter and RSA 284:21-w. The lottery commission shall only
6 issue licenses to persons who operate video lottery machines at a facility location after meeting the
7 requirements of this chapter. The lottery commission shall have the exclusive authority to license
8 and regulate the installation, operation, and conduct of video lottery machines.

9 II. The lottery commission shall have general responsibility for the implementation of this
10 chapter and shall adopt rules, that include as a minimum guidance from the North American
11 Gaming Regulators Association, under RSA 541-A relative to:

12 (a) Issuing requests for applications, and hearing and deciding all license applications or
13 recommendations for the suspension or revocation of any license issued under this chapter.

14 (b) Conducting all investigations in conjunction with the attorney general required
15 under this chapter with regard to the application of any applicant for any license.

16 (c) Conducting hearings pertaining to civil violations, rules, and penalties required
17 under this chapter.

18 (d) Establishing standards for licensure and a reasonable fee structure for the licensing
19 and renewal of licenses for facility operators and technology providers consistent with this chapter.

20 (e) Establishing technical standards for approval of video lottery machines, including
21 mechanical and electrical reliability and security against tampering, as deemed necessary to protect
22 the public from fraud or deception and to insure the integrity of the operation.

23 (f) Establishing standards for the competitive review of facility operator applicants
24 pursuant to RSA 284-A:4.

25 (g) Ensuring that all licensees update the lottery commission with regard to any change
26 in ownership or material change in information or data regarding the licensee that the commission
27 determines is necessary and appropriate.

28 (h) Ensuring that any facility operator licensee seeking to host or operate table games at
29 a facility licensee location has appropriate approvals from the lottery commission pursuant to RSA
30 284-B.

31 (i) Prescribing the methods and forms of application which any applicant shall follow
32 and complete prior to consideration of the application by the commission.

33 (j) Prescribing the methods, procedures, and form for delivery of information concerning
34 any person's family, habits, character, associates, criminal record, business activities, and financial
35 affairs.

36 (k) Prescribing procedures for the fingerprinting of an applicant, employee of a licensee,
37 or registrant, or other methods of identification which may be necessary in the judgment of the

1 commission to accomplish effective enforcement of restrictions to access to the licensed facility.

2 (l) Prescribing the manner and procedure of all hearings conducted by the commission or
3 any hearing examiner, including special rules of evidence applicable thereto and notices thereof.

4 (m) Prescribing the method of collection of payments of taxes, fees, and penalties.

5 (n) Defining and limiting the areas of operation, the rules of authorized games, odds, and
6 devices permitted, and the method of operation of such games and devices.

7 (o) Prescribing grounds and procedures for the revocation or suspension of licenses.

8 (p) Governing the manufacture, distribution, sale, and servicing of gaming devices and
9 equipment.

10 (q) Prescribing minimum procedures for the exercise of effective control over the internal
11 fiscal affairs of a licensee, including provisions for the safeguarding of assets and revenues, the
12 recording of cash and evidence of indebtedness, and the maintenance of reliable records, accounts,
13 and reports of transactions, operations, and events, including reports to the lottery commission.

14 (r) Providing for a minimum standard of accountancy methods, procedures, and forms; a
15 uniform code of accounts and accounting classifications; and such other standard operating
16 procedures as may be necessary to assure consistency, comparability, and effective disclosure of all
17 financial information.

18 (s) Requiring quarterly financial reports and the form thereof, and an annual audit
19 prepared by a certified public accountant licensed to do business in this state, attesting to the
20 financial condition of a licensee and disclosing whether the accounts, records, and control procedures
21 examined are maintained by the licensee as required by this chapter.

22 (t) Governing the gaming-related advertising of licensees, their employees and agents,
23 with the view toward assuring that such advertisements are in no way deceptive and promote the
24 purposes of this chapter; provided, however, that such rules shall require the words “Bet with your
25 head, not over it,” or some comparable language approved by the lottery commission, to appear on all
26 billboards, signs, and other on-site advertising of a licensee operation and shall require the words “If
27 you or someone you know has a gambling problem and wants help, call 1-800-GAMBLER,” or some
28 comparable language approved by the commission, provided such language shall include the words
29 “gambling problem” and “call 1-800-GAMBLER,” which shall appear legibly on all print, billboard,
30 and sign advertising of a casino operation.

31 (u) Providing for the establishment and maintenance by the lottery commission of a list
32 of persons who are to be excluded or ejected from any facility licensed under RSA 284, because of the
33 person’s criminal background or presence in a licensed facility would be, in the opinion of the lottery
34 commission, inimical to the interests of the state, including standards relating to persons to be
35 excluded, and providing for a self-exclusion program to be established by facility operator licensees,
36 whereby persons who are problem gamblers can be excluded or ejected from a licensed facility.

37 (v) The licensing process and approval process for selecting the provider of the central

1 computer system.

2 III. Pending the adoption of rules under RSA 541-A, the lottery commission shall adopt
3 interim rules pursuant to RSA 541-A:19 relative to the licensing process within 90 days of the
4 effective date of this chapter. Notwithstanding any law to the contrary such interim rules shall
5 remain in effect until final rules relative to standards set forth in RSA 284-A:2, II are adopted
6 pursuant to RSA 541-A, which shall be no later than 270 days from the effective date of this chapter.

7 IV. The lottery commission shall provide and operate a single central monitor and control
8 system into which all licensed video lottery machines shall be connected.

9 (a) The central monitor and control system shall be capable of:

10 (1) Continuously monitoring, retrieving, and auditing the operations, financial data,
11 and program information of all video lottery machines;

12 (2) Allowing the lottery commission to account for all money inserted in and payouts
13 made from any video lottery terminal;

14 (3) Disabling from operation or play any video lottery machine as the lottery
15 commission deems necessary to carry out the provisions of this chapter;

16 (4) Supporting and monitoring a progressive jackpot system capable of operating one
17 or more progressive jackpots; and

18 (5) Providing any other function that the lottery commission considers necessary.

19 (b) The central monitor and control system shall employ a widely accepted gaming
20 industry communications protocol, as approved by the Gaming Standards Association, to facilitate
21 the ability of video lottery machine manufacturers to communicate with the statewide system.

22 (1) Except as provided in subparagraph (2), the lottery commission shall not allow an
23 operator licensee to have access to, or obtain information from, the central monitor and control
24 system.

25 (2) If the access does not in any way affect the integrity or security of the central
26 monitor and control system, the lottery commission may allow an operator licensee to have access to
27 the central monitor and control system that allows the licensee to obtain information pertinent to the
28 legitimate operation of its video lottery.

29 V. The lottery commission may issue subpoenas and compel the attendance of witnesses,
30 and may administer oaths and require testimony of witnesses under oath.

31 VI. No later than November 1 of each calendar year, the lottery commission shall submit a
32 report to the fiscal committee of the general court, regarding the operation of video lottery machines.
33 Such report may include recommendations for future legislation.

34 VII.(a) The lottery commission shall keep a written record of all proceedings of public
35 meetings of the commission.

36 (b) The lottery commission shall keep and maintain a list of all applicants for licenses it
37 receives under this chapter together with a record of all actions taken with respect to such

1 applicants. Subject to subparagraphs (d) and (e), a file and record of the actions by the lottery
2 commission shall be open to public inspection provided, however, that the information regarding any
3 applicant whose license or registration has been denied, revoked, or not renewed shall be removed
4 from such list after 5 years from the date of such action.

5 (c) The lottery commission shall maintain such other files and records as the commission
6 determines is necessary. All records maintained by the lottery commission may be maintained in
7 digital or other format, provided that such information can be produced in written form upon the
8 request of the commission.

9 (d) All information and data required by the lottery commission to be furnished to it, or
10 which may otherwise be obtained, shall be considered to be confidential and shall not be revealed in
11 whole or in part except in the course of the necessary administration of this chapter, or upon the
12 lawful order of a court of competent jurisdiction, or, with the approval of the attorney general, to a
13 duly authorized law enforcement agency.

14 (e) All information and data pertaining to an applicant's or key employee's finances,
15 family, and background furnished to or obtained by the lottery commission from any source shall be
16 considered confidential and shall be withheld in whole or in part. Such information shall be released
17 upon the lawful order of a court of competent jurisdiction or to a duly authorized law enforcement
18 agency. Notwithstanding the above, the criminal record of an applicant or a key employee shall be
19 available for review as a public record of the lottery commission.

20 (f) Notice of the contents of any information or data to be released, except to a duly
21 authorized law enforcement agency pursuant to subparagraph (d) or (e), shall be given to any
22 applicant, registrant, or licensee in a manner prescribed by the rules adopted by the lottery
23 commission so that the applicant, registrant, or licensee has the opportunity to object to such
24 release.

25 VIII. The lottery commission, the attorney general, and the division of state police gaming
26 enforcement unit may from time to time contract for such financial, economic, or security
27 consultants, and any other technical and professional services as the lottery commission deems
28 necessary for the discharge of its duties.

29 284-A:3 Number of Facility Operator Licenses

30 I. The lottery commission shall review, select, and grant licenses for up to 4 facility
31 operators: license A, license B, license C, and license D. Facility operators granted a license A or a
32 license B may operate up to 3,500 video lottery machines each at their respective facility locations. A
33 facility operator granted a license C may operate up to 2,000 video lottery machines at its facility
34 location. A facility operator granted a license D may operate up to 1,000 video lottery machines at
35 its facility location.

36 II. In order to facilitate the timely and orderly deployment of licensed gaming operations in
37 this state, the lottery commission shall adopt a schedule by which applications for facility operators

1 and technology providers shall be filed, considered, and resolved in accordance with the provisions of
2 this section. In so doing, the lottery commission shall consider, approve, condition, or deny the
3 approval of all filed applications for technology providers at least simultaneously with the lottery
4 commission's approval, denial, or conditional approval of any facility operator license applications.

5 III. The lottery commission shall issue a request for applications for facility operators
6 pursuant to the process set forth in this section. The lottery commission shall approve, approve with
7 condition, or deny all applications submitted. The first request for applications shall be issued
8 within 30 days of the adoption of interim rules by the lottery commission pursuant to RSA 284-A:2,
9 III. Such first request for applications shall be for a license A facility operator and a license C
10 facility operator. The request for applications shall require all applications in response to the first
11 request for applications to be submitted by no later than December 15, 2010. The lottery commission
12 shall issue a request for applications for a license B facility operator and a license D facility operator
13 by December 31, 2011 and such applications shall be submitted no later than February 15, 2012.

14 IV. The lottery commission shall not issue a request for applications from or issue a license
15 to any applicant seeking to operate video lottery machines or table games at a facility location within
16 a radius of 5 miles of the facility location of any other facility operator licensee.

17 284-A:4 License Requirements for Facility Operators.

18 I. A facility operator shall obtain a facility operator's license from the lottery commission to
19 possess, conduct, and operate video lottery machines as follows:

20 (a) An applicant shall complete and sign an application on forms and in a manner
21 prescribed by the lottery commission.

22 (b) The applicant shall include information regarding:

23 (1) The applicant's criminal history background including authorization for a
24 criminal background and records check, and an attested disclosure of all arrests and citations for
25 non-traffic offenses;

26 (2) Civil judgments;

27 (3) Financial affairs;

28 (4) The full name, address, date of birth, and other personal identifying information
29 of the applicant and all key employees;

30 (5) If a corporation or other form of business enterprise, the information required by
31 this subparagraph shall be provided with respect to each partner, trustee, officer, director, and any
32 shareholder or other holder who owns more than 10 percent of the legal or beneficial interests of
33 such entity; and

34 (6) The identity of the owners of the facility location along with information required
35 by this subparagraph shall be provided with respect to each owner, partner, principal, trustee,
36 officer, director and any shareholder or other holder who owns more than 10 percent of the legal or
37 beneficial interest of such facility location. If the owner of the facility location is not an affiliate of

1 the applicant, the applicant shall also submit a copy of the proposed lease agreement and executed
2 letter of intent between the facility location and the applicant.

3 (c) The lottery commission shall not accept applications from applicants except within
4 the timeframe prescribed by the request for applications issued by the lottery commission.

5 (d) If the applicant or any principal has held or holds a gaming or video lottery machine
6 license in a jurisdiction where video lottery machine activities are permitted, the applicant shall so
7 state and may produce either a letter of reference from the gaming or lottery enforcement or control
8 agency which sets forth the experience of that agency with the applicant, the applicant's associates
9 and gaming operations, or a statement under oath that the applicant is or was during the period the
10 activities were conducted in good standing with the agency.

11 (e) The application shall be accompanied by a complete description of the proposed
12 project including a description of the facility location and all supporting amenities, type and number
13 of video lottery machines, and type and number of table games.

14 (f) The application shall include information explaining how the proposed project meets
15 the following criteria:

16 (1) The availability of local resources to support services and amenities necessary to
17 accommodate projected guest volume in the form of transportation, rooms and meals, utilities, law
18 enforcement, and mental health services.

19 (2) The immediate and long range financial feasibility of the applicant's proposed
20 project including a projection of the revenues to be produced by the operation of the video lottery
21 machines at the facility location, and proposed table games if applicable, as supported by an expert
22 experienced in the field of gaming.

23 (3) A licensing fee payment bond, letter of credit, or guaranty on private equity or
24 other fund with demonstrated cash and reserve availability supporting the applicant's ability to pay
25 the licensing fee.

26 (4) The development of jobs for the local community and a commitment to equal
27 opportunity employment.

28 (5) The ability of the applicant's proposed facility location to efficiently generate and
29 sustain an acceptable level of revenue and revenue growth.

30 (6) The ability of the applicant to comply with statutory, regulatory, and technical
31 standards applicable to the design of the proposed facility.

32 (7) The demonstrated experience of the owners of the facility operator in developing,
33 constructing, and managing a similar enterprise.

34 (8) The character and fitness of the principals and key employees of the facility
35 operator.

36 (9) The accessibility of the proposed facility location to public access and public
37 highway infrastructures.

1 (10) The suitability of the proposed location and facility design for tourism and
2 entertainment, including the applicant’s degree of control over the facility location, the applicant’s
3 projected capital investment in the facility, compatibility of local zoning, commercial development
4 opportunities and the applicant’s plan to meet community needs.

5 (11) Whether the applicant has support of the municipality in which the project is
6 proposed by local referendum consistent with RSA 284-A:9.

7 (12) The availability of space in the facility for charitable gaming to take place under
8 RSA 287-D.

9 (13) A proposed system of internal security and accounting controls.

10 II.(a) Within 30 days of receiving an application, the lottery commission shall examine the
11 application, notify the applicant whether the application is complete pursuant to RSA 284-A:6, VIII.
12 The applicant shall be given the opportunity to correct any deficiencies within the timeframe
13 prescribed by the lottery commission and the lottery commission shall thereafter confirm whether
14 the application is complete or incomplete.

15 (b) If the lottery commission determines that there is only one complete application for a
16 particular license, then the lottery commission shall review such application and within 30 days
17 determine whether the applicant meets the criteria set forth in subparagraph I(f). The lottery
18 commission shall give the applicant the opportunity to respond to questions concerning any of the
19 criteria and to submit such additional information as may be requested. If such a determination is
20 made, the applicant shall proceed to a character and fitness review by the attorney general and a
21 final license review by the lottery commission pursuant to RSA 284-A:6.

22 (c) To the extent more than one application for a particular license is confirmed complete
23 pursuant to subparagraph (a), the lottery commission shall schedule a hearing within 30 days of
24 confirming completeness pursuant to the hearing process set forth in RSA 541-A regarding
25 adjudicative proceedings. Competing applicants will serve pre-hearing memoranda as prescribed by
26 the lottery commission which shall include at a minimum a summary of evidence each applicant
27 intends to present in support of its application for licensure. Competing applications will be heard
28 separately by the lottery commission at one hearing. There will be no right for one application to
29 cross-examine witnesses of a competing applicant. Upon conclusion of the hearing, based on the
30 evidence submitted, the lottery commission shall determine which applicant demonstrates
31 superiority in meeting the criteria of subparagraph I(f) based on evidence that the applicant’s
32 experience, project design, availability of resources, and local support will enable the applicant to
33 quickly, efficiently, and effectively begin operations, generate revenues to the state, attract tourism
34 from out of state, accommodate traffic, and support the community. The lottery commission shall
35 order the successful applicant to proceed to a character and fitness review by the attorney general
36 and a final license review by the lottery commission pursuant to RSA 284-A:6.

37 (d) Subject to RSA 284-A:3, IV, no facility operator applicant denied approval by the

1 lottery commission pursuant to this paragraphs I and II, shall be prevented from responding to
2 subsequent requests for applications.

3 (e) Upon issuance of an initial determination that a facility operator applicant for a
4 license A or license C meets the criteria under subparagraph I(f), the lottery commission shall, upon
5 the direction of the fiscal committee of the general court, require such facility operator applicants to
6 pay the applicable license fee set forth in subparagraph IV(c) to the lottery commission. The amount
7 paid by any such facility operator applicant shall be refunded to such facility operator applicant if a
8 final license is not issued to such facility operator applicant pursuant to subparagraph III(c) and
9 RSA 284-A:6, XI.

10 III.(a) The attorney general shall conduct a background review of each facility operator
11 applicant upon an initial determination pursuant to RSA 284-A:4, II above and any of its principals
12 and key employees, and owners, principals and key employees of the facility location if not an
13 affiliated with the applicant, consistent with RSA 284-A:4. The background review may be
14 conducted through any appropriate state or federal law enforcement system and the authorized
15 reviewers may seek information as to the subject's financial, criminal, or business background, or
16 any other information which the attorney general, in his or her sole discretion, may find relevant to
17 the subject's fitness to be associated with the ownership or management of the operation of video
18 lottery machines in New Hampshire, including, but not limited to, the subject's character, personal
19 associations, and the extent to which the subject is properly doing business in the manner in which it
20 purports to operate. If the applicant is a pari-mutuel licensee licensed and authorized to conduct
21 racing, whether live, simulcast, or both, as provided in RSA 284:16 or RSA 284:16-a at a pari-mutuel
22 licensee location, and the attorney general has conducted a background investigation pursuant to
23 RSA 284:15-b within the 12 months prior to the application filing, the attorney general may rely on
24 the results of the previous investigation to the extent the applicant's circumstances have not
25 materially changed. The attorney general shall also take into consideration as evidence of fitness a
26 letter of reference or sworn statement of good standing produced pursuant to subparagraph I(d). The
27 attorney general shall report the results of the background review to the lottery commission within
28 60 days. Notwithstanding any other law to the contrary, the information provided to the attorney
29 general and the results of any such review shall be confidential and shall not be subject to disclosure
30 or to public inspection, except that the attorney general, in the attorney general's sole discretion,
31 shall determine the extent to which and the manner in which said results may be reported to the
32 lottery commission or other state agency or official and, if reported, whether such results are to
33 retain their confidential character; provided, however, that whenever the attorney general conducts
34 such a review, the attorney general shall notify the lottery commission whether or not in his or her
35 opinion such person is fit to be associated with participation in the ownership or management of the
36 operation of video lottery machines in this state. The attorney general may conduct such review on
37 the attorney general's motion into the background of the license applicant or holder, or any person or

1 entity upon whom the license applicant or holder relies for financial support.

2 (b) In any review conducted pursuant to subparagraph (a), the attorney general or any
3 duly authorized member of the attorney general’s staff may require by subpoena or otherwise the
4 attendance of witnesses and the production of such correspondence, documents, books, and papers as
5 he or she deems advisable, and for purposes of this section, may administer oaths and take the
6 testimony of witnesses.

7 (c) Upon receipt of the report of the attorney general, the lottery commission shall
8 determine whether the facility operator applicant meets the criteria for issuance of a license
9 pursuant to RSA 284-A:6.

10 IV.(a) The lottery commission shall impose an application fee of \$100,000 which shall be
11 used to defray the cost of processing the application. If the cost of processing the application exceeds
12 \$100,000, the applicant shall pay the difference.

13 (b) The attorney general shall impose an investigation fee of \$50,000 which shall be used
14 to defray the cost of the background investigation. If the cost of the background investigation
15 exceeds \$50,000, the applicant shall pay the difference.

16 (c) Upon approval of a facility operator licensee, the lottery commission shall charge an
17 initial license fee of \$50,000,000 for a facility operator licensee seeking a license A or license B;
18 \$30,000,000 for a facility operator licensee seeking a license C; and \$15,000,000 for a facility operator
19 licensee seeking a license D. The lottery commission shall charge a license fee of \$1,500,000 to
20 renew a license A or license B; \$1,000,000 to renew a license C; and \$500,000 to renew a license D;
21 however, such person seeking renewal of such license shall pay all costs incurred by the attorney
22 general to conduct an investigation with regard to such application to renew the facility operator’s
23 license. Notwithstanding any other provision of this chapter, the first \$50,000,000 received by the
24 lottery commission pursuant to this subparagraph shall be dedicated to the department of health
25 and human services for the purposes of restoring programming and rate reductions.

26 284-A:5 Technology Provider Licensee Applications. A technology provider licensee applicant
27 shall obtain a technology provider license from the lottery commission, as follows:

28 I. An applicant shall complete and sign an application on forms and in a manner prescribed
29 by the lottery commission.

30 II. The applicant shall include information regarding:

31 (a) The applicant’s criminal history background including authorization for a criminal
32 background and records check, and an attested disclosure of all arrests and citations for non-traffic
33 offenses;

34 (b) Civil judgments;

35 (c) Financial affairs using a multi-jurisdictional personal history disclosure form;

36 (d) The full name, address, date of birth, and other personal identifying information of
37 the applicant and all key employees; and

1 (e) If a corporation or other form of business enterprise, the same information shall be
2 provided with respect to each partner, trustee, officer, director, and any shareholder or other holder
3 who owns more than 10 percent of the legal or beneficial interests of such entity.

4 III. If the applicant or any owner has held or holds a technology provider, manufacturer, or
5 supplier’s license in a jurisdiction where video lottery machine activities are permitted, the applicant
6 shall so state and may produce either a letter of reference from the gaming or lottery enforcement or
7 control agency which sets forth the experience of that agency with the applicant, the applicant’s
8 associates, and gaming operation, or a statement under oath that the applicant is or was during the
9 period the activities were conducted in good standing with the agency.

10 IV. The attorney general shall conduct a background review of each technology provider
11 applicant and any of its owners and key employees. The review may be conducted through any
12 appropriate state or federal law enforcement system and may seek information as to the subject’s
13 financial, criminal, or business background, or any other information which the attorney general, in
14 his or her sole discretion, may find relevant the subject’s fitness to be associated with the
15 distribution of video lottery machines in New Hampshire, including, but not limited to, the subject’s
16 character, personal associations, and the extent to which the subject is properly doing business in
17 the manner in which it purports to operate. The attorney general shall take into consideration as
18 evidence of fitness a letter of reference or sworn statement of good standing. The attorney general
19 shall report the results of the review to the lottery commission within 60 days. Notwithstanding any
20 other law to the contrary, the information provided to the attorney general and the results of any
21 such review shall be confidential and shall not be subject to disclosure or to public inspection, except
22 that the attorney general, in the attorney general’s sole discretion, shall determine the extent to
23 which and the manner in which said results may be reported to the lottery commission or other state
24 agency or official and, if reported, whether such results are to retain their confidential character;
25 provided, however, that whenever the attorney general conducts such a review, the attorney general
26 shall notify the lottery commission whether or not in his or her opinion such person is fit to be
27 associated with the distribution of video lottery machines in this state. The attorney general may
28 conduct a background review on the attorney general’s motion into the background of the license
29 applicant or holder, or any person or entity upon whom the license applicant or holder relies for
30 financial support.

31 V. In any review conducted pursuant to paragraph IV, the attorney general or any duly
32 authorized member of the attorney general’s staff may require by subpoena or otherwise the
33 attendance of witnesses and the production of such correspondence, documents, books, and papers as
34 he or she deems advisable, and for purposes of this section, may administer oaths and take the
35 testimony of witnesses.

36 VI.(a) The lottery commission shall charge the technology provider applicant an application
37 fee of \$100,000 which shall be used to defray the cost of processing the application. If the cost of

1 processing the application exceeds \$100,000, the applicant shall pay the difference.

2 (b) The attorney general shall charge the technology provider applicant an investigation
3 fee of \$25,000 which shall be used to defray the cost of the background investigation. If the cost of
4 the background investigation exceeds \$25,000, the applicant shall pay the difference.

5 (c) Upon approval of a technology provider licensee, the lottery commission shall charge
6 an initial license fee of \$50,000. The lottery commission shall charge a fee of \$50,000 to renew a
7 license to a technology provider licensee provided, however, such person seeking renewal of its
8 license shall pay all costs incurred by the attorney general to conduct an investigation with regard to
9 such application to renew the operator's license.

10 284-A:6 Licensure Requirements for All Licenses.

11 I. No license shall be issued by the lottery commission unless the applicant demonstrates it
12 complies with the provisions of this section. The lottery commission shall consider as evidence of
13 compliance any letter of reference or sworn statement of good standing from the gaming or lottery
14 enforcement or control agency in every jurisdiction where the applicant has held or holds a gaming
15 or video lottery machine license submitted pursuant to RSA 284-A:4, I(d) or RSA 284-A:5, III. The
16 lottery commission shall consider:

17 (a) The applicant's financial stability, integrity, and responsibility, considering, without
18 limitation, bank references, business and personal income and disbursement schedules, tax returns,
19 and other reports filed with governmental agencies, business and personal accounting records, check
20 records, and ledgers.

21 (b) The trustworthiness of all financial backers, investors, mortgagees, bondholders, and
22 holders of indentures, notes, and other evidences of indebtedness of the applicant, its affiliated
23 persons, subsidiaries, or holding companies.

24 (c) The applicant's good character, honesty, and integrity, considering, without
25 limitation, information pertaining to family, habits, character, reputation, criminal and arrest
26 record, business activities, financial affairs, and business, professional, and personal associates,
27 covering at least the 10-year period immediately preceding the filing of the application.

28 (d) The applicant's business ability and experience in the operation of video lottery
29 machines, as appropriate, so as to establish the likelihood of a successful and efficient operation.

30 (e) Disclosure of any material administrative or enforcement actions pending in other
31 jurisdictions.

32 II. No license shall be issued by the lottery commission to any applicant unless the applicant
33 proves that each director, officer, or key employee of the applicant, its principals, subsidiaries, and
34 holding companies complies with the criteria for licensure contained in this section. The lottery
35 commission may waive the requirements of this section for a person directly or indirectly holding
36 ownership of securities in a publicly traded corporation if the board determines that the holder of the
37 securities is not significantly involved in the activities of the corporation and does not have the

1 ability to control the corporation or elect one or more directors thereof. The lottery commission may
2 determine whether the licensing standards of another jurisdiction within the United States or
3 Canada in which an applicant, its affiliate, intermediary subsidiary, or holding company for an
4 operator or technology vendor license is similarly licensed are comprehensive and thorough and
5 provide similar adequate safeguards as those required by this chapter. If the lottery commission
6 makes that determination, it may determine that the facility operator or technology vendor meets
7 the standards set forth in RSA 284-A:6, I if an applicant holds a similar license in such other
8 jurisdiction after conducting an evaluation of the information relating to the applicant from such
9 other jurisdiction, as updated by the lottery commission, and evaluating other information related to
10 the applicant received from that jurisdiction and other jurisdictions where the applicant may be
11 licensed. The lottery commission may incorporate such information, in whole or in part, into its or
12 the attorney general's evaluation of the applicant.

13 III. No license shall be issued by the lottery commission to any applicant if the applicant,
14 any key employee, or any individual who has an ownership or financial interest in or with the
15 applicant or its facility location is an elected official of the general court or executive branch of the
16 state of New Hampshire or the attorney general's office or the lottery commission on a full or part-
17 time or contractual basis at any time during the previous 2 years. If any such applicant, key
18 employee, or any individual who has an ownership or financial interest in the applicant becomes
19 such an elected official, the applicant shall be subject to sanctions pursuant to RSA 284-A:14.

20 IV. In the event the lottery commission finds that an individual who is a principal or has an
21 interest in the applicant does not meet the eligibility requirements of paragraph I herein, and on this
22 basis the applicant shall be denied a license, the lottery commission may afford the individual the
23 opportunity to completely divest his or her interest in the applicant and after such divestiture
24 reconsider the applicant's suitability for licensure in an expedited proceeding and may, after such
25 proceeding, issue the applicant a license.

26 V. No license shall be issued to a facility operator applicant unless the applicant has
27 obtained local approval as provided in RSA 284-A:9.

28 VI. No licensee or any individual or entity that is an owner of, or has a financial interest in
29 or with, the licensee or facility location shall be permitted to make a political contribution as defined
30 by RSA 664:2, VIII.

31 VII.(a) The lottery commission shall grant or deny a license under this chapter within 75
32 days of receiving a completed application, notwithstanding the adoption of interim or final rules,
33 consistent with RSA 541-A. No facility operator licensee may begin operations until the lottery
34 commission has adopted final rules. Once final rules have been adopted, a facility operator licensee
35 may commence operations in a temporary facility while completing construction of the permanent
36 facility.

37 (b) The lottery commission may impose reasonable requirements upon a facility

1 operator licensee with respect to the completion of construction of the permanent facility, provided
2 that the lottery commission may amend, modify, or waive such conditions upon good cause shown by
3 the facility operator licensee and determined by the lottery commission.

4 VIII. The lottery commission shall not consider an incomplete application and shall notify
5 the applicant in writing if an application is incomplete. An application shall be considered
6 incomplete if it does not include all applicable fees and all information and accompanying
7 documentation required by the commission, including, but not limited to, a current tax lien
8 certificate issued by the department of revenue administration at the time of filing the application.
9 Any unpaid taxes identified on the tax lien certificate shall be paid before the application is
10 considered complete. A notification of incompleteness shall state the deficiencies in the application
11 that must be corrected prior to consideration of the merits of the application.

12 IX. Notwithstanding any law to the contrary, the lottery commission shall not consider any
13 application for a license if the applicant or any person affiliated with or directly related to the
14 applicant is a party in any ongoing civil proceeding in which the party is seeking to overturn or
15 otherwise challenge a decision or order of the lottery commission pertaining to the approval, denial
16 or conditioning of a license to operate video lottery machines. This paragraph shall not be
17 interpreted to affect the rights of applicants to seek judicial enforcement of mandatory obligations of
18 boards or commissions as may be required by this part.

19 X. The applicant at all times shall have the burden of establishing its eligibility and
20 suitability for licensure. If the applicant does not meet the requirements for licensure, the lottery
21 commission may deny, revoke, suspend, or condition the license until the applicant meets the
22 requirements.

23 XI. Following approval of an application for a license, the applicant shall provide formal
24 notification to the commission as soon as:

25 (a) It fulfills all required conditions for issuance of the license; and

26 (b) The board's decision approving the application is a final, binding, nonappealable
27 determination which is not subject to a pending legal challenge. Upon receipt of such formal
28 notification, upon conducting any necessary verification, and payment of the license fee, the lottery
29 commission shall issue a license to the applicant. The licensee shall pay any applicable licensing
30 fees in full within 15 days of receiving the license, provided, however, any payment made by an
31 applicant pursuant to RSA 284-A:4, II(e) shall be a complete credit for the initial fee due pursuant to
32 RSA 284-A:4, IV(c).

33 XII. Applicants may appeal the denial of a license to the New Hampshire supreme court,
34 pursuant to RSA 541. Notwithstanding any law to the contrary, such appeal shall be filed with the
35 clerk of the supreme court within 5 days after the commission has denied any request for
36 reconsideration. Such appeal shall be limited to questions of law. Findings of fact made by the
37 commission shall be final if supported by the requisite evidence. The supreme court may hold a

1 special session to consider such appeal if it considers such action necessary.

2 284-A:7 Exclusion of Minors.

3 I. No person under 21 years of age shall play a video lottery machine authorized by this
4 chapter. Each violation of this paragraph shall be punishable by a fine of no more than \$2,400 and
5 shall be payable by such person who violates this section.

6 II. No operator licensee shall knowingly permit any person under 21 years of age to play or
7 participate in any aspect of the play of a video lottery machine or table game. Each violation of this
8 paragraph shall be punishable by a fine of no more than \$20,000 and shall be payable by the
9 operator licensee.

10 284-A:8 Distribution of Net Machine Income.

11 I.(a) Thirty nine percent of the net machine income generated by video lottery machines at a
12 facility licensee shall be paid as follows:

13 (1) Thirty percent of the net machine income generated by video lottery machines
14 shall be paid to the state from which the state shall pay for the costs of regulation administration,
15 enforcement of this chapter under RSA 21-P:11-b, and the operation of the central computer system,
16 and the balance shall be deposited in the general fund of the state.

17 (2) Three percent of the net machine income generated by video lottery machines
18 operated by a facility operator licensee in any specific municipality shall be paid to the municipality
19 in which the operator licensee operates video lottery machines.

20 (3) Three percent of the net machine income generated by video lottery machines
21 operated by a facility operator licensee shall be paid to the state treasurer to be divided equally
22 amongst each county in the state for property tax relief in each county.

23 (4) One percent of the net machine income generated by video lottery machines
24 operated by a facility operator licensee shall be paid in equal portions to each of the municipalities of
25 New Hampshire which abut and are contiguous to a municipality in which that operator licensee
26 operates video lottery machines; provided, however, that if a municipality abuts and is contiguous to
27 more than one municipality in which an operator licensee operates video lottery machines, such
28 municipality shall only receive net machine income pursuant to this paragraph from the operator
29 licensee who operates video lottery machines in the same county as the abutting municipality.

30 (5) One percent of the net machine income generated by all video lottery machines
31 shall be paid to the state treasurer and credited to the commissioner of the department of health and
32 human services to support programs established by RSA 172 to treat problem gambling.

33 (6) One-half of one percent of the net machine income generated by video lottery
34 machines shall be paid to the state treasurer and credited to the division of travel and tourism
35 development, department of resources and economic development, for the purpose of promoting
36 tourism in the state.

37 (7) One-half of one percent of the net income generated by all video lottery machines

1 shall be paid equally to the police standards and training council training fund established in RSA
2 188-F:30 and the fire standards and training and emergency medical services fund established RSA
3 21-P:12-d to be used for reimbursement of expenses incurred for certification training and salaries.

4 (b) The balance of the funds from the net machine income from video lottery machines
5 shall be retained by the facility operator licensee that operates such video lottery machines.

6 II. The facility operator licensee shall deliver the amounts payable to the state or
7 municipality as provided in paragraph I in immediately available funds of the United States on a
8 daily basis. At the time payment is delivered, the operator licensee shall provide a written
9 accounting of net machine income generated from the video lottery machines by the operator licensee
10 on an aggregate basis and the calculation of amounts due to the state separately for distribution
11 pursuant to subparagraphs I(a)(1), (5), (6), and (7), the amount due the municipality pursuant to
12 subparagraph I(a)(2), the amount due to the county pursuant to subparagraph I(a)(3), the amount
13 due certain municipalities pursuant to subparagraph I(a)(4), and the balance of net machine income
14 retained by the operator licensee. The facility operator licensee shall pay a penalty of \$1,000 for
15 each day that payment or the accounting is not delivered on time to the state, a penalty of \$1,000 for
16 each day that payment or the accounting is not delivered to the municipality on time, and a penalty
17 of \$1,000 for each day that payment or the accounting is not delivered to the county on time.

18 284-A:9 Procedures for Adoption by Local Community.

19 I. Any municipality in which a facility location is or proposes to be situated may adopt the
20 provisions of RSA 284-A to allow the operation of video lottery machines in the following manner:

21 (a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the
22 questions shall be placed on the warrant of an annual or special town meeting, by the governing
23 body or by petition pursuant to RSA 39:3.

24 (b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, upon
25 request of a facility operator applicant to authorize the operation of video lottery machines within
26 the municipality in accordance with the provisions of RSA 284-A, the governing body shall place the
27 question on the ballot to be voted upon at the next regularly scheduled municipal or biennial election
28 unless such election is more than 90 days from the request. In such circumstance, the governing
29 body shall place the question on the ballot for a special election called for the purpose of voting on
30 said question and which special election shall occur within 75 days after the request is made. Such
31 special election shall be held at the usual ward polling places by the regular election officials.

32 (c) In any unincorporated place, and notwithstanding any other provision of law to the
33 contrary, upon the request of a facility operator applicant to authorize the operation of video lottery
34 machines within the unincorporated place to either the moderator of the unincorporated place if the
35 unincorporated place is organized to vote pursuant to RSA 668:1, or the clerk of the designated town
36 if the unincorporated place is not organized for voting as provided in RSA 668:2, and the moderator
37 or the clerk shall place the question on the ballot to be voted upon at the next regularly scheduled

1 biennial election. The ballot shall be given to the individuals who are domiciled in such
2 unincorporated place who are registered to vote.

3 (d) If a majority of those voting on the question vote “Yes,” RSA 284-A shall apply in
4 such town or city and the operation of video lottery machines shall be permitted within such town,
5 city or unincorporated place in accordance with RSA 284-A. If a majority of those voting on the
6 question vote “No” the question may be voted on at a subsequent time in accordance with this section
7 provided, however, the town may consider the question at no more than one special meeting and the
8 annual town meeting in the same calendar year after a “No” vote. A city or town subject to
9 paragraph I(b) may consider the question at no more than one special election and a regular
10 municipal or biennial election in the same calendar year after a “No” vote.

11 (e) The wording of the question shall be substantially as follows: “Shall we adopt the
12 provisions of RSA 284-A allowing the operation of video lottery machines at [insert the name of the
13 proposed facility location] located within the [insert name of town, city, or unincorporated place]”?

14 II. When a facility operator licensee requests a town, city, or unincorporated place to act
15 under paragraph I, the facility licensee shall pay all costs associated with carrying out the actions
16 under this section.

17 284-A:10 Inspection of Video Lottery Machines; Penalty for Tampering or Manipulating.

18 I. The lottery commission shall periodically test video lottery machines installed at any
19 location. In conducting such tests, the lottery commission shall use the services of an independent
20 laboratory, and the cost of such independent laboratory shall be paid by the technology provider.

21 II. Any person who purposely manipulates the outcome, payoff, or operation of any video
22 lottery machine or table game by physical, electronic, or mechanical means, shall be guilty of a
23 felony.

24 284-A:11 Video Lottery Machines.

25 I.(a) A facility operator licensee shall provide to the lottery commission prior to commencing
26 operations of any video lottery machines, by diagram or narrative, a description of:

27 (1) The location of each video lottery machine available for play by the public.

28 (2) The location of all areas for the storage, maintenance, or repair of video lottery
29 machines.

30 (3) A description of all security measures to be taken for the safeguarding of video
31 lottery machines.

32 (4) The location and security measures taken for the safeguarding of all moneys,
33 tokens, or other items of value utilized in the use of video lottery machines.

34 (5) All procedures for the operation, maintenance, repair, and inserting or removing
35 of moneys, tokens, or other items of value from video lottery machines; and

36 (6) All internal control systems as required by RSA 284:21-w.

37 (b) The provisions of subparagraphs (a)(1)-(6) shall be approved by the lottery

1 commission prior to commencing the operation of any video lottery machine.

2 II. No video lottery machine shall be possessed, maintained, exhibited, brought into, or
3 removed from a facility licensee by any person unless such machine has permanently affixed to it an
4 identification number or symbol authorized by the lottery commission and prior notice of any such
5 movement has been given to the lottery commission.

6 III. Each facility operator licensee shall maintain secure facilities for the counting and
7 storage of all moneys, tokens, or other items of value utilized in the conduct of video lottery
8 machines.

9 IV. The drop boxes and other devices shall not be brought into a facility licensee or removed
10 from an video lottery machine, locked or unlocked, except at such specific times and such places and
11 according to such procedures as the lottery commission may require to safeguard such boxes and
12 devices and their contents.

13 V. No video lottery machine shall be used to conduct gaming unless it is identical in all
14 electrical, mechanical, and other aspects to a model which has been specifically tested by the lottery
15 commission and licensed for use by the lottery commission.

16 VI. Video lottery machines in operation at a facility licensee shall provide a payoff of an
17 average of at least 90 percent, except that progressive jackpots shall have a payoff of an average of at
18 least 87 percent.

19 VII. All tickets given as prizes or winnings from video lottery machines shall be redeemed
20 for cash within one year after the date of winning. Upon the expiration of such one-year period, the
21 value of such unredeemed tickets shall be considered net machine income of the issuing operator
22 licensee.

23 VIII. A facility operator licensee shall not be restricted in the days of operation of video
24 lottery machines.

25 IX. Video lottery machines shall be operated only at times when the public is allowed access
26 to the locations. No automatic teller machines shall be located within 50 feet of video lottery
27 machines.

28 X. All table games operated by a facility operator licensee shall be approved in advance by
29 the lottery commission consistent with RSA 284-B and operated consistent with the approval.

30 284-A:12 Term of License. Any license issued pursuant to this chapter and any renewal thereof
31 shall be valid for 5 years unless earlier suspended or revoked by the lottery commission. The lottery
32 commission shall adopt procedures for license renewal that take into consideration whether the
33 applicant has been previously licensed in good standing under this chapter. No license issued by the
34 lottery commission may be transferred to a separate entity without approval by the lottery
35 commission consistent with this chapter.

36 284-A:13 Presence of the Lottery Commission. The lottery commission and the division of state
37 police gaming enforcement unit may be present at any facility licensee at which video lottery

1 machines are operated at all times when the facility is open to the public. The licensee may be
2 required by the lottery commission or gaming enforcement unit to provide such office space and
3 equipment which the commission or unit shall determine is reasonably necessary or proper.

4 284-A:14 Sanction Powers of the Lottery Commission.

5 I. The lottery commission shall have exclusive authority following appropriate hearings and
6 factual determinations, to impose sanctions against any person for any violation of this chapter or
7 any rule of the lottery commission adopted under the provisions of this chapter as follows:

8 (a) Revocation or suspension of a license.

9 (b) Civil penalties as may be necessary to punish misconduct and to deter future
10 violations, which penalties may not exceed \$50,000 for each violation.

11 (c) Restitution of any moneys or property unlawfully obtained or retained by a person.

12 (d) Issuance of a cease and desist order which specifies the conduct which is to be
13 discontinued, altered, or implemented by the person.

14 (e) Issuance of letters of reprimand or censure, which shall be made a permanent part of
15 the file of each person so sanctioned.

16 (f) Imposition of any or all of the foregoing sanctions in combination with each other.

17 II. In determining appropriate sanctions in a particular case, the lottery commission shall
18 consider:

19 (a) The risk to the public and to the integrity of video lottery machine operations created
20 by the conduct of the person.

21 (b) The seriousness of the conduct of the person and whether the conduct was purposeful
22 or with knowledge that it was in contravention of the provisions of this chapter or the rules of the
23 lottery commission.

24 (c) Any justification or excuse for such conduct.

25 (d) The prior history of the person involved.

26 (e) The corrective action taken by the person to prevent future misconduct of a like
27 nature from occurring.

28 (f) In the case of a monetary penalty, the amount of the penalty in relation to the
29 misconduct and the financial means of the person.

30 (g) In the event that a person receives 3 civil penalties during the term of such person's
31 license, the lottery commission may subject such person to enhanced fines or other disciplinary
32 action.

33 284-A:15 Declaration of Limited Exemption from Operation of Provisions of 15 U.S.C. section
34 1171-1172. Pursuant to section 2 of an act of Congress of the United States entitled "An act to
35 prohibit transportation of gambling devices in interstate and foreign commerce," approved January
36 2, 1951, being Chapter 1194, 64 Stat 1134, and also designated as 15 U.S.C. sections 1171-1177, the
37 state of New Hampshire, acting by and through the duly elected and qualified members of its

1 legislature, does hereby, in accordance with and in compliance with the provisions of that section 2 of
2 that act of Congress, declare and proclaim that it is in the state’s best interest to benefit from
3 limiting gambling device revenues but prevent the proliferation of gambling devices by limiting
4 approved facility locations and therefore that section 2 of that act of Congress shall not apply to any
5 gambling device in this state where the transportation of such a device is specifically authorized by
6 and done in compliance with the provisions of this chapter and any rules adopted pursuant to it, and
7 that any such gambling device transported in compliance with state law and rules shall be exempt
8 from the provisions of that act of Congress.

9 284-A:16 Legal Shipment of Gaming Devices into New Hampshire. All shipments into this state
10 of gaming devices, the registering, recording, and labeling of which has been duly made by the
11 manufacturer or dealer in accordance with sections 3 and 4 of an act of Congress of the United States
12 entitled “An Act to Prohibit Transportation of Gambling Devices in Interstate and Foreign
13 Commerce, approved January 2, 1951, being chapter 1194, 64 Stat. 1134, and also designated as 15
14 U.S.C. sections 1171-1172, shall be deemed legal shipments into this state.

15 CHAPTER 284-B

16 TABLE GAMES

17 284-B:1 Definitions. In this chapter:

18 I. “Associated equipment” means any equipment or mechanical, electromechanical, or
19 electronic contrivance, component, or machine used in connection with table gaming, including
20 linking devices, replacement parts, equipment which affects the proper reporting of gross revenue,
21 computerized systems for controlling and monitoring table games, including, but not limited to, the
22 central control computer, and devices for weighing or counting money.

23 II. “Cash” means United States currency and coin or foreign currency and coin that have
24 been exchanged for its equivalent in United States currency and coin.

25 III. “Cash equivalent” means an asset that is readily convertible to cash, including, but not
26 limited to, any of the following:

27 (a) Travelers checks.

28 (b) Certified checks, cashier’s checks, and money orders.

29 (c) Personal checks or drafts.

30 (d) Credit extended by the table game licensee, a recognized credit card company, or a
31 banking institution.

32 (e) Any other instrument that the New Hampshire lottery commission deems a cash
33 equivalent. Other than recognized credit cards or credit extended by the table game certificate
34 holder, all instruments that constitute a cash equivalent shall be made payable to the table game
35 certificate holder, to the bearer, or to cash. An instrument made payable to a third party shall not be
36 considered a cash equivalent and shall be prohibited.

37 IV. “Certificate holder” means a facility operator licensee issued a table game operator

1 certificate by the commission to operate the table games at a licensed facility.

2 V. “Commission” means the lottery commission.

3 VI. “Count room” means the room designated for counting, wrapping, and recording of table
4 game receipts.

5 VII. “Facility operator licensee” means a facility operator licensed by the lottery commission
6 pursuant to RSA 284-A.

7 VIII.(a) “Gross table game revenue” means the total of cash or equivalent wagers received in
8 the playing of a table game minus the total of:

9 (1) Cash or cash equivalents paid out to patrons as a result of playing a table game;

10 (2) Cash paid to purchase annuities to fund prizes payable to patrons over a period of
11 time as a result of playing a table game;

12 (3) Any personal property distributed to a patron as a result of playing a table game;

13 and

14 (4) Any promotional credits provided to patrons.

15 (b) “Gross table game revenue” does not include travel expenses, food, refreshments,
16 lodging, or other complimentary services. This term does not include counterfeit money, tokens, or
17 chips; coins or currency of other countries received in the playing of a table game, except to the
18 extent that they are readily convertible to United States currency; cash taken in a fraudulent act
19 perpetrated against a licensee for which the licensee is not reimbursed; or cash received as entry fees
20 for contests or tournaments in which patrons compete for prizes.

21 IX. “Key employee” means any individual who is employed in a director or department head
22 capacity and who is authorized to make discretionary decisions that regulate table game operations,
23 including but not limited to, the director of table games, pit bosses, shift bosses, credit supervisors,
24 cashier supervisors, table game facility managers, and assistant managers.

25 X. “Table game” means any banking or percentage game in which there is an opportunity for
26 the player to use his or her reason, foresight, or other strategy to increase the expected return,
27 including roulette, baccarat, blackjack, poker, craps, big six wheel, mini-baccarat, red dog, pai gow,
28 casino war, Asia poker, Boston 5 stud poker, Caribbean stud poker, Colorado hold ‘em poker, double
29 attack blackjack, double cross poker, double down stud poker, fast action hold ‘em, flop poker, four
30 card poker, let it ride poker, mini-craps, mini-dice, pai gow poker, pokette, Spanish 21, Texas hold
31 ‘em bonus poker, three card poker, two card joker poker, ultimate Texas hold ‘em, winner’s pot poker
32 and sic bo or any multi-station electronic version of the games described in this subsection, and any
33 other games approved by the commission. The term includes any variations or composites of
34 approved games, provided that the commission determines that the new table game, variations, or
35 composites are suitable for use after an appropriate test or experimental period under such terms
36 and conditions as the commission may deem appropriate, and any other game which the commission
37 determines to be suitable for use in a licensed facility after an appropriate test or experimental

1 period as the commission may deem appropriate. The term shall also include gaming contests or
2 tournaments in which players compete against one another in any table game authorized for use in a
3 licensed facility by the commission. The term shall not include wagering on pari-mutuel racing
4 regulated by the racing and charitable gaming commission pursuant to RSA 284, raffles regulated
5 pursuant to RSA 287-A, lotteries regulated by the lottery commission pursuant to RSA 284:21-a and
6 RSA 287-F, and bingo and lucky 7 games regulated by the racing and charitable gaming commission
7 pursuant to RSA 287-E. Table games which are operated as games of chance pursuant to RSA 287-D
8 shall not be subject to the provisions of this chapter.

9 XI. “Table game device” includes tables, cards, dice, chips, shufflers, tiles, dominoes, wheels,
10 drop boxes, or any mechanical or electrical contrivance, terminal, machine or other device approved
11 by the commission and used or consumed in operation of or connection with a table game.

12 XII. “Table game operation certificate” means a certificate issued by the commission that
13 certifies that the table gaming operation of a licensed facility operator conforms to the requirements
14 of this chapter and rules adopted under this chapter and that authorizes a facility operator licensee
15 to conduct table gaming under this chapter.

16 XIII. “Table game operator” means:

17 (a) “Primary game operator” which means any consultant or any person involved in
18 conducting, managing, supervising, directing, or running the table games at a licensed facility and
19 shall include the banker, the auditor, the counter, and persons involved in the cage; or

20 (b) “Secondary game operator” which means any person involved in dealing, running a
21 roulette wheel, or handling chips at a licensed facility.

22 XIV. “Technology provider” means a technology provider that is licensed by the lottery
23 commission pursuant to RSA 284-A, or who manufactures, builds, rebuilds, fabricates, assembles,
24 produces, programs, designs, or otherwise modifies table games.

25 284-B:2 State Employee Prohibition. No member, employee, or independent contractor of the
26 lottery commission or racing and charitable gaming commission shall accept a complimentary service
27 or wager or be paid any prize from any wager at any licensed facility within the state or at any other
28 facility outside this state which is owned or operated by a licensed gaming entity or any of its
29 affiliates, intermediaries, subsidiaries, or holding companies thereof for the duration of his or her
30 term of office, employment, or contract with the lottery commission or the racing and charitable
31 gaming commission and for a period of one year from the termination of term of office, employment,
32 or contract with the lottery commission or racing and charitable gaming commission. The provisions
33 of this section shall not apply to employees who utilize table games for testing purposes or to verify
34 the performance of table games as part of an enforcement investigation.

35 284-B:3 General and Specific Powers.

36 I. The commission shall have general and sole regulatory authority over the conduct of table
37 games described in this chapter. The commission shall ensure the integrity of the acquisition and

1 operation of table game devices and associated equipment and shall have sole regulatory authority
2 over every aspect of the authorization and operation of table games.

3 II. The commission shall:

4 (a) Issue, approve, renew, revoke, suspend, condition, or deny issuance or renewal of a
5 table game operation certificate to a facility operator licensee.

6 (b) Determine at its discretion the suitability of any person, including technology
7 vendors not licensed pursuant to RSA 284-A, who furnishes or seeks to furnish to a certificate holder
8 licensee directly or indirectly any services or property related to the table games or associated
9 equipment or through any arrangements under which that person receives payment based directly
10 or indirectly on earnings, profits, or receipts from table games and associated equipment. Any
11 criminal background checks shall be conducted by the division of state police, gaming enforcement
12 unit, and any other background investigations shall be conducted by the attorney general's office.
13 The commission may require any such person to comply with the requirements of this chapter and
14 the rules of the commission and may prohibit the person from furnishing the services or property.

15 III. The commission shall not issue or renew a table games operation certificate unless it is
16 satisfied that the applicant is a facility operator licensee in good standing operating video lottery
17 machines under RSA 284-A.

18 IV. To publish on the commission's Internet website a complete list of all persons or entities
19 who applied for or held a table game operation certificate, manufacturer license, supplier license, or
20 racetrack license at any time during the preceding calendar year and all affiliates, intermediaries,
21 subsidiaries, and holding companies thereof and the status of the application or license, however,
22 information regarding any applicant who's approval or certificate has been denied, revoked or not
23 renewed shall be removed from such list after 5 years from the date of such action.

24 284-B:4 Enforcement. The commission, with the assistance of the attorney general and the
25 division of state police gaming enforcement unit, shall administer and enforce the provisions of this
26 chapter.

27 284-B:5 Rulemaking. The commission shall adopt rules, pursuant to RSA 541-A, relative to:

28 I. The application procedure for video lottery operator licensees to obtain a table game
29 operation certificate.

30 II. The approval procedure for table game operators, including the classification of primary
31 game operators and secondary game operators.

32 III. Procedures for a hearing following revocation of any table game operation certificate
33 pursuant to this chapter.

34 IV. The operation of table games.

35 V. Refunds of certificate fees pursuant to this chapter.

36 VI. Procedures for approving technology providers not licensed by RSA 284-A and associated
37 fees.

1 VII. Accountability controls to ensure game integrity, including, but not limited to, cash,
2 attendance, prizes, income, expense, and financial reporting, and record-keeping to be implemented
3 by licensed table game operators in addition to requirements set forth in this chapter.

4 VIII. Enforcement of this chapter.

5 IX. The issuance of subpoenas, administrative orders and fines, badge specifications,
6 requirements, and fees.

7 X. Other matters related to the proper administration of this chapter.

8 284-B:6 Table Games Authorized. A person licensed to operate video lottery pursuant to RSA
9 284-A may operate table games at a licensed facility operator location in the manner hereinafter
10 provided and not otherwise:

11 I. Persons holding a current facility operator license in good standing from the lottery
12 commission to operate video lottery pursuant to RSA 284-A may apply for a table games operation
13 certificate for the operation of table games at a licensed facility and upon confirmation by the
14 commission that it meets the criteria set forth in this section shall be granted a certificate for the
15 operation of table games.

16 II. The certificate shall authorize table games at specified licensed facilities.

17 III. The certificate shall only permit the operation of table games at a facility operator
18 licensee that operates or permits the operation of games of chance for or on behalf of charitable
19 organizations pursuant to RSA 287-D, provided that the space allocated for games of chance at the
20 facility be at least 5,000 square feet within the principal gaming area of the licensed facility, and the
21 number of tables used for table games shall be limited to not more than 150 tables.

22 IV. The certificate shall not be transferable.

23 284-B:7 Authorization to Conduct Table Games.

24 I. Notwithstanding any other provision of law to the contrary, the commission may authorize
25 only a licensed video lottery operator to engage in the operation of table games and the system of
26 wagering associated with table games at a facility licensed under RSA 284-A. Authorization to
27 conduct table games shall be contingent upon the licensee's agreement to conduct table games in
28 accordance with this chapter.

29 II. A video lottery operator who is issued a table games operation certificate may only be
30 permitted to operate table games at a licensed facility consistent with the permission granted by the
31 certificate.

32 III.(a) A facility operator licensee may seek approval to operate table games by filing a
33 petition with the commission.

34 (b) A petition shall include the following:

35 (1) The name, business address, and contact information of the petitioner.

36 (2) The name and address, job title, and a photograph of each principal and key
37 employee of the petitioner not currently approved or licensed by the commission, including table

1 game operators.

2 (3) An itemized list of the number and type of table games for which authorization is
3 being sought.

4 (4) The estimated number of full-time and part-time employment positions that will
5 be created at the licensed facility if table games are authorized.

6 (5) Information and authorizations sufficient to allow the commission to confirm that
7 any person providing services as a table game operator has not, in any jurisdiction, been convicted of
8 a felony or class A misdemeanor within the previous 10 years which has not been annulled by a
9 court, or a class B misdemeanor within the previous 5 years which has not been annulled by a court,
10 or has violated any statutes or rules governing gambling or gaming of any kind.

11 (6) The details of any financing that will be obtained or has been obtained to fund
12 the expansion of the licensed facility to accommodate the operation of table games.

13 (7) Detailed site plans identifying the petitioner's proposed table game area within
14 the licensed facility including reference to the area reserved for charitable games of chance. The
15 proposed table game area shall be reviewed by the commission to determine the adequacy of the
16 proposed internal controls and external security and proposed surveillance measures and submit a
17 finding regarding adequacy to the commission.

18 IV. The applicant shall certify under oath that:

19 (a) The information provided on the application is accurate.

20 (b) Information and authorizations sufficient to allow the commission to confirm that
21 any person providing services as a table game operator has not, in any jurisdiction, been convicted of
22 a felony or class A misdemeanor within the previous 10 years which has not been annulled by a
23 court, or a class B misdemeanor within the previous 5 years which has not been annulled by a court,
24 or has violated any statutes or rules governing gambling or gaming of any kind.

25 (c) The applicant who will be participating in the operation of the games of chance is
26 aware of all statutes and rules applicable to the operation of table games.

27 284-B:8 Standard of Review. The commission shall grant the petition and issue a certificate to
28 authorize the petitioner to operate table games if the petitioner establishes evidence of the following:

29 I. The petitioner is an eligible video lottery operator licensee duly licensed pursuant to RSA
30 284-A.

31 II. If necessary, the petitioner has secured adequate financing to fund the expansion of the
32 petitioner's licensed facility to accommodate the operation of table games.

33 III. The proposed internal and external security and proposed surveillance measures within
34 the petitioner's proposed table game area within the licensed facility are adequate.

35 IV. The petitioner agrees to permit the operation of charitable games of chance consistent
36 with RSA 284-B:6, III.

37 284-B:9 Commencement of Table Game Operations. A facility operator licensee may not operate

1 or offer table games for play at a licensed facility until:

2 I. The commission approves the petition filed under RSA 284-B:7;

3 II. The facility operator licensee pays the fee under RSA 284-B:14; and

4 III. The commission has issued a table games operation certificate to the facility operator
5 licensee under RSA 284-B:6 and RSA 284-B:8.

6 284-B:10 Term of Table Game Authorization. After payment of the fee under RSA 284-B:14,
7 authorization to conduct table games shall be in effect unless suspended, revoked, or not renewed by
8 the commission upon good cause consistent with the license requirements provided in this chapter.
9 Facility operator licensees shall be required to update the information in their initial table games
10 petition at times prescribed by the commission, but at least as frequently as the operator is required
11 to renew its video lottery operator's license. An additional license fee of no more than \$1,000,000
12 shall be imposed for renewal of a table game operation certificate every 5 years. The commission
13 shall be entitled to use such funds to support staff and resources necessary to implement this
14 chapter.

15 284-B:11 Condition of Continued Operation. A certificate holder shall maintain all books,
16 records, and documents pertaining to the certificate holder's table game operation in a manner and
17 location as approved by the commission. All books, records, and documents related to table game
18 operations shall:

19 I. Be maintained separate and apart from all books, records, and documents of the video
20 lottery machine operations;

21 II. Be immediately available for inspection upon request of the commission, the state police,
22 or agents of the attorney general during all hours of operation in accordance with rules adopted by
23 the commission; and

24 III. Be maintained for a period as the commission, by rule, may require.

25 284-B:12 Table Game Accounting Controls and Audits.

26 I. Prior to being approved for a table game operation certificate, a facility operator licensee
27 shall obtain approval from the commission of its proposed site plans and internal control systems
28 and audit protocols for its table games operation.

29 II. The facility operator licensee's proposed internal controls and audit protocols shall:

30 (a) Safeguard its assets and revenues, including the recording of cash and evidences of
31 indebtedness related to the table games.

32 (b) Provide for reliable records, accounts, and reports of any financial event that occurs
33 in the operation of a table game, including reports to the commission related to the table games.

34 (c) Provide for accurate and reliable financial records related to the table games
35 operation.

36 (d) Establish procedures for all the following:

37 (1) The receipt, storage, and disbursal of chips, cash, and other cash equivalents

1 used in table gaming.

2 (2) Check cashing.

3 (3) The redemption of chips and other cash equivalents used in table gaming and the
4 payoff of jackpots.

5 (4) The recording of transactions pertaining to table gaming.

6 (e) Establish procedures for the collection and security of moneys at the gaming tables.

7 (f) Establish procedures for the transfer and recording of chips between the gaming
8 tables and the cashier's cage.

9 (g) Establish procedures for the transfer of drop boxes for table games from the gaming
10 tables to the count room.

11 (h) Establish procedures and security for the counting and recording of table gaming
12 revenue.

13 (i) Establish procedures for the security, storage, and recording of cash, chips, and other
14 cash equivalents utilized in table gaming.

15 (j) Establish procedures and security standards for the handling and storage of gaming
16 apparatus, including cards, dice, machines, wheels, and all other gaming equipment.

17 (k) Establish procedures and rules governing the conduct of particular games and the
18 responsibility of casino personnel.

19 (l) Establish procedures for the collection and recording of revenue from poker when it is
20 a non-licensee bank game, including the type of rake utilized, the methodology for calculating the
21 rake, and the amount of maximum permissible rake.

22 (m) Ensure that any wagering governing the operation of a table game is implemented
23 only in accordance with the management's general or specific authorization, as approved by the
24 commission.

25 (n) Ensure that there is proper and timely accounting of gross table game revenue and
26 the calculation of gross table game revenue, fees, and taxes and maintain accountability for assets.

27 (o) Ensure that recorded accountability for assets is compared with actual assets at
28 reasonable intervals and that appropriate action is taken with respect to any discrepancies.

29 (p) Ensure that all functions, duties, and responsibilities are appropriately segregated
30 and performed in accordance with sound financial practices by competent, qualified personnel.

31 (q) Permit use of its existing onsite facilities by the commission and, other persons
32 authorized by the commission to facilitate their ability to perform regulatory and oversight functions
33 under this chapter.

34 III. Each facility operator licensee shall, prior to being approved for a table game operation
35 certificate, submit to the commission a detailed description of its administrative and accounting
36 procedures related to table games, including its written system of internal controls. Each written
37 system of internal controls shall include:

1 (a) An organizational chart depicting appropriate functions and responsibilities of
2 employees involved in the table game operation.

3 (b) A description of the duties and responsibilities of each position shown on the
4 organizational chart.

5 (c) The record retention policy of the applicant.

6 (d) The procedure to be utilized to ensure that assets are safeguarded, including
7 mandatory count procedures.

8 IV. Prior to approving a petitioner for a table game operation certificate, the commission
9 shall review the system of internal controls submitted under RSA 284-B:7, III(b)(7) to determine
10 whether it conforms to the requirements of this chapter and provides adequate and effective controls
11 for the operations of the facility.

12 284-B:13 Wagering Policies.

13 I. Holders of table game operation certificates shall maintain a detailed narrative
14 description of the administrative and accounting procedures which meet the requirements of this
15 section.

16 II. A facility operator licensee may accept a check from a patron in exchange for cash or
17 chips, provided that each check is deposited with the financial institution upon which the check is
18 drawn within 10 days of receipt by the facility operator licensee.

19 III. Holders of table game operation certificates may make credit card advances and debit
20 card withdrawals available to table game patrons at a licensed facility. All fees charged for cash
21 advances, check cashing, and debit card withdrawals shall be disclosed. Notwithstanding any other
22 provision of law, a holder of a table game operation certificate may provide credit to patrons for the
23 purpose of playing table games in accordance with this section. No third party checks shall be
24 permitted.

25 284-B:14 Table Game Authorization Fee.

26 I. Upon approval of a petition filed under RSA 284-B:7 and prior to the commencement of
27 the operation of table games at the facility, the commission shall impose a one-time authorization fee
28 on the facility lottery operator licensee in the amount of \$10,000,000 for licensees approved by the
29 lottery commission for facility operator licenses A, B and C, and \$5,000,000 for the licensee approved
30 by the lottery commission for facility operator license D. The commission is authorized to use such
31 funds to support staff and resources necessary to implement this chapter.

32 II. All table game authorization fees received by the commission under this section shall be
33 deposited in the general fund.

34 284-B:15 Distribution of Table Game Revenues.

35 I. Each certificate holder shall pay from its daily gross table game revenue from the table
36 games in operation at its facility; and

37 (a) Eight percent of daily gross table revenue to the state to be deposited into the general

1 fund; and

2 (b) The balance of the daily gross table game revenue shall be retained by the facility
3 operator licensee that operates the table games.

4 II. The distribution due to the state pursuant to subparagraph I(a) shall be due and payable
5 to the state treasurer on a quarterly basis and shall be based upon gross table game revenue derived
6 during the previous quarter. All funds owed to the state under this section shall be held in trust by
7 the certificate holder until the funds are paid or transferred and distributed by the certificate holder.
8 Unless otherwise agreed to by the commission, a certificate holder shall establish a separate bank
9 account to maintain table gaming proceeds until such time as the proceeds are paid or transferred
10 under this section.

11 284-B:16 Authorization of Suppliers and Manufacturers of Table Game Devices. Any person
12 seeking to supply table game devices for use at a licensed facility shall obtain approval by the
13 commission for authority to manufacture or supply table games, table game devices, or other
14 equipment associated with table games, and shall pay such fees as the commission deems reasonable
15 and appropriate. Upon approval, the manufacturer or supplier shall pay a fee of \$50,000. A fee of
16 \$25,000 shall be paid for the annual renewal of a supplier license.

17 284-B:17 Equipment; Wagering; Prizes.

18 I. No table games shall be conducted with any equipment except such as is owned or leased
19 from a supplier or manufacturer of such equipment who has been approved by the commission
20 pursuant to RSA 284-B:16 and who has registered with the secretary of state in such manner and on
21 such form as the secretary of state prescribes.

22 II. All devices and equipment used to conduct table games shall be subject to inspection by
23 duly authorized law enforcement officials of the commission.

24 III. The amount of any wager permitted to be played by a player, on any table game, shall be
25 prominently posted.

26 284-B:18 Sanction Powers of the Lottery Commission.

27 I. The commission shall have the sole and exclusive authority following appropriate hearings
28 and factual determinations, to impose sanctions against any person for any violation of this chapter
29 or any rule of the commission adopted under the provisions of this chapter as follows:

30 (a) Revocation or suspension of a license.

31 (b) Civil penalties as may be necessary to punish misconduct and to deter future
32 violations, which penalties may not exceed \$50,000 for each violation.

33 (c) Order restitution of any moneys or property unlawfully obtained or retained by a
34 person.

35 (d) Issuance of a cease and desist order which specifies the conduct which is to be
36 discontinued, altered, or implemented by the person.

37 (e) Issuance of letters of reprimand or censure, which shall be made a permanent part of

1 the file of each person so sanctioned.

2 (f) Imposition of any or all of the foregoing sanctions in combination with each other.

3 II. In determining appropriate sanctions in a particular case, the commission shall consider:

4 (a) The risk to the public and to the integrity of table game operations created by the
5 conduct of the person.

6 (b) The seriousness of the conduct of the person and whether the conduct was purposeful
7 or with knowledge that it was in contravention of the provisions of this chapter or the rules of the
8 commission.

9 (c) Any justification or excuse for such conduct.

10 (d) The prior history of the person involved.

11 (e) The corrective action taken by the person to prevent future misconduct of a like
12 nature from occurring.

13 (f) In the case of a monetary penalty, the amount of the penalty in relation to the
14 misconduct and the financial means of the person.

15 (g) In the event that a person receives 3 civil penalties during the term of such person's
16 license, the commission may subject such person to enhanced fines or other disciplinary action.

17 284-B:19 Declaration of Limited Exemption from Operation of Provisions of 15 U.S.C. section
18 1171-1172. Pursuant to section 2 of an act of Congress of the United States entitled "An Act to
19 Prohibit Transportation of Gambling Devices in Interstate and Foreign Commerce," approved
20 January 2, 1951, being Chapter 1194, 64 Stat. 1134, and also designated as 15 U.S.C. sections 1171-
21 1177, the state of New Hampshire, acting by and through the duly elected and qualified members of
22 its legislature, does hereby, in accordance with and in compliance with the provisions of that section
23 2 of that act of Congress, declare and proclaim that it is in the state's best interest to benefit from
24 limiting gambling device revenues but prevent the proliferation of gambling devices by limiting
25 approved facility locations and therefore that section 2 of that act of Congress shall not apply to any
26 gambling device in this state where the transportation of such a device is specifically authorized by
27 and done in compliance with the provisions of this chapter and any rules adopted pursuant to it, and
28 that any such gambling device transported in compliance with state law and rules shall be exempt
29 from the provisions of that act of Congress.

30 284-B:20 Legal Shipment of Gaming Devices into New Hampshire. All shipments into this state
31 of gaming devices, the registering, recording, and labeling of which has been duly made by the
32 manufacturer or dealer in accordance with sections 3 and 4 of an act of Congress of the United States
33 entitled "An Act to Prohibit Transportation of Gambling Devices in Interstate and Foreign
34 Commerce," approved January 2, 1951, being chapter 1194, 64 Stat. 1134, and also designated as 15
35 U.S.C. sections 1171-1172, shall be deemed legal shipments into this state.

36 CHAPTER 284-C

37 COMMISSION TO STUDY GAMING REGULATORY OVERSIGHT COMMISSIONS

1 284-C:1 Commission to Study Gaming Regulatory Oversight Commissions.

2 I. There is established a commission to study and review the regulatory oversight of gaming
3 licensees and to make recommendations on how to streamline, consolidate, or modify the regulatory
4 oversight process and commissions for gaming in the state of New Hampshire.

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

6 (a) One member of the lottery commission, appointed by governor.

7 (b) One member of the racing and charitable gaming commission, appointed by the
8 governor.

9 (c) The commissioner of safety, or his or her designee.

10 (d) One individual who is a licensee under RSA 284-A, appointed by the governor.

11 (e) Two members of the public, appointed by the governor.

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

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

14 (h) The attorney general, or designee.

15 III. The commission shall study the role of the existing regulatory commissions for gaming
16 in the state of New Hampshire and recommend any changes that would streamline, consolidate,
17 modernize, or improve the regulatory process and role of the existing regulatory commissions.

18 IV. The members of the commission shall elect a chairperson from among the members. The
19 first meeting of the commission shall be held within 90 days of the effective date of this section. Six
20 members of the commission shall constitute a quorum.

21 V. The commission shall report its findings and any recommendations for proposed
22 legislation to the speaker of the house of representatives, the president of the senate, the house
23 clerk, the senate clerk, the governor, and the state library on or before September 1, 2012.

24 102 New Section; Lottery Commission; Administration of Video Lottery. Amend RSA 284 by
25 inserting after section 21-v the following new section:

26 284:21-w Video Lottery; Duties of the Lottery Commission; Administration of Video Lottery.

27 I. The lottery commission shall:

28 (a) Collect all license fees imposed upon any applicant and all taxes imposed by RSA
29 284-A.

30 (b) Certify net machine income by inspecting records, conducting audits, having its
31 agents on site, or by any other reasonable means.

32 (c) Establish a central computer system located at the office of the lottery commission
33 linking all video lottery machines to insure control over video lottery machines. The lottery
34 commission shall establish a selection procedure for such contracts and ensure that the central
35 computer system uses a widely adopted communications protocol approved by the Gaming Standards
36 Association.

37 (d) Require facility operator licensees to submit all contracts for services where the

1 annual amount to be expended by the facility operator licensee is over \$500,000 to the lottery
2 commission, and provide any further information to the lottery commission regarding vendors and
3 suppliers as is requested.

4 (e) Require all holders of facility operator licenses issued by the lottery commission
5 pursuant to RSA 284-A to maintain a system of internal controls. At a minimum, the licensee's
6 proposed system of internal controls shall:

7 (1) Safeguard its assets and revenues, including, but not limited to the recording of
8 cash and evidences of indebtedness related to the video lottery machines.

9 (2) Provide for reliable records, accounts, and reports of any financial event that
10 occurs in the operation of a video lottery machine.

11 (3) Ensure that each video lottery machine directly provides or communicates all
12 required activities and financial details to the central computer system.

13 (4) Provide for accurate and reliable financial records.

14 (5) Ensure any financial event that occurs in the operation of a video lottery machine
15 or table game is performed only in accordance with the management's general or specific
16 authorization.

17 (6) Ensure that any financial event that occurs in the operation of a video lottery
18 machine is recorded adequately to permit proper and timely reporting of net machine income and the
19 calculation thereof and the related fees and taxes.

20 (7) Ensure that access to assets is permitted only in accordance with management's
21 specific authorization.

22 (8) Ensure that recorded accountability for assets is compared with actual assets at
23 reasonable intervals and appropriate action is taken with respect to any discrepancies.

24 (9) Ensure that all functions, duties, and responsibilities are appropriately
25 segregated and performed in accordance with sound financial practices by qualified personnel.

26 (f) Establish technical standards for approval of video lottery machines, including
27 mechanical and electrical reliability and security against tampering, as it may deem necessary to
28 protect the public from fraud or deception and to ensure the integrity of their operation.

29 (g) Require all holders of licenses issued by the lottery commission pursuant to RSA 284-
30 A to comply with any exclusion program established by the lottery commission and maintained
31 pursuant to RSA 284-A:2, II(u) and to establish and implement a self-exclusion program whereby a
32 person who acknowledges that he or she is a problem gambler and who requests to be placed on a
33 self-exclusion list shall be excluded or ejected from a licensed facility.

34 II. The lottery commission may employ certain assistants to carry out the provisions of this
35 section and RSA 284-A, and may employ such additional assistants and employees as the governor
36 and council shall authorize. Such assistants and employees shall receive compensation at rates to be
37 established by the department of administrative services, division of personnel, however, such

1 compensation shall be funded by proceeds paid to or received by the lottery commission pursuant to
2 RSA 284-A. No employee of the lottery commission shall have any pecuniary or other interest in any
3 supplier or agent to the commission or in any facility location or licensee licensed under RSA 284-A.

4 III. The lottery commission shall have the authority to issue subpoenas and compel the
5 attendance of witnesses, to administer oaths, and to require testimony under oath.

6 IV. No later than November 1 of each calendar year, the lottery commission shall provide a
7 report to the fiscal committee of the general court regarding the generation of revenues of video
8 lottery machines by licensees.

9 V. With regard to meetings, minutes, and records of the lottery commission:

10 (a) The lottery commission shall notice all proceedings and shall make and keep a record
11 of all proceedings held at public meetings of the lottery commission. A verbatim transcript of those
12 proceedings shall be prepared by the lottery commission upon the request of any commissioner or
13 upon the request of any other person and the payment by that person of the costs of preparation. A
14 copy of the transcript shall be made available to any person upon request and payment of the costs of
15 preparing the copy.

16 (b) The lottery commission shall maintain such other files and records as the lottery
17 commission determines is necessary.

18 (c) All information and data required by the commission, to be furnished to the
19 commission, or which may otherwise be obtained, shall be confidential and shall not be revealed in
20 whole or in part except in the course of the necessary administration of this chapter, or upon the
21 lawful order of a court of competent jurisdiction, or with the approval of the attorney general, to a
22 duly authorized law enforcement agency.

23 (d) All information and data pertaining to an applicant's criminal record, family, and
24 background furnished to or obtained by the lottery commission from any source shall be confidential
25 and shall be withheld in whole or in part. Such information shall be released only upon the lawful
26 order of a court of competent jurisdiction, or with the approval of the attorney general, to a duly
27 authorized law enforcement agency.

28 (e) Notice of the contents of any information or data released, except to a duly authorized
29 law enforcement agency pursuant to subparagraph (c) or (d), shall be given to any applicant,
30 registrant, or licensee in a manner prescribed by the rules adopted by the lottery commission.

31 (f) All records, information, or data maintained or kept by the lottery commission shall
32 be maintained or kept at the office of the gaming enforcement unit.

33 103 New Sections; Department of Safety; Gaming Enforcement Unit Established. Amend RSA
34 21-P by inserting after section 11-a the following new sections:

35 21-P:11-b Division of State Police; Gaming Enforcement Unit.

36 I. There is established within the department of safety, division of state police, a gaming
37 enforcement unit under the supervision of the commissioner of the department of safety.

1 Notwithstanding RSA 106-B:15, the unit shall:

2 (a) Investigate violations of RSA 284-A and RSA 284-B and the rules adopted under the
3 provisions of RSA 284-A and RSA 284-B, and initiate proceedings before the lottery commission for
4 such violations. The unit shall report the results of any investigation conducted to the lottery
5 commission.

6 (b) Participate in any hearing conducted by the lottery commission.

7 (c) Investigate crimes which may involve a violation of RSA 284-A or RSA 284-B that
8 occur at a facility operator licensee location.

9 II. The commissioner of the department of safety shall organize the unit as the
10 commissioner deems necessary. The commissioner of safety may employ such state police personnel
11 as the commissioner deems necessary to fulfill the responsibilities of the unit.

12 21-P:11-c Enforcement Expenditures. The governor and council with the prior approval of the
13 fiscal committee of the general court, upon request from the commissioner of the department of
14 safety, may authorize the transfer of general funds as authorized in RSA 284-A:8, I(a)(1) to the
15 department of safety to implement and enforce RSA 21-P:11-b, RSA 284-A, and RSA 284-B.

16 104 New Section; Racing and Charitable Gaming Commission; Duties. Amend RSA 284 by
17 inserting after section 6-a the following new section:

18 284:6-b Duties of the Racing and Charitable Gaming Commission. The racing and charitable
19 gaming commission shall:

20 I. Provide to the lottery commission, attorney general, or division of state police gaming
21 enforcement unit, all records pertaining to the licensing of a pari-mutuel licensee to the extent a
22 pari-mutuel licensee is an applicant or facility location relevant to the lottery commission's approval
23 process under RSA 284-A within 30 days after the racing and charitable gaming commission receives
24 a request. All records provided to the lottery commission shall be confidential in accordance with
25 RSA 284:21-w, V.

26 II. Notice of the contents of any information or data released, except to a duly authorized
27 law enforcement agency pursuant to paragraph I, shall be given to any applicant, registrant, or
28 licensee in a manner prescribed by the rules and regulations adopted by the racing and charitable
29 gaming commission.

30 105 Restriction on Gambling. RSA 284:17-c is repealed and reenacted to read as follows:

31 284:17-c Restriction on Gambling. Except as provided in the introductory paragraph of RSA
32 284:22, RSA 284:22-a, RSA 284-A, and RSA 284-B, no licensee who holds running horse races shall
33 at the same facility hold any other kinds of races or permit any other type of gambling except
34 harness horse races and activities licensed by the lottery commission or the racing and charitable
35 gaming commission.

36 106 New Paragraph; Facility Licensee; Cocktail Lounge License. Amend RSA 178:22 by
37 inserting after paragraph V the following new paragraph:

1 VI. The commission may issue a special license to a person holding a facility operator's
2 license under the provisions of RSA 284-A, provided the facility licensee has an existing liquor
3 license. Such special license shall allow the sale of liquor, wine, and beverages within the facility
4 licensee location, including dining room, function room, gaming room, lounge, or any other area
5 designated by the commission, without regard to whether meals are served therein, but only during
6 the time gaming is being conducted under RSA 284-A.

7 107 New Subparagraph; Authorized Video Lottery Machines. Amend RSA 647:2, V by inserting
8 after subparagraph (c) the following new subparagraph:

9 (d) Video lottery machines authorized pursuant to RSA 284-A and table games
10 authorized pursuant to RSA 284-B.

11 108 Rehabilitation of Problem Gaming. Amend RSA 172:2-a to read as follows:

12 172:2-a Program Established. The commissioner shall provide for the scientific care, treatment,
13 and rehabilitation of **gambling**, alcohol, and drug abusers, and work towards the prevention of, and
14 assist in the control of, alcohol and drug abuse within the state through education, treatment,
15 community organization, and research.

16 109 Duties of Commissioner; Rehabilitation of Problem Gaming. Amend RSA 172:8 to read as
17 follows:

18 172:8 Duties of the Commissioner.

19 I. Study the problems presented by **gambling**, alcohol, and drug abuse, including methods
20 and facilities available for the care, treatment, custody, employment, and rehabilitation of persons
21 who are **problem gamers**, inebriates, alcohol abusers, drug dependent, or drug abusers.

22 II. Promote meetings and programs for the discussion of **gambling**, alcohol, and drug
23 dependency and abuse for the guidance and assistance of individuals, schools, courts, and other
24 public and private agencies.

25 III. Conduct, promote and finance, in full or in part, studies, and other appropriate facilities
26 dealing with the physical, psychological, and/or social aspects of **gambling**, alcohol, and drug abuse.

27 IV. Have the authority to accept or reject for examination, diagnosis, guidance, and
28 treatment, insofar as funds and facilities permit, any resident of the state who comes to the
29 commissioner voluntarily for advice and treatment.

30 V. [Repealed.]

31 VI. Render biennially to the governor and council a report of his activities including
32 recommendations for improvements therein by legislation or otherwise.

33 VII. Coordinate community medical resources for the emergency medical care of persons
34 suffering acute mental or physical reaction to **gambling**, alcohol, or drugs and of persons suffering
35 from drug dependency.

36 VIII. Employ such assistants as may be necessary to carry out the purposes of this chapter,
37 in accordance with state personnel regulations, and within available appropriations and funds.

1 IX. Disseminate information on the subjects of **gambling**, alcohol, and drug abuse for the
2 guidance and assistance of individuals, schools, courts and other public and private agencies.

3 X. [Repealed.]

4 110 Confidentiality of Client Records; Rehabilitation of Problem Gaming. Amend RSA 172:8-a
5 to read as follows:

6 172:8-a Confidentiality of Client Records. No reports or records or the information contained
7 therein on any client of the program or a certified **gambling**, alcohol, or drug abuse treatment
8 facility or any client referred by the commissioner shall be discoverable by the state in any criminal
9 prosecution. No such reports or records shall be used for other than rehabilitation, research,
10 statistical or medical purpose, except upon the written consent of the person examined or treated.
11 Confidentiality shall not be construed in such manner as to prevent recommendation by the
12 commissioner to a referring court, nor shall it deny release of information through court order
13 pursuant to appropriate federal regulations.

14 111 Rulemaking; Rehabilitation of Problem Gaming. Amend RSA 172:14, IV to read as follows:

15 172:8-b Rulemaking. The commissioner shall adopt rules under RSA 541-A relative to the
16 following:

17 I. The acceptance, care and treatment of **gambling**, alcohol, or drug dependent persons and
18 alcohol or drug abusers who are clients of the program established under this chapter or a certified
19 substance abuse treatment facility.

20 II. A fee schedule and collection of fees under RSA 172:14, IV.

21 III. Certification of substance abuse treatment facilities including, but not limited to:

- 22 (a) Program content;
23 (b) Qualifications of program staff; and
24 (c) Type of substance abuse treatment offered.

25 IV. Certification and recertification of **gambling**, alcohol, and drug abuse counselors
26 including, but not limited to:

- 27 (a) Peer review of applicants.
28 (b) Minimum qualifications and competency.
29 (c) Education and continuing education.
30 (d) Experience required.
31 (e) Required knowledge of **gambling**, alcohol, and drug abuse counseling.
32 (f) Such other matters as the commissioner may deem necessary to carry out the

33 purposes of this chapter.

34 V. Voluntary admissions under RSA 172:13.

35 112 Acceptance of Grants; Treatment of Problem Gamers. Amend RSA 172:9 to read as follows:

36 172:9 Acceptance of [~~Grants~~] **Funds**. The commissioner is authorized to accept in the name of
37 the state special grants or money or services from the federal or state governments or any of their

1 agencies and may accept gifts to carry on the functions provided for in this chapter.

2 113 New Subparagraph; Gambling Offenses; Minors. Amend RSA 647:2, I by inserting after
3 subparagraph (c) the following new subparagraph:

4 (d) Violates the provisions of RSA 284-A:7.

5 114 Effective Date.

6 I. Sections 10-12, 40-42, 45, 58-63, 65, and 91 of this act shall take effect July 1, 2010.

7 II. Section 43 of this act shall take effect June 15, 2010.

8 III. Section 64 of this act shall take effect November 1, 2012.

9 IV. Sections 70 and 72 of this act shall take effect July 1, 2011.

10 V. Section 96 of this act shall take effect October 1, 2010.

11 VI. Sections 97-99 shall take effect 60 days after its passage.

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

LBAO
10-2021
Revised 11/09/09

HB 1128 FISCAL NOTE

AN ACT relative to the distribution of meals and rooms tax revenues to cities and towns.

FISCAL IMPACT:

The New Hampshire State Treasury states this bill will increase state general fund expenditures and local revenues by \$5.0 million in FY 2011 and each year thereafter. There will be no fiscal impact on state and county revenue or county and local expenditures.

METHODOLOGY:

The State Treasury states this bill will repeal a provision which requires that the state treasurer fund the distribution of meals and rooms tax revenues to cities and town for FY 2011 at no more than the FY 2009 level of distribution.

The State Treasury cannot estimate future annual increases in meals and rooms tax revenues, but assumes the increase in the distribution amount for FY 2011 will be the maximum allowed under law, \$5.0 million per fiscal year. Therefore, general fund expenditures and local revenue will increase \$5.0 million in FY 2011, which will result in a \$5 million higher distribution base in each of the years thereafter.

The Treasury further states that current law sets the statutory maximum annual increase at \$5.0 million until the meals and room distribution to towns is 40% of the prior year's meals and room tax revenues. The 40% tax revenue threshold will not be reached during the FY 2011 through FY 2014 period.