

CHAPTER 144
HB 2-FN-A-LOCAL – FINAL VERSION

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2013 SESSION

13-1022
09/01

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

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

SPONSORS: Rep. Wallner, Merr 10

COMMITTEE: Finance

AMENDED ANALYSIS

This bill:

1. Funds meals and rooms distributions to cities and towns for the fiscal ending June 30, 2014 at no more than the fiscal year 2013 level of distribution.
2. Suspends RSA 31-A, relating to revenue sharing with cities and towns for the biennium ending June 30, 2015.
3. Provides that no school building aid or alternative school building aid grants shall be made to school districts for projects approved on or after June 30, 2013 through June 30, 2015, and provides a waiver of the suspension of school building aid.
4. Requires the commissioner of the department of health and human services to submit a Medicaid state plan amendment to suspend direct and indirect graduate medical education payments to hospitals for the biennium ending June 30, 2015.
5. Authorizes the commissioner of the department of health and human services to fill unfunded positions during the biennium ending June 30, 2015 under certain circumstances.
6. Authorizes the commissioner of the department of health and human services to submit a Medicaid plan amendment for suspension of catastrophic aid payment to hospitals.
7. Modifies the provisions for county reimbursements for nursing home services through state fiscal year 2015.
8. Requires the department of health and human services to raise the income eligibility for elderly and adult clients under the Social Services Block Grant program each January of the biennium, by the percentage amount of the cost of living increase in social security benefits on a yearly basis.
9. Suspends reimbursements to the foster grandparent program through the senior volunteer grant program.
10. Directs the department of health and human services to administer its adoption assistance program consistent with federal law and the state's Title IV-E plan.

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11. Authorizes any state agency or department to enter into agreements to lease-purchase vehicles and equipment from outside vendors and to lease vehicles and equipment from other state agencies or departments.

12. Appropriates federal emergency assistance grants to the department of transportation.

13. Suspends bumping rights.

14. Authorizes the lottery commission to use monetary incentives to promote increased sales and compensate lottery sales representatives based upon performance.

15. Suspends the deposit of liquor revenues in the alcohol abuse prevention and treatment fund for the biennium ending June 30, 2015.

16. Suspends the allocation of gross appropriations from the highway fund.

17. Transfers an appropriation received by the governor's commission on disability.

18. Establishes hiring priority for laid off classified state employees.

19. Limits the number of judicial appointments, but provides for an increase in the number of appointments where a marital master position is filled by a judge.

20. Suspends certain provisions regarding funeral expenses for recipients of public assistance.

21. Authorizes transfers of funds by the department of resources and economic development for welcome centers.

22. Revises requirements for MMIS reports.

23. Establishes the position of manager of risks and benefits in the department of administrative services.

24. Authorizes the department of administrative services to consolidate human resource, payroll, and business processing functions across state agencies as a means of achieving greater efficiencies and cost-savings.

25. Prevents the anticipated lapse of a prior appropriation to the department of administrative services to hire an independent business processing consultant.

26. Authorizes the department of administrative services to transfer funds within accounting units of the department.

27. Directs the department of administrative services to develop a cost containment plan for the New Hampshire retiree health care program.

28. Establishes a commission to study cost containment options relative to the retiree health plan for new employees.

29. Eliminates the impaired driver education program (IDEP) and impaired driver care management program (IDCMP) account and the alcoholism and alcohol abuse account.

30. Establishes priority for reimbursement from a decedent's estate to the department of health and human services for financial and/or medical assistance provided to the decedent.

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31. Clarifies the duties of the office of reimbursements and allows the department of health and human services to collect certain information relative to persons filing financial statements.

32. Exempts the department of health and human services from the bond requirement when administering an estate.

33. Requires that for the biennium ending June 30, 2015, the department of health and human services shall maintain a limit on benefits for adults with low service utilization of community mental health services, as identified in He-M 401.07.

34. Provides that the rate for services, placements, and programs paid for by the department of health and human services for delinquent children, child protection act, and children in need of services shall be not greater than the rates in effect on June 30, 2013; provided that upon the implementation of managed care, the rate of reimbursement shall be agreed upon by the provider and the managed care organization.

35. Clarifies the purposes for which the uncompensated care fund may be used.

36. Repeals the requirement that the commissioner of the department of health and human services make a report relative to payment methodology under the uncompensated care program.

37. Suspends congregate housing and congregate services.

38. Repeals a law relative to certification of shelter beds.

39. Provides that certain home care providers do not have to get a new license if they change the physical location of their office within the licensure period, and decreases the personal care provider license fee under RSA 151.

40. Establishes a commission to study the New Hampshire Medicaid enhancement tax.

41. Authorizes the department of corrections to fill unfunded positions within a total expenditure cap and transfer funds within and among all accounting units within the department.

42. Restores state payment of fees for attorneys in child abuse and neglect cases where the parents are indigent.

43. Limits department of education expenditures for chartered public schools to 100 percent of budgeted amounts and clarifies program audits of chartered public schools.

44. Requires the community college system to remit funds to the state for retiree health care benefits, and requires the community college system and the department of administrative services to establish a task force on the future cost allocation of retiree health care benefits for community college system employees and retirees.

45. Repeals a provision relative to fines paid by mail.

46. Makes the police standards and training fund nonlapsing.

47. Authorizes the commissioner of the department of safety, with prior approval of the fiscal committee of the general court, to transfer additional funds over budget estimates from the fire standards and training and emergency medical services fund, if necessary for the proper functioning of the division of fire standards and training and emergency medical services, the division of fire safety, or the division of homeland security and emergency management.

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48. Clarifies the calculation of meals and rooms tax revenue credited to the division of travel and tourism development.
49. Permits utilization of certain funds to support fish and game staff costs.
50. Establishes divisions within the fish and game department.
51. Permits moneys collected from hatchery vending machines to be used for additional purchases.
52. Changes the membership of the health services planning and review board and requires the board to establish a state health plan; clarifies standard development under the certificate of need law; requires certain periodic reports; and extends the moratorium on nursing home beds and rehabilitation beds until June 30, 2016.
53. Transfers revenue from Cannon Mountain operations to the Cannon Mountain capital improvement fund.
54. Requires the department of resources and economic development to deposit revenue derived from Cannon Mountain in the state park fund until June 30, 2015.
55. Repeals the provision relating to funds to be distributed to colleges and universities under the UNIQUE endowment allocation program.
56. Establishes the position of deputy commissioner of employment security as an unclassified position requiring appointment by the governor and council.
57. Allows the commissioner of the department of transportation to transfer funds within accounting units of the department.
58. Requires the bank commissioner to assess institutions for any deficiency between fees collected and department expenditures for the fiscal year.
59. Exempts the judicial branch of certain requirements for transferring funds within the judicial branch appropriations.
60. Requires the department of revenue administration to compile data and issue a report to the house finance committee on the use and cost allocation of the Mosaic Parcel GIS system.
61. Requires the liquor commission to reimburse the department of justice for certain legal costs.
62. Requires the department of environmental services to discontinue the first in, first out delayed and deferred infrastructure project list for state aid grants for the biennium ending June 30, 2015 and identifies those infrastructure projects that are on the list and eligible for payments.
63. Amends the procedure for the transfer of unexpended and unencumbered appropriations from the special legislative subaccounts.
64. Repeals a provision relative to the submission of the McAuliffe-Shepard discovery center commission business plan to the fiscal committee of the general court.
65. Extends an appropriation to establish a North Country fire training facility.
66. Provides that the department of safety credit as agency income of motor vehicle fines shall

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not lapse until the second year of each biennium.

67. Requires the pharmacy board to provide inspectional services to certain boards without assessing a fee.

68. Requires the department of health and human services to establish a uniform, sliding-fee scale for voluntary services provided by approved alcohol treatment programs.

69. Requires the commissioner of the department of health and human services and area agencies to provide to any person, or that person's guardian, who is receiving state services pursuant to a plan with an individualized budget, a copy of such budget and the expenditures made under such budget.

70. Increases the portion of vital record fees retained by the town clerk and removes the requirement that a portion of the fees be deposited in the general fund.

71. Clarifies procedures for the boards regulating engineers, land surveyors, accountants, real estate appraisers, and geologists relative to receipts and disbursements of moneys received.

72. Makes an appropriation to the department of administrative services, for the purpose of reimbursing the spouse of a law enforcement officer who died in the line of duty, for erroneously charged medical benefits.

73. Authorizes the department of information technology to transfer funds within and among its accounting units.

74. Prevents the anticipated lapse of a prior appropriation to the department of safety for emergency management administration.

75. Requires the transfer of unrestricted general fund revenues to the fish and game fund.

76. Increases the maximum total education grant amount available to a municipality.

77. Limits the liability of landowners and salt applicators who opt for certification and employ winter maintenance best practices.

78. Redefines the term compensation for the purposes of the business enterprise tax for taxable periods beginning on or after January 1, 2013.

79. Clarifies a provision for the charge for costs of financial audits done by the legislative budget assistant.

80. Requires the transfer of funds from the department of justice to the department of revenue administration for the purpose of funding flood control payments under the Connecticut and Merrimack River flood control compacts.

81. Requires the governor to reduce total appropriations for compensation and benefits by a specified amount for the biennium ending June 30, 2015.

82. Prohibits use of electronic benefit transfer (EBT) cards at liquor stores and similar establishments.

83. Establishes a commission to study the expansion of Medicaid eligibility in New Hampshire.

84. Establishes a commission to review and analyze the costs and future funding of Medicaid

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long-term care services for the elderly, either in licensed facilities or under the Medicaid waiver in New Hampshire.

85. Transfers \$16,100,000 from the renewable energy fund to the general fund.

86. Requires that any budget surplus at the close of the fiscal year ending June 30, 2013 remain in the general fund.

87. Requires the public utilities commission to transfer funds to provide other necessary funds to the court-appointed trustee of the Tri-County Community Action Program, and establishes a revolving loan fund for the continued stabilization of the program.

88. Authorizes the treasurer to establish other post-employment benefits (OPEB) trusts.

89. Makes the navigation safety fund nonlapsing.

90. Makes an appropriation for the fiscal year ending June 30, 2013 to the New Hampshire Veterans Home for the purpose of paying utility costs.

91. Requires the New Hampshire veterans' home to file a biannual report to the legislature with the secretary of state, the fiscal committee, and the commissioner of administrative services.

92. Requires the gaming regulatory oversight authority to recommend a comprehensive regulatory scheme for casino gaming in New Hampshire by December 15, 2013. Also repeals the repeal of the gaming regulatory oversight authority.

93. Makes appropriations for salary increases for state employees.

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

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

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

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

1 144:1 Meals and Rooms Tax; Distribution to Cities and Towns. Notwithstanding any other
2 provision of law, for the fiscal year ending June 30, 2014, the state treasurer shall fund the
3 distribution of revenue to cities and towns pursuant to the formula for determining the amount of
4 revenue returnable to cities and towns under RSA 78-A:26, I and II at no more than the fiscal year
5 2013 distribution.

6 144:2 Suspension; Revenue Sharing. Notwithstanding any provision of law to the contrary,
7 RSA 31-A, relative to revenue sharing with cities and towns shall be suspended for the biennium
8 ending June 30, 2015.

9 144:3 School Building Aid; Alternative School Building Aid.

10 I. Notwithstanding RSA 198:15-a through RSA 198:15-hh and RSA 198:15-u through
11 RSA 198:15-w, the commissioner of the department of education shall issue no school building aid or
12 alternative school building aid for any project approved on or after June 30, 2013 through June 30,
13 2015.

14 II.(a) The commissioner of the department of education, upon recommendation of the state
15 fire marshal, may grant a waiver to the suspension of school building aid under paragraph I if the
16 state fire marshal or designee determines, based on reasonable information and belief, that:

17 (1) The condition of such school building or portion thereof constitutes a clear and
18 imminent danger to the life or safety of occupants or other persons, and requires remediation prior to
19 July 1, 2015; or

20 (2) A structural deficiency in the function or operation of a school building or portion
21 thereof presents a substantial risk to the life or safety of the occupants or other persons, and is more
22 than a technical violation of the fire code, and requires remediation prior to July 1, 2015.

23 (b) Any school building aid provided under a waiver granted pursuant to this paragraph
24 shall be limited to the costs associated with the remediation of the conditions or structural
25 deficiencies set forth in this paragraph.

26 144:4 Department of Health and Human Services; Suspension of Direct Graduate Medical
27 Education. The commissioner of the department of health and human services shall submit a Title
28 XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to

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1 suspend the provision of direct graduate medical education payments to hospitals as provided in 42
2 U.S.C. section 1396a(a)(30)(A) effective July 1, 2013. Upon approval of the state plan amendment,
3 and as of the effective date of the state plan amendment, any obligations for payment of direct
4 graduate medical education shall be suspended for the biennium ending June 30, 2015.

5 144:5 Department of Health and Human Services; Suspension of Indirect Graduate Medical
6 Education. The commissioner of the department of health and human services shall submit a Title
7 XIX Medicaid state plan amendment to the federal Centers for Medicare and Medicaid Services to
8 suspend the provision of indirect graduate medical education payments to hospitals effective July 1,
9 2013. Upon approval of the state plan amendment, and as of the effective date of the state plan
10 amendment, any obligations for payment of indirect graduate medical education shall be suspended
11 for the biennium ending June 30, 2015.

12 144:6 Department of Health and Human Services; Authority to Fill Unfunded Positions.
13 Notwithstanding any provision of law, the commissioner of the department of health and human
14 services may fill unfunded positions during the biennium ending June 30, 2015, provided that the
15 total expenditure for such positions shall not exceed the amount appropriated for personal services,
16 permanent, and personal services, unclassified.

17 144:7 Health and Human Services; Suspension of Catastrophic Aid Payment to Hospitals. The
18 commissioner of the department of health and human services shall submit a Title XIX Medicaid
19 state plan amendment to the federal Centers for Medicare and Medicaid Services to suspend all
20 catastrophic aid payments to hospitals effective for the biennium ending June 30, 2015.

21 144:8 Department of Health and Human Services; Bureau of Adult and Elderly Services; County
22 Payment of Funds for Persons Eligible to Receive Nursing Home Services; Limitation on County
23 Payments; Credit. RSA 167:18-a, II-III are repealed and reenacted to read as follows:

24 II.(a) The total billings to all counties made pursuant to this section shall not exceed the
25 amounts set forth below for state fiscal years 2014-2015:

26 (1) State fiscal year 2014, \$109,000,000.

27 (2) State fiscal year 2015, \$112,500,000.

28 (b) The caps on total billings for fiscal years after fiscal year 2015 shall be established by
29 the legislature at least on a biennial basis.

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

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

36 (2) For fiscal year 2010, \$2,000,000 shall be allocated among the counties based upon

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

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

7 (b) The credit shall be made available as soon as possible after the start of the fiscal
8 year. The department shall adopt county credit criteria in consultation with the county-state finance
9 commission and in accordance with the provisions of RSA 541-A. The total aggregate obligation of
10 the counties shall be reduced by the amount of the credit in each fiscal year.

11 144:9 Health and Human Services; Social Services Block Grant Cost of Living Adjustment to
12 Income Levels. Notwithstanding any other provision of law, for the biennium ending June 30, 2015
13 the department of health and human services shall raise the income eligibility for elderly and adult
14 clients under the Social Services Block Grant program each January, by the percentage amount of
15 the cost of living increase in social security benefits on a yearly basis.

16 144:10 Foster Grandparent Program. The reimbursements to the foster grandparent program
17 through the senior volunteer grant program established in RSA 161-F:40 are hereby suspended for
18 the biennium ending June 30, 2015.

19 144:11 Department of Health and Human Services; Adoption Assistance Program. The
20 department of health and human services shall administer its adoption assistance program
21 consistent with federal law and regulations and the state's Title IV-E plan for foster care and
22 adoption assistance.

23 144:12 Agreements to Lease-Purchase Vehicles and Equipment Authorized. For the biennium
24 ending June 30, 2015, any state agency or department is authorized, with the prior approval of the
25 department of administrative services, to enter into agreements to rent, lease, or lease-purchase
26 vehicles and equipment from any outside vendor or to rent or lease vehicles and equipment from any
27 other state agency or department.

28 144:13 Department of Transportation; Federal Assistance Grant; Appropriation. Any sum
29 received in the fiscal years ending June 30, 2014 or June 30, 2015 from the Federal Emergency
30 Management Agency or Federal Highway Administration's Emergency Relief Program or any other
31 federal program providing emergency assistance to the department of transportation to reimburse
32 costs incurred for emergency response, including but not limited to, equipment rental, snow plowing,
33 sanding, salting, flood damage response, and personnel overtime during any emergency declared
34 shall be collected by the appropriate agency and appropriated to the department of transportation.

35 144:14 Department of Administrative Services; Suspension of Bumping Rights. The
36 displacement of classified state employees by more senior classified state employees, or so-called

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1 bumping, pursuant to administrative rule Per 1101.02(i) through (l) under the authority of RSA 21-
2 I:43 by the director of the division of personnel is hereby suspended from the effective date of this
3 section through June 30, 2015.

4 144:15 Lottery Commission; Incentive Program. For the biennium ending June 30, 2015, the
5 lottery commission may develop and implement an employee recognition program for monetary
6 incentives to promote increased sales and compensate lottery sales representatives based upon
7 performance and funded from an existing lottery budget line item. The incentive program shall be
8 implemented through rules adopted by the lottery commission in accordance with RSA 541-A. The
9 lottery commission shall report quarterly to the fiscal committee of the general court on the status of
10 the incentive program.

11 144:16 Liquor Commission; Liquor Revenues to Alcohol Abuse Prevention and Treatment Fund
12 Suspended. Notwithstanding RSA 176:16, III, for the biennium ending June 30, 2015, all gross
13 revenue derived by the liquor commission from the sale of liquor and related products, or from
14 license fees, shall be deposited into the liquor commission fund.

15 144:17 State Budget; Allocation of Gross Appropriations from Highway Fund; Suspended. For
16 the biennium ending June 30, 2015, RSA 9:9-b, relative to allocation of gross appropriations from the
17 highway fund, shall be suspended.

18 144:18 Governor's Commission on Disability; Client Assistance Program; Contingent Transfer of
19 Appropriation. The appropriation for the administration of the client assistance program that is
20 received by the governor's commission on disability pursuant to 29 U.S.C. section 732 for fiscal years
21 2014 and 2015 may be transferred to another qualified agency (or agencies) upon certification by the
22 governor to the commissioner of administrative services that the program has been redesignated. If
23 the redesignation occurs and the governor's certification is made after July 1, 2013, the unexpended
24 portion of the appropriation shall be transferred.

25 144:19 Rehiring of Laid Off Classified State Employees.

26 I. For purposes of this section, "laid off" means any person in a classified position as
27 described in RSA 21-I:49 who receives written notice of the state's intent to lay him or her off or who
28 is laid off between July 1, 2013 and June 30, 2015, as a result of reorganization or downsizing of
29 state government.

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

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1 III. The head of each department or agency shall submit the name and classification of any
2 individual laid off between July 1, 2013 and June 30, 2015, to the director of the division of personnel
3 within 10 days of the layoff.

4 144:20 Judicial Appointments; Number Limited; Vacancies.

5 I. Except as provided in paragraph II, for the biennium ending June 30, 2015 the number of
6 judges serving on the superior court shall not exceed 20 and the number of full-time judges serving
7 on the circuit court shall not exceed 31.

8 II. For the biennium ending June 30, 2015, the filling of a marital master position by a judge
9 shall increase the authorized number of circuit court judges allowed under paragraph I for each
10 position so filled.

11 144:21 Suspension. The following are suspended for each fiscal year of the biennium ending
12 June 30, 2015:

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

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

15 144:22 Department of Resources and Economic Development; Transfer of Funds Authorized.
16 The commissioner of the department of resources and economic development may transfer funds
17 between and among the class line appropriations in the highway welcome centers (accounting unit
18 03-35-35-3520-5919) and may transfer funds between and among the class line appropriations in the
19 turnpike welcome centers (accounting unit 03-35-35-3520-1872) for the biennium ending June 30,
20 2015. The commissioner shall submit a report on a quarterly basis to the fiscal committee of the
21 general court of all transfers made under this section. RSA 9:17-a and RSA 9:17-c shall not apply to
22 transfers made under this section.

23 144:23 Medicaid Management Information System; Reports. Amend 2011, 224:365, II to read as
24 follows:

25 II. ***For the biennium ending June 30, 2015***, the commissioner of the department of health
26 and human services shall provide the fiscal committee of the general court with monthly reports on
27 the status of the new MMIS system implementation and shall report on the department's efforts to
28 seek cost recovery under section 10.1 (Failure to Meet Start Date for Operations Phase) of the MMIS
29 contract dated October 18, 2005 and approved by governor and council on December 17, 2005.

30 144:24 Department of Administrative Services; Manager of Risks and Benefits; Position
31 Established.

32 I. There is established within the department of administrative services the unclassified
33 position of manager of risks and benefits. The manager of risks and benefits shall be qualified to
34 hold that position by reason of education and experience, shall be nominated by the commissioner of
35 administrative services for appointment by the governor, with the consent of the executive council,
36 and shall serve for a term of 4 years. The manager of risks and benefits shall supervise the

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1 department of administrative services' risk management unit and shall perform such duties as the
2 commissioner from time to time may authorize.

3 II. The salary of the manager of risks and benefits shall be determined after assessment and
4 review of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which
5 shall be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and
6 appointment of the manager of risks and benefits, position 41835 shall be abolished to allow for the
7 transition of this classified position with its available appropriations into the unclassified position of
8 manager of risks and benefits. Funding shall be transferred into a new expenditure class 011, within
9 accounting unit 01-14-14-143510-2901. The incumbent in the abolished classified position shall be
10 offered the opportunity to seek the commissioner's nomination for the unclassified position of
11 manager of risks and benefits.

12 144:25 Department of Administrative Services; Risk Management. Amend the introductory
13 paragraph of RSA 21-I:7-c to read as follows:

14 21-I:7-c Risk Management. There is established within the office of the commissioner of
15 administrative services a risk management unit, [~~which shall be under the supervision of such staff~~
16 ~~as may be employed by the commissioner of administrative services~~] ***under the supervision of an***
17 ***unclassified manager of risks and benefits, who shall be qualified to hold that position by***
18 ***reason of education and experience and who shall perform such duties as the***
19 ***commissioner from time to time may authorize.*** The risk management unit shall be responsible
20 for the following functions, in accordance with applicable laws:

21 144:26 Department of Administrative Services; Manager of Risks and Benefits; Nomination by
22 Commissioner. Amend RSA 21-I:2, II, to read as follows:

23 II. The commissioner shall nominate for appointment by the governor, with the consent of
24 the council, each division director, the assistant commissioner, the deputy commissioner, the internal
25 auditor, the financial data manager, ***the manager of risks and benefits***, and the senior
26 operational analyst. The division directors, the assistant commissioner, the deputy commissioner,
27 the internal auditor, the financial data manager, ***the manager of risks and benefits***, and the
28 senior operational analyst shall each serve for a term of 4 years.

29 144:27 Applicability. RSA 21-I:7-c and RSA 21-I:2, II as amended by sections 25 and 26 of this
30 act shall take effect upon the abolition of position 41835, the transfer of funding and appropriations
31 to the unclassified position, and the initial appointment of the manager of risks and benefits, as
32 certified by the commissioner of administrative services to the director of legislative services.

33 144:28 Department of Administrative Services; Consolidation of Human Resources and Payroll
34 Functions.

35 I. Notwithstanding any law or administrative rule to the contrary, the commissioner of
36 administrative services, with the prior approval of the fiscal committee of the general court and the

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1 governor and council, is authorized to make such transfers of appropriation items and changes in
2 allocations of funds available for operational purposes to the department of administrative services,
3 from any other agency, as may be necessary or desirable to effectuate the efficient consolidation of
4 human resource and payroll functions within state government.

5 II. The commissioner of administrative services is authorized to establish the number and
6 classification of personnel required for human resource and payroll management in state government
7 and, with the prior approval of the governor and council, is authorized to eliminate unnecessary
8 positions and to transfer to the department of administrative services any position in another agency
9 identified by the commissioner of administrative services as necessary to effectuate the efficient
10 consolidation of human resource and payroll functions within state government. Such transfers shall
11 include the transfer of all associated books, papers, records, personnel files, and equipment,
12 including but not limited to work station and information technology equipment, and shall include
13 the transfer of any unexpended appropriations for any of the foregoing, as well as any unexpended
14 appropriations for salary/payroll, benefits, support costs, or any other costs associated with the
15 transferred personnel. All commissioners and department heads shall cooperate with the
16 commissioner of administrative services to accomplish the intent of this section.

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

23 IV. The consolidation of human resources and payroll functions shall achieve a savings in
24 the biennium ending June 30, 2015 of no less than \$1,428,000 in total funds and \$571,200 in general
25 funds.

26 V. For the biennium ending June 30, 2015, the department of state shall be exempt from the
27 provisions of this section as they relate to the execution of the constitutional duties of the office of the
28 secretary of state.

29 144:29 Department of Administrative Services; Consolidation of Business Processing Functions.

30 I. The commissioner of administrative services, with the prior approval of the fiscal
31 committee of the general court and the governor and council, is authorized to make such transfers of
32 appropriation items and changes in allocations of funds available for operational purposes to the
33 department of administrative services, from any other agency, as may be necessary or desirable to
34 effectuate the efficient consolidation of business processing functions within state government. Such
35 business processing functions shall include:

36 (a) Accounts receivable;

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1 (b) Accounts payable;

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

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

6 II. The commissioner of administrative services is authorized to issue a request for proposals
7 or purchases in accordance with RSA 21-I:22 and RSA 21-I:22-a for the services and assistance of a
8 qualified consultant to evaluate and identify opportunities for business processing consolidation in
9 state government and to make recommendations, including for a proposed implementation plan, for
10 consolidation of such functions.

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

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

27 V. For the biennium ending June 30, 2015, the department of state shall be exempt from the
28 provisions of this section as they relate to the execution of the constitutional duties of the office of the
29 secretary of state.

30 144:30 Continuation of Appropriation; Department of Administrative Services. Any unspent
31 balance remaining on the \$250,000 appropriation made by 2011, 224:86 to the department of
32 administrative services for the biennium ending June 30, 2013, for the purpose of selecting and
33 retaining an independent business processing consultant to evaluate and make recommendations
34 relative to the consolidation of business processing functions within state government, shall not
35 lapse until June 30, 2015. The department of administrative services may use this balance to fund
36 such projects, functions or activities as the commissioner of administrative services may direct

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

5 144:31 Department of Administrative Services; Transfer Among Accounts and Classes.
6 Notwithstanding any provision of law to the contrary, except RSA 9:17-c, and subject to the approval
7 of the fiscal committee of the general court and governor and council, for the biennium ending June
8 30, 2015, the commissioner of the department of administrative services is hereby authorized to
9 transfer funds within and among all accounting units and/or class codes within the department, with
10 the exception of class 60 transfers, and is further authorized to create new class codes within the
11 department into which funds may be transferred or placed, as the commissioner deems necessary
12 and appropriate to address present or projected budget deficits, or to respond to changes in federal
13 laws, regulations, or programs, and otherwise as necessary for the efficient management of the
14 department.

15 144:32 Cost Containment Plan for Retiree Health Care Program. The commissioner of the
16 department of administrative services shall develop a comprehensive and cohesive plan outlining
17 cost containment options and managed care techniques available through the underlying insurer and
18 other managed care vendors to generate additional savings for the state of New Hampshire retiree
19 health care program. The cost containment plan shall be developed no later than September 15,
20 2013 and the commissioner of the department of administrative services shall make a report to the
21 fiscal committee of the general court.

22 144:33 New Section; State Employees Group Insurance; Commission Established; Cost
23 Containment Options; Retiree Health Plan for New Employees. Amend RSA 21-I by inserting after
24 section 36-a the following new section:

25 21-I:36-b Commission Established; Cost Containment Options; Retiree Health Plan for
26 New Employees. There is established a commission to review retiree health care benefits for
27 employees hired after July 1, 2013 in light of the implementation of the Patient Protection and
28 Affordable Care Act and recommend a cohesive plan outlining cost effective health plan models
29 effective for such new employees.

30 I. The members of the commission shall be:

- 31 (a) The commissioner of administrative services, or designee.
32 (b) The president of the State Employees' Association of New Hampshire, or designee.
33 (c) The president of the New Hampshire Troopers Association, or designee.
34 (d) The president of the New England Police Benevolent Association, or designee.
35 (e) The president of Teamsters Local 633, or designee.
36 (f) Four members of the public, each of whom shall be a person who in the last 10 years

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1 was not a member of a labor union, appointed by the governor.

2 II. The commissioner of the department of administrative services shall be the chairperson
3 and shall call the first meeting as soon as practicable after the effective date of this section. Five
4 members shall constitute a quorum.

5 III. The commission shall report its findings and recommendations to the governor and the
6 fiscal committee of the general court by November 15, 2013.

7 144:34 Repeal. RSA 21-I:36-b, relative to the commission on cost containment options, is
8 repealed.

9 144:35 Impaired Driver Education Programs; Fees. Amend RSA 265-A:39, I to read as follows:

10 I. Except as provided in paragraph III, the commissioner of the department of health and
11 human services shall be responsible for approving the impaired driver education programs which
12 persons convicted under RSA 265-A:2 or RSA 265-A:3 shall attend in order to regain their driver's
13 licenses or driving privileges; but the commissioner of the department of health and human services
14 shall not approve any impaired driver education program unless such program is conducted without
15 cost to the state. [~~Notwithstanding RSA 6:12, any fees collected under subparagraph III(g) of this~~
16 ~~section shall be placed in a nonlapsing revolving account and shall be used by the commissioner for~~
17 ~~the purposes of this subdivision only.]~~

18 144:36 Department of Health and Human Services; Bureau of Drug and Alcohol Services;
19 Utilization of Funds. Amend RSA 265-A:41 to read as follows:

20 265-A:41 Utilization of Funds. All funds derived from the fees collected by the commissioner of
21 the department of health and human services under RSA 265-A:18, **RSA 265-A:39**, and RSA 265-
22 A:40 shall be [~~paid over to the state treasurer within 10 days of the subsequent month, or at an~~
23 ~~earlier date, for deposit into a separate account in the treasury known as the impaired driver~~
24 ~~education program (IDEP) and impaired driver care management program (IDCMP) account. These~~
25 ~~funds are appropriated as indicated in the operating budget as a source of funds for the department~~
26 ~~of health and human services' responsibilities under this subdivision. Any funds remaining in the~~
27 ~~account over the appropriation indicated in the operating budget shall lapse into the general fund at~~
28 ~~the end of each fiscal year] **deposited into the general fund.**~~

29 144:37 Repeal. The following are repealed:

30 I. RSA 6:12, I(b)(147), relative to the impaired driver education program (IDEP) and
31 impaired driver care management program (IDCMP) account.

32 II. RSA 6:12, I(b)(175), relative to the alcoholism and alcohol abuse account.

33 144:38 Probate Courts and Decedents' Estates; Priority of Claims. Amend RSA 554:19, I(d) to
34 read as follows:

35 (d) Claims made for financial and/or medical assistance provided to the deceased by the
36 department of health and human services, [~~as well as under certain circumstances, changes] **debts**~~

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1 *collected by the state pursuant to RSA 126-A:34, and charges* pursuant to RSA 166:19. *The*
2 *department of health and human services may distribute claims made in the following*
3 *order: first, that assistance funded entirely by moneys from the general fund; and second,*
4 *that assistance funded by a combination of state and federal funds.*

5 144:39 Department of Health and Human Services; Office of Reimbursements; Duties. Amend
6 RSA 126-A:34, I(b) to read as follows:

7 (b) Investigate the ability of patients, residents, or clients of such institutions and of the
8 persons receiving care, treatment, ~~or~~ maintenance, **or services** either in public or private
9 institutions or otherwise at the direction of the commissioner and those legally chargeable for their
10 support and maintenance to pay for such care, treatment, ~~and~~ maintenance, **and/or services** and
11 recommend to the commissioner the charge to be rendered.

12 144:40 Department of Health and Human Services; Office of Reimbursements; Financial
13 Statements. Amend RSA 126-A:38 to read as follows:

14 126-A:38 Financial Statements.

15 I.(a) Within 60 days after admittance, except as provided in paragraph II, and annually
16 thereafter if requested by the commissioner, a financial statement shall be filed under penalty of
17 perjury by a person legally chargeable for expenses pursuant to RSA 126-A:36 on forms provided for
18 this purpose by the office of reimbursements.

19 (b) *The commissioner is hereby authorized to request and receive from any and*
20 *all former or current employers, including, but not limited to, personal information with*
21 *respect to dates of employment, number of hours worked, rate of pay, date of birth,*
22 *available health insurance, current address, payroll deductions, and social security*
23 *number of any person with respect to whom the department is investigating the ability to*
24 *pay; provided, however, the commissioner shall limit the request to the minimum*
25 *information necessary for the review of the individual's ability to pay. The employer shall*
26 *furnish the information within 15 days of the department's request unless the time period*
27 *is extended for good cause shown. If the request for the information is burdensome to the*
28 *employer, it shall give written notice to the commissioner within the 15-day period, and the*
29 *commissioner shall review the request of the employer and modify the request if reasonably*
30 *possible to alleviate the burden on the employer.*

31 (c) *The department or employer who discloses financial or employment records*
32 *under this section shall not be subject to civil liability or criminal prosecution which is*
33 *based upon its disclosure under this section, or for any other action taken in good faith to*
34 *comply with the requirements of this section.*

35 (d) *Any records established or information collected pursuant to the provisions*
36 *of this section shall be made available only to the commissioner and the attorney general*

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1 *and their authorized designees, attorneys employed by the department of health and*
2 *human services, and the client or the client's authorized representative. Such records and*
3 *information shall be available and used only for purposes directly connected with the*
4 *investigation of a person's ability to pay under this chapter. The records and information*
5 *made available to the client or the client's authorized representative shall not include*
6 *information provided to the department that is prohibited from release by federal law,*
7 *state statute, state case law, or by contract or agreement between the department and*
8 *another entity if such contract or agreement prohibits release of such information.*

9 II. Persons admitted to the multiple DWI offender intervention program (M.O.P.) *prior to*
10 *January 1, 2013* who do not pay program fees in full at the time of admission shall file a financial
11 statement under penalty of perjury on forms provided for this purpose by the office of
12 reimbursements and shall enter a payment contract for balance of fees due. The office of
13 reimbursements shall be entitled to recover reasonable attorneys' fees and costs of collection for
14 program fees not paid in accordance with a payment contract.

15 III. Persons admitted to the multiple DWI offender intervention program (M.O.P.) *prior to*
16 *January 1, 2013* shall notify the office of reimbursements of each change of mail address and actual
17 street 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.

21 144:41 Department of Health and Human Services; Office of Reimbursements; Recovery of
22 Expenses. Amend RSA 359-C:11, IV to read as follows:

23 IV. Subject to the limitations of RSA 359-C:6, the examination by or disclosure to the
24 commissioner of the department of health and human services of the financial records of a person
25 upon a request by the commissioner *pursuant to RSA 126-A:38, I(b) for the purpose of*
26 *reviewing a person's ability to pay for care, treatment, maintenance, and services provided*
27 *by institutions;* pursuant to RSA 161-C:3-a, I for the purpose of establishing, modifying, or
28 enforcing an obligation to pay child support against such person; or pursuant to RSA 167:4-a for
29 purposes directly connected with the determination and verification of eligibility for medical
30 assistance for applicants and recipients whose eligibility for medical assistance is based upon the
31 applicant's or recipient's age, blindness, or disability.

32 144:42 New Subparagraph; Department of Health and Human Services; Office of
33 Reimbursements; Recovery of Expenses. Amend RSA 126-A:42, II by inserting after subparagraph
34 (e) the following new subparagraph:

35 (f) If an agreement was made under RSA 126-A:43, III, recovery shall be limited to any
36 payment obligation resulting from such agreement.

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1 144:43 Department of Health and Human Services; Office of Reimbursements Regular Rate.
2 Amend RSA 126-A:43, III to read as follows:

3 III. *The commissioner may compromise or reduce any debt or obligation owed to the*
4 *state pursuant to an agreement with a group health plan carrier, as defined in RSA 420-*
5 *G:2, or any health insurer as defined in 607(1) of the Employee Retirement Income Security*
6 *Act of 1974 (ERISA), 29 U.S.C. section 1167(1), federal and or state funded assistance, or*
7 *any other legally liable third party or persons chargeable for support.*

8 IV. The office of reimbursements shall, upon request, furnish to each estate from which, or
9 to each person chargeable from whom, a recovery of expenses is sought pursuant to RSA 126-A:42, a
10 record of the accumulated charges against said estate or said person.

11 144:44 Department of Health and Human Services; Office of Reimbursements; Administrators;
12 Bond. Amend RSA 553:13, II to read as follows:

13 II. Notwithstanding the provisions of paragraph I, when the estate has a gross value of
14 \$25,000 or less, only a personal bond without sureties will be required. *In addition, in cases in*
15 *which the department of health and human services is administering an estate pursuant to*
16 *RSA 126-A:34, I(e), no bond shall be required.*

17 144:45 Department of Health and Human Services, Division of Community-Based Care
18 Services, Bureau of Behavioral Health; Mental Health Low Utilizers and Prior Authorization. For
19 the biennium ending June 30, 2015, the department of health and human services shall maintain a
20 limit on benefits of \$4,000 per person per year for adults with low service utilization of community
21 mental health services, as identified in He-M 401.07; provided, that the department shall also
22 establish, by rule under RSA 541-A, a procedure for such persons or community health providers to
23 request a waiver of the \$4,000 limit based on legitimate treatment considerations. Upon request by
24 the commissioner of the department of health and human services, the fiscal committee of the
25 general court may authorize a higher per person per year limit.

26 144:46 Department of Health and Human Services; Division for Children, Youth, and Families.

27 I. Notwithstanding any provision of law or administrative rule to the contrary, for the
28 biennium ending June 30, 2015, the rates for all services, placements, and programs that are paid
29 for by the department of health and human services pursuant to RSA 169-B:40, 169-C:27, and 169-
30 D:29, with the exception of rates for contracted services that are approved by the governor and
31 council and rates for out-of-state placements, shall be no greater than the rates in effect for the
32 particular service, placement, or program as of June 30, 2013.

33 II. Notwithstanding paragraph I, upon the department's implementation of managed care,
34 the rate of reimbursement for services and programs for a Medicaid eligible child shall be the rate
35 agreed to by the provider and the managed care organization. The total rate of reimbursement for
36 residential placement (board and care) for a Medicaid eligible child shall consist of the "room and

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1 board rate” and the “educational rate” as established by the department on July 1, 2013, and the
2 treatment or the private non-medical institution rate as agreed to by the provider and the managed
3 care organization.

4 144:47 Uncompensated Care Fund. Amend RSA 167:64, I(a) and (b) to read as follows:

5 (a)(I) The commissioner may provide reimbursement for uncompensated care costs in
6 accordance with the approved schedule of payments through either Medicaid rate adjustments or
7 disproportionate share hospital payment adjustments, or a combination thereof, **provided however**
8 **that no hospital shall receive any such reimbursement for uncompensated care costs unless**
9 **it is a qualified hospital as defined in subparagraph (b)(1)**. Funds available under this
10 section shall also be used to make medical provider payments and to support the state’s Medicaid
11 enhancement tax unrestricted revenue account, in amounts directed by the budget in each year of
12 the biennium. Expenditure of revenues deposited to the uncompensated care fund shall be made **for**
13 **the following purposes** in the following order of priority:

14 ~~[(1)]~~ (A) To support medical provider payments as budgeted in each year of the
15 biennium;

16 ~~[(2)]~~ ~~To ensure that critical access hospitals receive reimbursement for reported~~
17 ~~uncompensated care costs at the rate of 100 percent of the individual hospital limit or at the highest~~
18 ~~uniform percentage that available funding would permit should funds be inadequate to cover 100~~
19 ~~percent of the hospital limit for disproportionate share payments as determined by the commissioner~~
20 ~~consistent with the provisions of 42 U.S.C. section 1396r-4(g) and any relevant federal regulations~~
21 ~~promulgated thereunder;~~

22 ~~[(3)]~~ (B) To support the state’s Medicaid enhancement tax unrestricted revenue
23 account as budgeted in each year of the biennium; ~~[and]~~

24 (C) **To make disproportionate share hospital payments to support up to**
25 **75 percent of the uncompensated care costs of New Hampshire’s hospitals with critical**
26 **access designation as available funding allows, to be shared among such hospitals in**
27 **proportion to the amount of uncompensated care provided;**

28 (D) **To make a disproportionate share hospital payment to each hospital**
29 **that meets the criteria set forth for “deemed disproportionate share hospitals” as that term**
30 **is defined under 42 U.S.C. section 1396r-4 in an amount as budgeted in each year of the**
31 **biennium;**

32 ~~[(4)]~~ ~~If authorized, to reimburse non-critical access hospitals at the highest uniform~~
33 ~~percentage of each hospital’s disproportionate share hospital payment limit as the funds made~~
34 ~~available under this section permit and are]~~

35 (E) **To support the uncompensated care costs of New Hampshire’s**
36 **hospitals without critical access designation in proportion to the amount of**

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1 *uncompensated care provided by each hospital* consistent with the requirements of 42 U.S.C.
2 section 1396r-4(g) and any relevant federal regulations promulgated thereunder[-]; *and*

3 *(F) Any remaining funds produced from the Medicaid enhancement tax*
4 *shall be used to reduce hospital losses associated with providing services to Medicaid*
5 *recipients through an increase in provider reimbursement rates.*

6 *(2) Should funds be inadequate to make a disproportionate share hospital*
7 *payment to hospitals within either of the groups identified in subparagraph (1)(C) or*
8 *(1)(E), an amount of \$1,000,000 shall be designated to make payments in accordance with*
9 *42 U.S.C. section 1396r-4(b) and distributed as follows:*

10 *(A) Equally to each group of hospitals should both groups be impacted,*
11 *and distributed among each of the hospitals within each group in proportion to the*
12 *amount of uncompensated care provided; or*

13 *(B) If only hospitals in subparagraph (1)(E) are impacted, distributed to*
14 *those hospitals in proportion to the amount of uncompensated care provided.*

15 (b)(1) The commissioner is hereby authorized and directed to develop and implement[-in
16 connection with the payment by the state to hospitals for reimbursement of uncompensated care
17 costs,] a schedule of payments for reimbursement of the uncompensated care costs [of those hospitals
18 that are subject to the tax liability imposed under RSA 84-A and that participate in] *consistent*
19 *with the level of funding made available for such payments in each year of the biennium,*
20 *incurred by those hospitals that are qualified as follows:*

21 *(A) The hospital is a “deemed disproportionate share hospital” as*
22 *defined by criteria set forth under 42 U.S.C. section 1396r-4 and is not otherwise receiving a*
23 *disproportionate share hospital payment, or*

24 *(B) The hospital participates in the provider network of the state*
25 *Medicaid Care Management program which shall be evidenced by written proof of an*
26 *agreement in principle by July 1, 2013 with a final agreement by August 1, 2013.*

27 *(2) The reimbursement of uncompensated care costs paid in state fiscal year [2012]*
28 *2014 and state fiscal year [2013] 2015 shall be in accordance with the schedule of payments to*
29 *hospitals that takes effect on or after July 1, [2011] 2013, subject to the prior review and approval of*
30 *the federal Centers for Medicare and Medicaid Services, and shall be structured in a manner that is*
31 *consistent with all federal laws and regulations governing (i) Title XIX disproportionate share*
32 *hospital payment adjustments and other rate payments, (ii) conditions for receiving federal financial*
33 *participation, and (iii) permissible sources of state financial participation as provided for under 42*
34 *C.F.R. part 433 and all other applicable federal regulations.*

35 144:48 Health and Human Services; Uncompensated Care Fund Payments; Fiscal Year 2015.
36 For the fiscal year ending June 30, 2015 only, after the disproportionate share payments are made

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1 pursuant to RSA 167:64, I(a)(1)(C) as amended by this act, any remaining uncompensated care funds
2 shall be used to make payments for “deemed disproportionate share hospitals” under RSA 167:64,
3 I(a)(1)(D).

4 144:49 Repeal. RSA 167:65, II, relative to reporting methodology of payment to the oversight
5 committee on health and human services, is repealed.

6 144:50 Department of Health and Human Services; Bureau of Adult and Elderly Services;
7 Congregate Housing and Services. Congregate housing provided for under the Medicaid waiver
8 pursuant to RSA 151-E and congregated services provided for in RSA 161-F:37 are suspended for the
9 biennium ending June 30, 2015.

10 144:51 Repeal. 1988, 197:12 as amended by 1990, 201:16, relative to certification of shelter
11 care/detention beds, is repealed.

12 144:52 Residential Care and Health Facility Licensing; Licenses. Amend RSA 151:5 to read as
13 follows:

14 151:5 Licenses. Licenses issued hereunder shall expire one year after the date of issuance.
15 Licenses shall be issued only for the premises and persons named in the application, and shall not be
16 transferable or assignable; *provided that home health care providers, personal care*
17 *providers, home health hospice providers, and case management agencies shall not be*
18 *required to apply for and receive a new license if they change the physical location of their*
19 *office within the one year licensing period.* Licenses shall be posted in a conspicuous place on
20 the licensed premises. Fees for an annual license shall be as follows:

21 I. Hospitals; \$25 per licensed bed.

22 II. Specialty hospital-psychiatric; \$25 per licensed bed.

23 III. Specialty hospital-rehabilitation; \$25 per licensed bed.

24 IV. Nursing homes; \$25 per licensed bed.

25 V. Acute psychiatric residential treatment programs; \$25 per licensed bed.

26 VI. Residential treatment and rehabilitation facilities; \$25 per licensed bed.

27 VII. Hospice houses; \$25 per licensed bed.

28 VIII. Adult family care homes; \$25 per licensed bed.

29 IX. Residential and supported residential care; \$15 per licensed bed.

30 X. Home health hospice providers; \$250.

31 XI. Home health care providers; \$250.

32 XII. Personal care providers:

33 (a) ~~Less~~ **Fewer** than 10 clients; ~~[\$100]~~ **\$25**.

34 (b) Ten (10) or more clients; \$250.

35 XIII. Outpatient clinics; \$500.

36 XIV. End stage renal dialysis centers; \$500.

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- 1 XV. Ambulatory surgical centers; \$500.
- 2 XVI. Educational health centers; \$500.
- 3 XVII. Freestanding emergency rooms; \$500.
- 4 XVIII. Health promotion clinics; \$500.
- 5 XIX. Collecting stations; \$250.
- 6 XX. Adult day care centers; \$200.
- 7 XXI. Birthing centers; \$150.
- 8 XXII. Case management agencies; \$150.
- 9 XXIII. Laboratories; \$150 per year for each category of testing licensed.

10 144:53 New Section; Medicaid Enhancement Tax Study Commission. Amend RSA 84-A by
11 inserting after section 12 the following new section:

12 84-A:13 Medicaid Enhancement Tax Study Commission.

13 I. There is hereby established a commission to study the New Hampshire Medicaid
14 enhancement tax. The members of the commission shall be as follows:

15 (a) Three members of the house of representatives, one of whom shall be a member of
16 the house finance committee and one of whom shall be a member of the house ways and means
17 committee, appointed by the speaker of the house of representatives.

18 (b) Three members of the senate, one of whom shall be a member of the senate finance
19 committee and one of whom shall be a member of the senate ways and means committee, appointed
20 by the senate president.

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

22 (d) The commissioner of the department of revenue administration, or designee.

23 (e) A representative of a licensed acute care hospital which has been designated as a
24 critical access hospital, appointed by the governor.

25 (f) A representative of a licensed acute care hospital which has not been designated as a
26 critical access hospital, appointed by the governor.

27 (g) A representative of a licensed acute care hospital which has been designated as a
28 specialty hospital, appointed by the governor

29 II. The commission shall solicit advice and testimony from the department of health and
30 human services, the department of revenue administration, and New Hampshire hospitals which are
31 subject to the Medicaid enhancement tax.

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

34 IV. The commission shall study the following issues:

35 (a) Reviewing the current state and federal law relative to provider assessments and
36 determining whether state law should be amended to ensure compliance with federal law on

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1 provider assessments.

2 (b) Evaluating state provider assessment programs in other states to obtain knowledge
3 of various approaches utilized in other states.

4 (c) Increasing the predictability of future annual Medicaid enhancement tax revenues,
5 taking into consideration the Medicaid enhancement tax revenue trends of recent years.

6 (d) Simplifying the Medicaid enhancement tax liability calculation.

7 (e) Obtaining input on how the Medicaid enhancement tax statute should be amended to
8 ensure accurate and consistent application of state and federal requirements.

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

13 VI. The commission shall report its findings and any recommendations for proposed
14 legislation to the speaker of the house of representatives, the president of the senate, the house
15 clerk, the senate clerk, the governor, and the state library on or before November 1, 2013.

16 144:54 Repeal. RSA 84-A:13, relative to the Medicaid enhancement tax study commission, is
17 repealed.

18 144:55 Department of Corrections; Authority to Fill Unfunded Positions. Notwithstanding any
19 provision of law to the contrary, the commissioner of corrections may fill unfunded positions during
20 the biennium ending June 30, 2015, provided that the total expenditure for such positions shall not
21 exceed the amount appropriated for personal services, permanent, and personal services,
22 unclassified.

23 144:56 Department of Corrections; Transfers. Notwithstanding any provision of law to the
24 contrary, and subject to approval of the fiscal committee of the general court and governor and
25 council, for the biennium ending June 30, 2015, the commissioner of the department of corrections is
26 authorized to transfer funds within and among all accounting units within the department and to
27 create accounting units and expenditure classes as required and as the commissioner deems
28 necessary and appropriate to address present or projected budget deficits, or to respond to changes in
29 federal law, regulations, or programs, and otherwise as necessary for the efficient management of
30 the department.

31 144:57 Child Protection Act; Liability of Expenses. Amend RSA 169-C:27, I(f) to read as follows:

32 (f) ~~Neither~~ **Notwithstanding any provision of law to the contrary**, the department
33 ~~nor the judicial council~~ shall have ~~authority~~ **no responsibility** for the payment of the cost of
34 assigned counsel for any party under this chapter.

35 144:58 Adequate Representation Costs. Amend RSA 604-A:1-a to read as follows:

36 604-A:1-a Neglected or Abused Children. In cases involving a neglected or abused child, when a

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1 guardian ad litem is appointed for the child as provided in RSA 169-C:10, the cost of such
2 appointment shall be paid from funds appropriated for indigent defense pursuant to this chapter. ***In***
3 ***cases involving a neglected or abused child, when an attorney is appointed to represent a***
4 ***parent determined to be indigent pursuant to RSA 169-C:10, II, at the preliminary hearing***
5 ***or a hearing pursuant to RSA 169-C:6-a, III, whichever occurs earlier, the cost of such***
6 ***appointment shall be paid from funds appropriated for indigent defense pursuant to this***
7 ***chapter.***

8 144:59 Child Protection Act; Preliminary Hearing. Amend RSA 169-C:15, III(a) to read as
9 follows:

10 (a) Appoint a CASA or other approved program guardian ad litem or an attorney [~~or~~
11 ~~other qualified guardian ad litem~~] to represent the child pursuant to RSA 169-C:10.

12 144:60 Child Protection Act; Appointment of Counsel. Amend RSA 169-C:10, II(a) to read as
13 follows:

14 (a) In cases involving a neglected or abused child under this chapter, where the child's
15 expressed interests conflict with the recommendation for dispositional orders of the guardian ad
16 litem, the court may appoint an attorney to represent the interests of the child. ***In any case of***
17 ***neglect or abuse brought pursuant to this chapter, the court shall appoint an attorney to***
18 ***represent an indigent parent alleged to have neglected or abused his or her child. In***
19 ***addition, the court may appoint an attorney to represent an indigent parent not alleged to***
20 ***have neglected or abused his or her child if the parent is a household member and such***
21 ***independent legal representation is necessary to protect the parent's interest. The court***
22 ***shall not appoint an attorney to represent any other persons involved in a case brought***
23 ***under this chapter.***

24 144:61 School Money; Distribution Schedule of Adequate Education Grants. RSA 198:42, IV is
25 repealed and reenacted to read as follows:

26 IV. For chartered public schools approved by the state board of education, the department of
27 education may expend budgeted amounts to fund chartered public school tuition payments under
28 RSA 194-B:11, I. Said amounts are hereby appropriated to the department from the education trust
29 fund established under RSA 198:39. The education trust fund shall be used to satisfy the state's
30 obligation under this paragraph. The payment shall be issued regardless of the balance of funds
31 available in the education trust fund. The department of education may request additional funds
32 from the fiscal committee of the general court, with the approval of governor and council, for a new
33 chartered public school approved for initial operation by the state board of education pursuant to
34 RSA 194-B:3-a.

35 144:62 Chartered Public School Approval by State Board of Education. Amend RSA 194-B:3-a,
36 IV to read as follows:

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1 IV. The state board of education shall either approve or deny an application using
2 reasonable discretion in the assessment of the elements set forth in RSA 194-B:3, II, (a)-(bb) and
3 (dd). ***Lack of state funding alone shall not constitute grounds for the denial of an***
4 ***application.*** Approval of an application constitutes the granting of charter status and the right to
5 operate as a ~~public~~ chartered public school. The state board of education shall notify all applicants
6 of its decision in writing, and shall include in any notice of denial a written statement specifying any
7 areas deemed deficient, the reasons for the denial, and explaining that the applicant may reapply
8 under RSA 194-B:3 or under this section in a subsequent year.

9 144:63 Chartered Public School; Funding. Amend RSA 194-B:11, I(b) to read as follows:

10 (b)(1) ***Except as provided in subparagraph (2),*** for ~~any~~ a chartered public school
11 authorized by the state board of education pursuant to RSA 194-B:3-a, the state shall pay tuition
12 pursuant to RSA 198:40-a plus an additional grant of \$2,000 directly to the chartered public school
13 for each pupil who is a resident of this state in attendance at such chartered public school.

14 (2) ***For an online chartered public school which receives its initial***
15 ***authorization to operate from the state board of education pursuant to RSA 194-B:3-a on or***
16 ***after July 1, 2013, the state shall pay tuition pursuant to RSA 198:40-a directly to the online***
17 ***chartered public school for each pupil who is a resident of this state in attendance at such***
18 ***chartered public school. In this subparagraph, “online chartered public school” means a***
19 ***chartered public school which provides the majority of its classes and instruction on the***
20 ***Internet.***

21 144:64 Chartered Public Schools; Reporting Requirements. Amend RSA 194-B:10, III to read as
22 follows:

23 III. To ensure compliance with its application and contract and applicable law, a chartered
24 public school shall be subject to a first year ~~[and periodic subsequent]~~ program ~~[audits]~~ ***audit*** by the
25 department of education or its agent, ***and shall be subject to a program audit by the***
26 ***department of education at least once every 3 years thereafter.***

27 144:65 Community College System; Retiree Health Care Payments; Task Force.

28 I. The community college system of New Hampshire shall remit to the state the sum of
29 \$957,295 for the fiscal year ending June 30, 2014 and the sum of \$1,048,862 for the fiscal year
30 ending June 30, 2015 for retiree health care benefits.

31 II. The commissioner of the department of administrative services and the chancellor of the
32 community college system of New Hampshire shall jointly establish a task force consisting of
33 representatives from each entity to evaluate and make recommendations for future cost allocation of
34 retiree health care benefits for community college system employees and retirees. The task force
35 shall submit its recommendations to the governor, the senate president, the speaker of the house of
36 representatives, and the chairpersons of the senate and house finance committees by December 1,

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1 2013.

2 144:66 Repeal. 2011, 224:221, relative to fines paid by mail, is repealed.

3 144:67 Police Standards and Training Council Training Fund. Amend RSA 188-F:30 to read as
4 follows:

5 188-F:30 Police Standards and Training Council Training Fund. There is established in the
6 state treasury a separate ***nonlapsing*** fund to be known as the police standards and training council
7 training fund from which the state treasurer shall pay expenses incurred in the administration of
8 this subdivision. ***In case the expenditure of additional funds in excess of appropriated***
9 ***amounts is necessary to meet the statutory obligations of the police standards and training***
10 ***council for the training of police and corrections officers on a timely basis because of***
11 ***unanticipated circumstances beyond the control of the police standards and training***
12 ***council, the governor and council, with approval of the fiscal committee of the general***
13 ***court, upon request of the police standards and training council, may authorize the***
14 ***transfer of unappropriated amounts from the police standards and training council***
15 ***training fund for such purposes.***

16 144:68 Repeal. RSA 188-F:32-b, relative to transfers of unappropriated funds, is repealed.

17 144:69 Fire Standards and Training and Emergency Medical Services Fund. Amend RSA 21-
18 P:12-d to read as follows:

19 21-P:12-d Fire Standards and Training and Emergency Medical Services Fund. There is
20 established in the office of the state treasurer a separate, nonlapsing fund to be known as the fire
21 standards and training and emergency medical services fund from which the state treasurer shall
22 pay expenses incurred in the administration of the division of fire standards and training and
23 emergency medical services, under RSA 21-P:12-a, the division of fire safety, under RSA 21-P:12, the
24 division of homeland security and emergency management, and the position of fireworks inspector,
25 under RSA 160-C:17. ***If the expenditure of additional funds over budget estimates was***
26 ***unanticipated and is necessary for the proper functioning of the division of fire standards***
27 ***and training and emergency medical services, the division of fire safety, or the division of***
28 ***homeland security and emergency management, the commissioner of the department of***
29 ***safety may transfer funds, with the prior approval of the fiscal committee of the general***
30 ***court, from this fund to the department of safety for such purposes.***

31 144:70 Tax on Meals and Rooms; Disposition of Revenue. RSA 78-A:26, I is repealed and
32 reenacted to read as follows:

33 I. Beginning on July 1, 1995, and for each fiscal year thereafter, the department shall pay
34 over all revenue, except revenues identified in paragraph III of this section, collected under this
35 chapter to the state treasurer. On or before October 1 of each year, the department shall determine
36 the cost of administration of this chapter for the fiscal year ending on the preceding June 30, and it

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1 shall notify the state treasurer of these costs by a report certified by them as to correctness. After
2 deducting the cost of administration of the chapter from the total income, the state treasurer shall
3 distribute the net income as follows:

4 (a) The amount necessary to provide payments of principal and interest on the bonds
5 and notes authorized under RSA 198:15-a, II for the fiscal years ending June 30, 2009 through
6 June 30, 2030;

7 (b) An amount equal to 3.15 percent of the net income distributed under the introductory
8 paragraph of paragraph I and subparagraph I(a) in the first year of the preceding fiscal biennium,
9 which shall be credited to the department of resources and development, division of travel and
10 tourism development;

11 (c) Forty percent of the net income under the introductory paragraph of paragraph I of
12 the most recent fiscal year to the unincorporated towns, unorganized places, towns, and cities. The
13 amount to be distributed to each such town, place, or city shall be determined by multiplying the
14 amount to be distributed by a fraction, the numerator of which shall be the population of the
15 unincorporated town, unorganized place, town or city and the denominator of which shall be the
16 population of the state. The population figures shall be based on the latest resident population
17 figures furnished by the office of energy and planning; and

18 (d) The remainder to the general fund.

19 144:71 Reference Change. Amend RSA 6:12, I(b)(21) to read as follows:

20 (21) The money received under RSA 78-A:26, ~~I(a)~~ **I(b)** and RSA 230:52, II, which
21 shall be credited to the division of travel and tourism development, department of resources and
22 economic development.

23 144:72 Fish and Game Department; Publications, Specialty Items and Fund Raising Revolving
24 Fund. Amend RSA 206:22-a, III to read as follows:

25 III. The amount in the publications, specialty items and fund raising revolving fund shall
26 not exceed [~~\$200,000~~] **\$100,000** and any amounts in excess of [~~\$200,000~~] **\$100,000** shall be deposited
27 in the fish and game fund. Any moneys in the fund not in excess of [~~\$200,000~~] **\$100,000** shall not
28 lapse.

29 144:73 Fish and Game Department; Utilization of Funds to Support Staff Costs.
30 Notwithstanding any other provision of law, for the biennium ending June 30, 2015, the executive
31 director of the fish and game department, with the approval of the fish and game commission, may
32 utilize funds in the wildlife habitat account established in RSA 214:1-f and fisheries habitat account
33 established in RSA 214:1-g for the wages, salaries, benefits, and other expenses of the department
34 employees.

35 144:74 Fish and Game Department; Utilization of Funds to Support Staff Costs.
36 Notwithstanding any other provision of law, for the biennium ending June 30, 2015, the executive

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1 director of the fish and game department may utilize funds in the statewide public boat access fund
2 established in RSA 233-A:13 for the wages, salaries, benefits, and other expenses of the department
3 employees.

4 144:75 New Section; Fish and Game Department; Divisions Within the Department. Amend
5 RSA 206 by inserting after section 1 the following new section:

6 206:1-a Divisions Within the Department. There are established the following divisions, as
7 defined in RSA 21-G:5, within the fish and game department:

8 I. The division of marine fisheries, under RSA 211:65.

9 II. The fisheries division.

10 III. The wildlife division.

11 IV. The business division.

12 V. The facilities and lands division.

13 VI. The law enforcement division.

14 VII. The public affairs division.

15 VIII. The office of the executive director.

16 144:76 Fish and Game Department; Fish Food Sales Revenue. Amend RSA 206:35-c to read as
17 follows:

18 206:35-c Fish Food Sales Revenues. The state treasurer shall establish a separate account to
19 which shall be credited all monies collected by the fish and game department from the sale of fish
20 food at hatchery vending machines. The ~~monies~~ **moneys** in said account shall be used for the
21 acquisition and maintenance of fish hatchery equipment **and/or emergency trout or salmon egg**
22 **purchase** and are hereby appropriated for said purposes. Said funds shall be nonlapsing and are to
23 be expended for the purposes of this section as determined by the executive director with the
24 approval of the commission.

25 144:77 Certificate of Need; Nursing Home Beds; Rehabilitation Beds; Moratorium Extended.
26 Amend RSA 151-C:4, III(a) to read as follows:

27 III.(a) No new certificate of need shall be granted by the board for any nursing home, skilled
28 nursing facility, intermediate care facility, or rehabilitation facility from the effective date of chapter
29 310, laws of 1995, department of health and human services reorganization act, through the period
30 ending June 30, ~~2014~~ **2016**. This moratorium shall also apply to new certificates of need regarding
31 any rehabilitation bed in any type of facility, including rehabilitation hospitals and facilities offering
32 comprehensive rehabilitation services. However, a certificate of need shall be issued for replacement
33 or renovation of existing beds as necessary to meet life safety code requirements or to remedy
34 deficiencies noted in a licensing inspection pursuant to RSA 151 or state survey and certification
35 process pursuant to titles XVIII and XIX of the Social Security Act. In addition, a certificate of need
36 may be issued for construction or renovation as necessary to repair or refurbish an existing facility,

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1 or to accommodate additional beds obtained by transfer to an existing facility. In the case of repair,
2 refurbishment, or transferred beds, the resulting costs in excess of the current capital expenditure
3 threshold as adjusted for inflation pursuant to RSA 151-C:5, II(f)(1) shall not be reflected in any
4 state Medicaid rate. Any application for a certificate of need under this subparagraph shall indicate
5 whether it is for a life safety code requirement or to remedy deficiencies noted in a licensing
6 inspection or whether it is for repair or refurbishment of an existing facility or for transferred beds.
7 If the application is approved, it shall be deemed that the board has agreed with the indicated reason
8 for such application.

9 144:78 Health Services Planning and Review Board. RSA 151-C:3 is repealed and reenacted to
10 read as follows:

11 151-C:3 Health Services Planning and Review Board.

12 I.(a) There is hereby established a health services planning and review board composed of
13 the following members:

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

15 (2) The insurance commissioner, or designee.

16 (3) Three persons, each from a different region of the state and qualified by reason of
17 education and experience, whose occupation is not in the delivery of health care services, who has no
18 fiduciary obligation or financial interest in any health care facility or health care insurer licensed or
19 regulated by this state, and who is not related in his or her immediate family to anyone who is
20 involved in the delivery of health care services or health insurance, appointed by governor and
21 council.

22 (b) The commissioner of the department of health and human services, or designee, and
23 the insurance commissioner, or designee, shall serve as the only permanent members of the board.
24 All other members of the board shall serve 3-year terms, provided that of the initial members, one
25 person appointed pursuant to subparagraph I(a)(3) shall serve for one year, one person appointed
26 pursuant to subparagraph I(a)(3) shall serve for 2 years, and one person appointed pursuant to
27 subparagraph I(a)(3) shall serve for 3 years. Members of the board shall not serve more than 2 full
28 consecutive terms.

29 II. The governor shall appoint a chairman of the board, who shall serve at the pleasure of
30 the governor, from among its members.

31 III. Members of the board shall be reimbursed for reasonable expenses incurred in carrying
32 out their duties under this chapter.

33 IV. The board shall be administratively attached, pursuant to RSA 21-G:10, to the
34 department of health and human services and shall exercise its powers, duties, functions, and
35 responsibilities independently of the department, except as specifically provided by law. The board
36 shall submit its budget requests and such reports required of it by law through the department of

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1 health and human services.

2 V. The commissioner of the department of health and human services shall provide staff as
3 the board directs. The board may also hire consultants and other staff; provided that such expenses
4 shall not exceed \$500,000 annually. The commissioner shall also provide space for the board and
5 staff and other assistance and materials as necessary.

6 144:79 Certificate of Need; Standard Development. Amend RSA 151-C:5, II(a) to read as
7 follows:

8 (a) The construction, development, expansion, or alteration of any acute care facility
9 requiring a capital expenditure of more than [~~\$1,750,512~~] **\$2,974,891**. The board shall, by rule,
10 adjust the capital expenditure threshold annually using an appropriate inflation index.

11 144:80 Certificate of Need; Standard Development. Amend RSA 151-C:5, II(d)-(f) to read as
12 follows:

13 (d)(1) The purchase, lease, **by either capital, operating or any other kind of lease,**
14 donation, transfer, or other [~~comparable~~] arrangement by or on behalf of a health care provider **to**
15 **obtain the use** of diagnostic or therapeutic equipment for which [~~the cost or, in the case of~~
16 ~~donation,~~] the value is in excess of \$400,000, including standards for one or more articles of
17 diagnostic or therapeutic equipment which are necessarily interdependent in the performance of
18 their ordinary functions as determined by the board.

19 (2) The board shall not develop standards for the purchase of **replacement**
20 equipment which is substantially similar to equipment owned by the provider within the preceding
21 12 months, provided the **replacement** equipment will **be used in the same facility as the**
22 **replaced equipment, will** not result in a substantial increase in **total annual** operating costs **to**
23 **the health care provider** above that of the [~~existing or~~] replaced equipment, **and the replaced**
24 **equipment will be removed from service by the health care provider or any of its affiliates.**
25 **Regardless of any other criteria for determining if equipment is substantially similar,**
26 **replacement equipment shall not be substantially similar if its value exceeds the original**
27 **value of the replaced equipment by more than 15 percent plus inflation since the**
28 **acquisition of the replaced equipment;**

29 (e) The increase or conversion of inpatient beds;

30 (f)(1) Except as provided in subparagraph (2) **and RSA 151-C:13, I(a)**, the construction,
31 development, expansion, renovation, or alteration of any nursing home, ambulatory surgical facility,
32 rehabilitation hospital, psychiatric hospital, specialty hospital, or other health care facility requiring
33 a capital expenditure of more than [~~\$1,173,000~~] **\$1,983,260**. The board shall, by rule, adjust the
34 capital expenditure threshold annually using an appropriate inflation index.

35 (2) The threshold amount for construction of ambulatory surgical centers within the
36 service area of a hospital with fewer than 70 general hospital beds licensed by the department of

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1 health and human services shall be [~~\$500,000~~] **\$845,374**, which threshold shall be adjusted annually
2 using an appropriate inflation index, unless there is an objection by such hospital, in which case the
3 application shall be subject to review regardless of value. The board shall determine by rule the
4 service areas of such hospitals.

5 144:81 New Paragraph; Certificate of Need; Standard Development. Amend RSA 151-C:7 by
6 inserting after paragraph IV the following new paragraph:

7 V. The utilization and the financial impact of increased utilization, the effect on the average
8 cost of a procedure, whether total health care costs of the state will be increased, not just whether
9 unit costs will be decreased, and health outcomes.

10 144:82 New Section; Additional Reports Required. Amend RSA 151-C by inserting after section
11 12 the following new section:

12 151-C:12-a Additional Reports Required.

13 I. In addition to the reports required under RSA 151-C:12, an applicant receiving a
14 certificate of need shall make periodic reports to the board relative to capital costs as compared to
15 approved amounts.

16 II. The department of health and human services shall make periodic reports to the board
17 relative to the operating costs of a particular project and the overall costs to the state using the all-
18 payer claims data base.

19 III. The board shall submit an annual report, beginning November 1, 2013, for the entire
20 state and for each hospital services area containing the following information to the speaker of the
21 house of representatives, the president of the senate, and the governor:

22 (a) Per-capita supply of health care resources, including, at least, acute care hospitals,
23 rehabilitation and post-acute beds, and licensed physicians; and

24 (b) Per-capita rates of utilization, spending, and relative prices for major categories of
25 care for at least commercial payers and the Medicare program.

26 144:83 Certificate of Need; Definitions. Amend RSA 151-C:2, VI to read as follows:

27 VI. "Capital expenditure" means an expenditure which, under generally accepted accounting
28 principles consistently applied, is not properly chargeable as an expense of operation or
29 maintenance, and includes acquisition by purchase, by transfer, or by **capital, operating or any**
30 **other type of** lease or comparable arrangement, or through donation, if the expenditure would have
31 been considered a capital expenditure if acquisition had been by purchase.

32 144:84 Repeal. RSA 151-C, relative to the certificate of need law, is repealed.

33 144:85 Exemption Added. Amend RSA 151-C:13, I(h) and (i) to read as follows:

34 (h) Notwithstanding any other provision of this chapter, a skilled nursing facility
35 distinct part unit established by Androscoggin Valley Hospital or Franklin Regional Hospital in
36 order to qualify as a critical access hospital under 42 U.S.C. section 1395i-4 and 42 CFR Part 485,

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1 Subpart F; provided, that the number of beds in the skilled nursing facility distinct part unit shall
2 not exceed the hospital's existing skilled nursing patient capacity. For purposes of this
3 subparagraph, the term "existing skilled nursing patient capacity" means with respect to each
4 month, the number of skilled nursing patient days for such month divided by the number of days in
5 such month, and shall be the highest such number from the 12-month period ending immediately
6 prior to the filing of the federal request for approval of the distinct part unit; provided, however, that
7 the number determined under this subparagraph shall not exceed 10 beds; ~~and~~

8 (i) Acute care centers established, operated, or designated by the department pursuant
9 to RSA 141-C:26; *and*

10 (j) *Federally qualified health centers as defined in section 330 of the Public*
11 *Health Service Act, 42 U.S.C. section 254b.*

12 144:86 Repeal. 2012, 282:17, II, relative to a prospective repeal of RSA 151-C, is repealed.

13 144:87 Certificate of Need; Issuance. Amend RSA 151-C:9, I to read as follows:

14 I. Upon completion of the review, the board, by majority vote of eligible board members,
15 shall render a decision on the applicant or applicants which filed in response to a request for
16 application. Any board member who has a personal or business conflict with any application shall
17 not vote on such application. The decision shall be in the form of an approval, denial, or an approval
18 with conditions. An approval of a certificate of need shall be in conformance with the standard used
19 as the basis for the request for application. ***The board shall not deny any application which***
20 ***satisfies the applicable standard developed under RSA 151-C:5 solely because the new***
21 ***institutional health service proposed by the applicant is likely to cause economic harm to***
22 ***an existing provider of health care services other than a hospital which qualifies as a***
23 ***critical access hospital under federal law. The board may deny an application based on***
24 ***finding a new institutional health service is likely to have a material adverse impact on***
25 ***quality of care or access to services.***

26 144:88 New Section; Certificate of Need; State Health Plan. Amend RSA 151-C by inserting
27 after section 4 the following new section:

28 151-C:4-a State Health Plan.

29 I. The board shall develop and issue a state health plan every 2 years. The state health plan
30 shall provide guidance relative to the certificate of need process under this chapter to support
31 priority goals. Specifically, the state health plan shall provide goals and key strategies for improving
32 the health of New Hampshire citizens that ensure:

33 (a) Quality of health care based on evidence-based practices to improve health outcomes.

34 (b) Access to necessary health care services.

35 (c) Efficient spending of limited health care resources to produce reasonable savings and
36 more affordable health care.

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1 II. The board shall submit an annual report beginning December 1, 2013 to the governor,
2 president of the senate, speaker of the house of representatives, commissioner of the department of
3 health and human services, commissioner of the insurance department, and commissioner of the
4 department of administrative services. The annual report shall assess progress toward meeting the
5 state health plan goals.

6 144:89 Applicability. The current health services planning and review board shall continue to
7 function until the new board established in section 78 of this act is in place.

8 144:90 Cannon Mountain. Amend RSA 2011, 224:350 to read as follows:

9 224:350 Department of Resources and Economic Development; Cannon Mountain. The
10 department of resources and economic development shall deposit \$650,000 in the fiscal year ending
11 June 30, 2012, and \$650,000 in the fiscal year ending June 30, 2013 in *net* revenue derived by the
12 department of resources and economic development from fees, services, accommodations, rentals, lift
13 and tramway operations, retail sales, and concession operations for Cannon Mountain into the [~~state
14 general fund which shall be applied to the negative balance contained in the~~] state park fund
15 established in RSA 216-A:3-i. The department of resources and economic development shall also
16 deposit \$50,000 in each fiscal year of the biennium ending June 30, 2013 into the fish and game
17 search and rescue fund established in RSA 206:42. ***For the fiscal year ending June 30, 2013, the
18 net revenue in excess of \$700,000 shall be credited to the Cannon Mountain capital
19 improvement fund established in RSA 12-A:29-c for use in paying debt service related to
20 capital improvements for the ski area and related state park facilities at Cannon
21 Mountain.***

22 144:91 Department of Resources and Economic Development; Cannon Mountain. For each year
23 of the biennium ending June 30, 2015, \$500,000 in net revenue derived by the department of
24 resources and economic development from fees, services, accommodations, rentals, revenue from lift
25 and tramway operations, retail sales, and concession operations for Cannon Mountain shall be
26 deposited in the state park fund established in RSA 216-A:3-i. Net revenue in excess of \$500,000
27 shall be credited to the Cannon Mountain capital improvement fund established in RSA 12-A:29-c for
28 use in paying debt service related to capital improvements for the ski area and related state park
29 facilities at Cannon Mountain.

30 144:92 Repeal. RSA 195-H:4, V, relative to allocation of administrative fees, is repealed.

31 144:93 Department of Employment Security; Deputy Commissioner. RSA 282-A:109 is repealed
32 and reenacted to read as follows:

33 282-A:109 Deputy Commissioner.

34 I. The commissioner of employment security shall nominate for appointment by the
35 governor, with the consent of council, a deputy commissioner of the department of employment
36 security, who shall serve for a term of 4 years and shall be qualified to hold that position by reason of

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1 education and experience. The deputy commissioner shall act as commissioner whenever the
2 commissioner of the department of employment security is incapacitated, absent, or unable to act for
3 any cause. The deputy commissioner shall also act as commissioner of the department of
4 employment security until a new commissioner is duly appointed whenever there is no
5 commissioner.

6 II. The salary of the deputy commissioner shall be specified in RSA 94:1-a, I.

7 144:94 Department of Employment Security Deputy Commissioner.

8 I. There is established within the department of employment security the unclassified
9 position of deputy commissioner. The deputy commissioner shall be qualified to hold that position by
10 reason of education and experience, and shall be nominated by the commissioner of employment
11 security for appointment by the governor, with the consent of the executive council, and shall serve
12 for a term of 4 years.

13 II. The salary of the deputy commissioner shall be determined after assessment and review
14 of the appropriate temporary letter grade allocation in RSA 94:1-a, I(b) for the position which shall
15 be conducted pursuant to RSA 94:1-d and RSA 14:14-c. Upon completion of this action and
16 appointment of the deputy commissioner, position 11303 shall be abolished to allow for the
17 transition of this classified position with its available appropriations into the unclassified position of
18 deputy commissioner. Funding shall be transferred into expenditure class 011, within accounting
19 unit 02-27-27-270010-8040. The incumbent in the abolished classified position shall be offered the
20 opportunity to seek the commissioner's nomination for the unclassified position of deputy
21 commissioner.

22 III. Paragraphs I and II shall take effect upon the abolition of position 11303, the transfer of
23 funding and appropriations into the unclassified position and the initial appointment of the deputy
24 commissioner, as certified by the commissioner of employment security to the director of legislative
25 services.

26 144:95 Department of Transportation; Transfer of Funds. Notwithstanding any provision of law
27 to the contrary and subject to approval of the fiscal committee of the general court and governor and
28 council, for the biennium ending June 30, 2015, the commissioner of transportation is authorized to
29 transfer funds within and among all accounting units within the department and to create
30 accounting units and expenditure classes as required and as the commissioner deems necessary and
31 appropriate to address present or projected budget deficits, or to respond to changes in federal law,
32 regulations, or programs, and otherwise as necessary for the efficient management of the
33 department.

34 144:96 Banks and Banking; Bank Commissioner; Payment of Cost of Examination. Amend
35 RSA 383:11 to read as follows:

36 383:11 Payment of Cost of Examination.

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1 I. The bank commissioner shall~~[each fiscal year,]~~ charge and collect from ~~[the institutions]~~
2 ***each institution***, the condition and management of which he or she is required to examine under
3 the provisions of RSA 383:9, and which he or she supervises under the provisions of RSA 361-A,
4 RSA 397-A, RSA 397-B, RSA 399-A, RSA 399-D, and RSA 399-G, ~~[the total amount appropriated for~~
5 ~~the bank commissioner's department. Said sum shall be collected as follows:~~

6 I. ~~From each such institution examined]~~ ***an examination fee, which shall be calculated***
7 ***as*** a sum equal to the product of the average daily rate of overall salary costs, including the benefits
8 portion thereof, and expenses of all examining personnel employed in making examinations
9 pursuant to the provisions of RSA 383:9, multiplied by the number of personnel days devoted to the
10 examination of the particular institution, provided, however, that no such institution shall be
11 charged or pay for less than one full day. Sums collected under this section shall be payable to the
12 state treasurer as restricted revenue and credited, in accordance with the banking department's
13 accounting unit designation, to the appropriation for the bank commissioner or the consumer credit
14 administration division.

15 II. ~~[The balance of said sum remaining after the charges provided for in paragraph I have~~
16 ~~been deducted from the total sum shall be charged and collected]~~ ***If, after the close of each fiscal***
17 ***year, there remains any deficiency between the sums collected under paragraph I,***
18 ***combined with the other fees, fines, and penalties collected by the department during the***
19 ***fiscal year just closed, and actual department expenditures for the fiscal year just closed,***
20 ***the commissioner shall make an assessment of the institutions*** as follows:

21 (a) From banks and credit unions. Each state-chartered savings bank, commercial bank,
22 trust company, cooperative bank, building and loan association, credit union, Morris Plan bank, or
23 similar institution required to be examined under the provisions of RSA 383:9 shall be charged and
24 pay such proportion of said balance applicable to such institutions under the banking department's
25 accounting unit designation, as its total assets bear to the total assets of all such institutions as
26 shown by their reports to the commissioner as of June 30 preceding such charges, except that the
27 percent of the fiduciary assets used in the calculation of the total assets of each institution and all
28 such institutions shall be determined as follows:

29 (1) Fiduciary assets up to \$5,000,000,000 shall be calculated at 25 percent;

30 (2) Fiduciary assets that are between \$5,000,000,000 and \$10,000,000,000, shall be
31 calculated at 20 percent;

32 (3) Fiduciary assets that are between \$10,000,000,000 and \$15,000,000,000, shall be
33 calculated at 15 percent;

34 (4) Fiduciary assets that are between \$15,000,000,000 and \$20,000,000,000, shall be
35 calculated at 10 percent;

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1 (5) Fiduciary assets that are between \$20,000,000,000 and \$25,000,000,000, shall be
2 calculated at 5 percent;

3 (6) Fiduciary assets that are between \$25,000,000,000 and \$50,000,000,000, shall be
4 calculated at 2.5 percent;

5 (7) Fiduciary assets that are \$50,000,000,000 or more, shall be calculated at one
6 percent.

7 (b) From non-depository lenders, debt adjusters, money transmitters, and brokers. Each
8 licensee and registrant subject to the supervision of the bank commissioner under the provisions of
9 RSA 397-A, RSA 397-B, RSA 399-A, RSA 399-D, RSA 399-G, and sales finance companies under
10 RSA 361-A, shall be charged and shall pay such proportion of said balance applicable to the
11 consumer credit administration division under the banking department's accounting unit
12 designation as the gross revenue received from the total dollar volume of loans made, originated,
13 funded, or brokered, or debt adjustment contracts entered into, or mortgage servicing fees received
14 or money transmitted from each licensee's New Hampshire business bears to the total gross revenue
15 received from the total dollar volume of all such loans made, originated, funded, or brokered, or debt
16 adjustment contracts entered into, or mortgage servicing fees received, or money transmitted, from
17 New Hampshire business by such licensees during the preceding calendar year ending December 31,
18 as shown by their annual reports to the commissioner.

19 **III. *Except for institutions supervised under RSA 361-A, 397-A, 397-B, 399-A, 399-D***
20 ***and 399-G where the individual regulatory chapter specifies a shorter*** time, payments of the
21 charges provided for by paragraphs I and II shall be made within 60 days of receipt of the notice
22 thereof.

23 **IV.** Any excess collected in any fiscal year under the provisions of this section shall be used
24 to reduce the sum required to be collected in the next succeeding fiscal year.

25 144:97 Judicial Branch; Transfers. Notwithstanding any provision of law to the contrary, and
26 subject to approval of the fiscal committee of the general court, for the biennium ending June 30,
27 2015, the supreme court is hereby authorized to transfer funds within and among all accounting
28 units within the judicial branch as the supreme court deems necessary and appropriate to address
29 budget reductions or to respond to changes in federal laws, regulations, or programs, and otherwise
30 as necessary for the efficient management of the judicial branch. If the supreme court intends to
31 transfer funds which would otherwise meet the transfer requirements as set forth in RSA 9:17-d,
32 prior approval of the fiscal committee shall be required for transfers of \$75,000 or more.

33 144:98 Report; Mosaic Parcel GIS System. The department of revenue administration shall
34 compile data on the sharing of the Mosaic Parcel GIS system with other state agencies that includes
35 but is not limited to a listing of the agencies accessing the system, the amount of system time used
36 by each agency, examples of cost allocation plans that could be applied to the use of the system, and

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1 any other information that would be necessary in determining the best approach to share costs
2 associated with the system. The department shall provide a report to the house finance committee
3 no later than November 1, 2013.

4 144:99 Liquor Commission; Reimbursement of Cost of Legal Services. Notwithstanding any
5 other law to the contrary, for the biennium ending June 30, 2015, the liquor commission shall
6 reimburse the cost for any legal services provided by the department of justice to the commission
7 that would not normally be included as part of the statewide cost allocation paid by the commission.

8 144:100 State Aid Grants; Department of Environmental Services. Notwithstanding RSA 486,
9 RSA 486-A, RSA 149-M, or any other law to the contrary, for the biennium ending June 30, 2015, the
10 department of environmental services shall discontinue the first in, first out delayed and deferred
11 infrastructure project list or any other infrastructure list as it relates to state aid grants under
12 RSA 486, RSA 486-A, or RSA 149-M. Infrastructure projects that were approved by vote of the
13 executive council prior to November 30, 2008 shall continue to be funded. Infrastructure projects on
14 the first in, first out delayed and deferred infrastructure project list prior to December 31, 2012, as
15 listed in section 101 of this act, shall be eligible for state aid grant payments. Infrastructure projects
16 that had local authorization by December 31, 2008 to construct but are not listed in section 101 are
17 eligible for state aid grants subject to availability of funding. A moratorium shall be in place for any
18 infrastructure projects not listed in section 101 or that did not have local authorization by December
19 31, 2008 that would have otherwise been eligible for state aid grants under RSA 486, RSA 486-A, or
20 RSA 149-M. Nothing in this section shall affect the provision of the future water supply land
21 protection grants under RSA 486-A if funding is available for such purpose.

22 144:101 State Aid Grants; First in, First out Delayed and Deferred Project List. The following
23 infrastructure projects from the department of environmental services first in, first out delayed and
24 deferred infrastructure project list for state aid grants under RSA 486, RSA 486-A, or RSA 149-M
25 prior to December 31, 2012 shall be eligible for state aid grant payments:

26 Wastewater Projects (RSA 486)

27	FIFO	Pending Grant Number	Applicant (Location)
28	1	P-001	Winnepesaukee River Basin Program
29	2	C-777	Manchester
30	3	C-778	Manchester
31	4	C-779	Manchester
32	5	C-780	Manchester
33	6	C-782	Manchester
34	7	C-783	Hillsborough
35	8	C-784	Hillsborough
36	9	C-781	Manchester

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1	10	C-731	Swanzey
2	11	C-789	Bristol
3	12	C-787	Manchester
4	13	C-785	Portsmouth
5	14	C-788	Manchester
6	15	C-786	Manchester
7	16	P-002	Manchester
8	17	P-003	Concord
9	18	P-004	Manchester
10	19	P-005	Manchester
11	20	P-006	Hanover
12	21	P-007	Concord
13	22	P-010	Lebanon
14	23	P-009	Lebanon
15	24	P-008	Lebanon
16	25	P-011	Hinsdale
17	26	P-012	Newmarket
18	27	P-013	Manchester
19	28	P-014	Newmarket
20	29	P-015	Allenstown
21	30	P-016	Allenstown
22	31	P-017	Allenstown
23	32	P-018	Allenstown
24	33	P-019	Amherst
25	34	P-020	Exeter
26	35	P-021	Piermont
27	36	P-022	Derry
28	37	P-023	Derry
29	38	P-024	Salem
30	39	P-025	Epping
31	40	P-026	Littleton
32	41	P-027	Nashua
33	42	P-028	Nashua
34	43	P-029	Nashua
35	44	P-030	Newport
36	45	P-031	Claremont

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1	46	P-032	Nashua
2	47	P-033	Nashua
3	48	P-034	Nashua
4	49	P-035	Manchester
5	50	P-036	Manchester
6	51	P-037	Manchester
7	52	P-038	Manchester
8	53	P-039	Hanover
9	54	P-040	Hudson
10	55	P-041	Merrimack
11	56	P-042	Jaffrey
12	57	P-043	Hanover
13	58	P-044	Manchester
14	59	P-045	Keene
15	60	P-046	Tilton
16	61	P-047	Hampton
17	62	P-048	Hampton
18	63	P-049	Manchester
19	64	P-050	Manchester
20	65	P-051	Manchester
21	66	P-052	Keene
22	67	P-053	Keene
23	68	P-054	Wolfeboro
24	69	P-055	Newbury
25	70	P-056	North Conway Water Precinct
26	71	P-057	North Conway Water Precinct
27	72	P-058	North Conway Water Precinct
28	73	P-059	North Conway Water Precinct
29	74	P-060	Concord
30	75	P-061	Manchester
31	76	P-062	Amherst
32	77	P-063	Manchester
33	78	P-064	Marlborough
34	79	P-065	Hampton
35	80	P-066	North Conway Water Precinct
36	81	P-067	Wakefield

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1	82	P-068	Merrimack
2	83	P-069	Conway Village Fire District
3	84	P-070	Keene
4	85	P-071	Manchester
5	86	P-072	Manchester
6	87	P-073	Newmarket
7	88	P-074	Manchester
8	89	P-075	Manchester
9	90	P-076	Manchester
10	91	P-077	Manchester
11	92	P-078	Manchester
12	93	P-079	Manchester
13	94	P-080	Concord
14	95	P-081	Concord
15	96	P-082	Rochester
16	97	P-083	Rochester
17	98	P-084	Rochester
18	99	P-085	Bristol
19	100	P-086	Peterborough
20	101	P-087	Manchester
21	102	P-088	Berlin
22	103	P-089	Berlin

23

24 Public Water System Projects (RSA 486-A)

25	FIFO	Pending Grant Number	Applicant (Location)
26	1	612010	Lower Bartlett Water Precinct (Bartlett)
27	2	512020	Birch Hill (Pennichuck, Conway)
28	3	1471010	Manchester Water Works
29	4	1531010	Merrimack Village District
30	5	2353060	White Rock Estates (Tilton)
31	6	882050	Brake Hill (Gilford)
32	7	1831010	Orford Village Water District
33	8	2272010	Granliden Community (Sunapee)
34	9	511030	North Conway Water Precinct
35	10	511030	North Conway Water Precinct
36	11	2041010	Rye Water District

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1	12	511010	Conway Village Fire District
2	13	1036020	Village Square Condo Assoc (Hampstead)
3	14	2041010	Rye Water District
4	15	1051010	Aquarion Water Company (Hampton)
5	16	1431010	Lyme Water Association

6

7 Landfill Projects (RSA 149-M)

8	FIFO	Pending Grant Number	Applicant (Location)
9	1	L-144	Nashua
10	2	L-145	Lebanon
11	3	L-125	Auburn
12	4	L-146	Tilton
13	5	L-148	Whitefield
14	6	L-147	Unity
15	7	L-149	Marlow
16	8	L-150	Farmington

17 144:102 Legislative Branch; Special Account; Transfer to the General Fund. Amend 2011,
18 224:217, II to read as follows:

19 II. The legislative accountant shall allocate the original \$3,000,000 special legislative
20 account into 4 separate and equal subaccounts. Individual subaccounts shall be established for the
21 senate, the house of representatives, the joint offices, and the office of legislative budget assistant.
22 Beginning in fiscal year [2012] **2013** and each year thereafter [all], **any** unexpended and
23 unencumbered appropriations shall be transferred to the appropriate subaccount, **provided that no**
24 **subaccount balance shall exceed \$750,000.** [~~Any subaccount with a balance in excess of \$750,000~~
25 ~~at the end]~~ **All unexpended and unencumbered appropriations remaining at the close** of the
26 fiscal year shall [~~transfer the excess]~~ **lapse** to the general fund.

27 144:103 Repeal. RSA 12-L:14, II, relative to the McAuliffe-Shepard discovery center commission
28 business plan, is repealed.

29 144:104 Appropriation; North Country Fire Training Facility. Amend 2012, 106:3 to read as
30 follows:

31 106:3 Appropriation. The sum of \$550,000 is hereby appropriated to the department of safety,
32 division of fire standards and training and emergency medical services, for the biennium ending
33 June 30, 2013 for the purpose of establishing a North Country fire training facility. Said sum shall
34 be a charge against the fire standards and training and emergency medical services fund established
35 in RSA 21-P:12-d. **This appropriation shall not lapse until June 30, 2014.**

36 144:105 Waiver in Lieu of Court Appearance. Amend RSA 262:44, I to read as follows:

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1 I. Such defendant shall receive, in addition to the summons, a uniform fine schedule entitled
2 “Notice of Fine, Division of Motor Vehicles” which shall contain the normal fines for violations of the
3 provisions of title XXI on vehicles for which a plea may be entered by mail. The defendant shall be
4 given a notice of fine indicating the amount of the fine plus penalty assessment at the time the
5 summons is issued; except if, for cause, the summoning authority wishes the defendant to appear
6 personally. Defendants summoned to appear personally shall do so on the arraignment date
7 specified in the summons, unless otherwise ordered by the court. Defendants who are issued a
8 summons and notice of fine and who wish to plead guilty or nolo contendere shall enter their plea on
9 the summons and return it with payment of the fine plus penalty assessment to the director of the
10 division of motor vehicles within 30 days of the date of the summons. The director of the division of
11 motor vehicles may accept payment of the fine by credit card in lieu of cash payment. Any
12 transaction costs assessed by the issuer of the credit card shall be paid out of the portion of the fine
13 amount which is credited as agency income and not out of the penalty assessment charged by the
14 district court. The director of the division of motor vehicles shall remit the penalty assessments
15 collected to the police standards and training council for deposit in the police standards and training
16 council training fund and to the state treasurer to be credited and continually appropriated to the
17 victims’ assistance fund and the judicial branch information technology fund in the percentages and
18 manner prescribed in RSA 188-F:31. Fines shall be paid over to the state treasurer, and shall be
19 credited as agency income by the department of safety within 14 days of their receipt ***and shall not***
20 ***lapse to the general fund until the second year of each biennium.***

21 144:106 Pharmacy Board; Inspectional Services. Amend RSA 318:9-a to read as follows:

22 318:9-a ~~[Payment for]~~ Inspectional Services. ~~[For the purpose of providing inspectional services~~
23 ~~under this chapter and RSA 318-B:25,]~~ The pharmacy board shall ~~[enter into separate agreements~~
24 ~~with]~~ ***provide inspectional services under this chapter and RSA 318-B:25*** to the board of
25 medicine, the board of veterinary medicine, the board of podiatry, the board of registration in
26 optometry, the board of dental examiners, and the board of nursing~~[providing for each such board to~~
27 ~~compensate the pharmacy board for such inspectional services. The agreements shall provide for~~
28 ~~payment based upon a per capita charge for each person registered with each such board as a~~
29 ~~percentage of the total number of persons subject to inspection under this chapter and RSA 318-~~
30 ~~B:25. The fees received from agreements under this section shall be deposited with the treasurer as~~
31 ~~restricted revenue by the pharmacy board, and shall be included in the computation of fees to be~~
32 ~~established for the following fiscal year].~~

33 144:107 New Paragraph; Approved Alcohol Treatment Programs. Amend RSA 172-B:2 by
34 inserting after paragraph III the following new paragraph:

35 IV. The commissioner shall establish, by rules adopted under RSA 541-A, a uniform, sliding-
36 fee scale, based on the client’s income, for voluntary services provided by approved alcohol treatment

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1 programs.

2 144:108 New Section; Access to Budget and Expenditures for Persons Receiving State Services.
3 Amend RSA 126-A by inserting after section 5 the following new section:

4 126-A:5-a Access to Budget and Expenditures for Persons Receiving State Services. The
5 commissioner of the department of health and human services and the area agencies shall provide to
6 any person, or that person's guardian, who is receiving state services pursuant to a plan with an
7 individualized budget, a copy of such budget and the expenditures made under such budget.

8 144:109 Fees for Copies, Verifications, and Amendments to Vital Records. Amend RSA 5-C:10,
9 II to read as follows:

10 II. The town clerk shall forward \$8 of each search fee collected by the clerk under this
11 section to the department of state for deposit in the vital records improvement fund established
12 under RSA 5-C:15~~[- and \$3 to the state treasurer for deposit in the general fund,]~~ and shall retain
13 the remaining ~~[\$4]~~ \$7 as the clerk's fee for issuing such a copy. For subsequent copies issued at the
14 same time, the town clerk shall forward \$5 of the fee collected for each subsequent copy under this
15 section to the department for deposit in the vital records improvement fund established under
16 RSA 5-C:15 ~~[and \$2 to the state treasurer for deposit in the general fund,]~~ and shall retain the
17 remaining ~~[\$3]~~ \$5 as the clerk's fee for issuing such a copy. The town clerk shall retain the \$25 fee
18 for a delayed birth certificate as the clerk's fee for examining documents and issuing the delayed
19 birth certificate. Fees collected by the registrar shall be forwarded to the state treasurer for deposit
20 into the vital records improvement fund established under RSA 5-C:15.

21 144:110 Certified Public Accountants; Board Fees; Receipts. Amend RSA 309-B:4, IV to read as
22 follows:

23 IV. *The board shall establish fees for examination of applicants, for licenses, for*
24 *certificates of authorization, for reissuance of licenses, for renewal and reinstatement of*
25 *licenses and certificates to practice under this chapter, for late renewals, for verification*
26 *of licensure or examination, and for transcribing and transferring records and other*
27 *services.* All moneys collected by the board from fees authorized under this chapter shall be
28 received and accounted for by the board, shall be deposited in the state treasury ~~[to the credit of the~~
29 ~~board, and shall not lapse]~~. Administration expenses shall be limited to the funds collected and may
30 include, but shall not be limited to, the costs of conducting investigations and of taking testimony
31 and procuring the attendance of witnesses before the board or its committees; all legal proceedings
32 taken under this chapter for the enforcement of this chapter; and educational programs for the
33 benefit of the public or licensees and their employees. All fees prescribed by the board under prior
34 law shall remain in effect until the board shall prescribe a new schedule of fees pursuant to RSA
35 541-A.

36 144:111 Professional Engineers; Receipts and Disbursements. Amend RSA 310-A:8 to read as

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1 follows:

2 310-A:8 Receipts and Disbursements. ~~[There shall be a board secretary who shall receive and~~
3 ~~account for all moneys derived under the provisions of this subdivision and shall pay the same to the~~
4 ~~state treasurer. The secretary of the board shall receive such salary as the board shall determine.]~~

5 The board may employ such investigators, clerical, and other assistants as are necessary for the
6 proper performance of its work and may make expenditures for any purpose which is reasonably
7 necessary for the proper performance of its duties under this subdivision, including the reasonable
8 expenses of the board's delegate to meetings of, and membership dues to, the National Council of
9 Examiners for Engineering and Surveying (NCEES). The board may, with the approval of the
10 attorney general, hire counsel and investigators and pay the reasonable expenses of such counsel
11 and investigators for the investigation and prosecution of any violation of this subdivision. ~~[Such~~
12 ~~compensation and reasonable expenses shall be paid from the funds of the board.]~~

13 144:112 Professional Engineers; Reference Removed. Amend RSA 310-A:3, IV to read as
14 follows:

15 IV. ~~[In addition to any moneys received under RSA 310-A:8,]~~ Members of the board shall
16 receive \$25 for each day actually engaged in the duties of their office and shall be reimbursed for all
17 actual travel, incidental, and clerical expenses necessarily incurred in carrying out the provisions of
18 this chapter.

19 144:113 Land Surveyors; Receipts and Disbursements. Amend RSA 310-A:61 to read as follows:

20 310-A:61 Receipts and Disbursements. ~~[The secretary of the board shall receive and account for~~
21 ~~all moneys derived under this subdivision, and shall pay the same to the state treasurer. The~~
22 ~~secretary of the board shall receive such salary as the board shall determine in addition to the~~
23 ~~expenses provided herein.]~~ The board may employ such clerical or other assistants as are necessary
24 for the proper performance of its work, and may make expenditures for any purpose which, in the
25 opinion of the board, are reasonably necessary for the proper performance of its duties under this
26 subdivision.

27 144:114 Professional Geologists; Receipts and Disbursements. Amend RSA 310-A:123 to read as
28 follows:

29 310-A:123 Receipts and Disbursements. ~~[There shall be a board secretary who shall receive and~~
30 ~~account for all moneys derived under the provisions of this subdivision and shall pay the same to the~~
31 ~~state treasurer.]~~ The board may employ such investigators, clerical assistants, and other assistants

32 as are necessary for the proper performance of its work and may make expenditures for any purpose
33 which is reasonably necessary for the proper performance of its duties under this subdivision,
34 including the reasonable expenses of the board's delegate to meetings and membership dues. The
35 board may, with the approval of the attorney general, hire counsel and investigators and pay the
36 reasonable expenses of such counsel and investigators for the investigation and prosecution of any

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1 violation of this subdivision. [~~Such compensation and reasonable expenses shall be paid from the~~
2 ~~funds of the board.~~]

3 144:115 Real Estate Appraisers; Receipts and Disbursements. Amend RSA 310-B:21, I to read
4 as follows:

5 I. The board shall receive and account for all moneys derived under the provisions of this
6 chapter. [~~At least monthly, the receipts shall be turned over to the state treasurer, who shall keep~~
7 ~~such moneys in a separate fund to be known as the real estate appraisers fund. Such fund shall be~~
8 ~~kept separate and apart from all moneys in the treasury, and shall be disbursed only for purposes of~~
9 ~~this chapter.~~] Under no circumstances shall the total amount of payments exceed the fees collected
10 under this chapter.

11 144:116 Appropriation; Reimbursement for Payment of Erroneously Charged Medical Benefits.
12 The sum of \$19,164.34 is hereby appropriated to the department of administrative services for the
13 purpose of reimbursing Mrs. Patricia Kelly, the spouse of a law enforcement officer who died in the
14 line of duty, who through no fault of her own was charged erroneously for medical benefits promised
15 to her by the state of New Hampshire. The governor is authorized to draw a warrant for said sum
16 out of any money in the treasury not otherwise appropriated.

17 144:117 Department of Information Technology; Transfers Among Accounts. Notwithstanding
18 the provisions of RSA 9:17-a or any other provision of law to the contrary, for the biennium ending
19 June 30, 2015 the department of information technology may transfer funds within and among all
20 accounting units and class lines within said department as necessary for the efficient management of
21 the department provided that any transfer of \$75,000 or more shall require prior approval of the
22 fiscal committee of the general court and the governor and council.

23 144:118 Continuation of Appropriation Regarding Emergency Management. The sums
24 appropriated pursuant to 2011, 223:1 in accounting unit 02-23-23-236010-2740, class 244, state
25 match public assistance, shall not lapse until June 30, 2015.

26 144:119 General Fund; Transfer to Fish and Game Fund. The state treasurer shall transfer
27 unrestricted general fund revenue to the fish and game fund in the amounts of \$699,000 for the
28 fiscal year ending June 30, 2014 and \$893,000 for the fiscal year ending June 30, 2015. Said
29 transfers shall occur no later than August 1st of each fiscal year.

30 144:120 School Money; Determination of Adequate Education Grants. Amend RSA 198:41,
31 III(b) to read as follows:

32 (b) Beginning July 1, 2013, and each fiscal year thereafter, the department of education
33 shall not distribute a total education grant on behalf of all pupils who reside in a municipality that
34 exceeds [~~105.5~~] **108** percent of the total education grant distributed to such municipality in the
35 previous fiscal year.

36 144:121 Purpose. RSA 489-C establishes a voluntary program for the certification of commercial

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1 road salt applicators in order to encourage more efficient winter maintenance of roadways, parking
2 lots, and sidewalks and to provide certain liability protections for certified commercial applicators
3 and landowners whose premises are maintained by certified commercial applicators.

4 144:122 New Chapter; Salt Application Controls. Amend RSA by inserting after chapter 489-B
5 the following new chapter:

6 CHAPTER 489-C

7 SALT APPLICATOR CERTIFICATION OPTION

8 489-C:1 Definitions. In this chapter:

9 I. "Apply salt" means to apply salt or a salt alternative to roadways, parking lots, or
10 sidewalks for the purpose of winter maintenance.

11 II. "Commercial applicator" means any individual who applies or supervises others who
12 apply salt, but shall not include municipal or state employees.

13 III. "Commissioner" means the commissioner of the department of environmental services.

14 IV. "Department" means the department of environmental services.

15 V. "Salt" means sodium chloride, calcium chloride, magnesium chloride, or any other
16 substance containing chloride.

17 VI. "Salt alternative" means any substance not containing chloride used for the purpose of
18 de-icing or anti-icing.

19 489-C:2 Certification Option. Commercial applicators may elect to be annually certified by the
20 department. Applicator certificates shall be issued by the department. Any business that employs
21 multiple commercial applicators may obtain a master certificate for the owner or chief supervisor,
22 and commercial applicators employed by the business may obtain certificates to qualify under the
23 master certificate. Any business holding a master certificate shall ensure that all commercial
24 applicators operating under its master certificate receive the required training and shall provide the
25 required recordkeeping on behalf of all commercial applicators. Annual fees for certificates obtained
26 under a master certificate shall be significantly less than the fees for a master certificate.

27 489-C:3 Rulemaking Authority. The commissioner shall adopt rules pursuant to RSA 541-A,
28 relative to:

29 I. Policies and goals for applying salt.

30 II. Receiving and allocating federal grants and other funds or gifts for the purpose of
31 carrying out any of the provisions of this chapter.

32 III. The types and frequency of training programs required for certification.

33 IV. Procedures for commercial applicators to obtain certification.

34 V. Recordkeeping required for commercial applicators to maintain certification.

35 489-C:4 Application for Certification. Applications for certification shall be on a form prescribed
36 by the department and shall include the following:

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1 I. The full name and address of the person applying for the certification.

2 II. The name and address of a person whose domicile is in the state, and who is authorized
3 to receive and accept service of summons and legal notices of all kinds for the applicant.

4 III. The type of apparatus used to apply salt or salt alternative whether liquid or dry.

5 IV. Any other information deemed necessary by the department.

6 489-C:5 Administration and Enforcement.

7 I. The commissioner shall administer and enforce the provisions of this chapter.

8 II. The department may issue an order to any person who is in violation of any provision of
9 this chapter, an applicator certificate issued under this chapter, or a rule adopted under this chapter,
10 to cease and desist from any act in violation of such provision, certification, or rule. Orders of the
11 department under this section shall be effective immediately.

12 III. The commissioner, after notice and hearing pursuant to RSA 541-A, may revoke the
13 certification of any person who violates this chapter. Rehearings and appeals relating to revocation
14 shall be governed by RSA 541.

15 144:123 New Section; Limited Liability for Winter Maintenance by Private Parking Lot Owners.
16 Amend RSA 508 by inserting after section 21 the following new section:

17 508:22 New Section; Liability Limited for Winter Maintenance.

18 I. No commercial applicator as defined in RSA 489-C:1, II and certified under RSA 489-C:2,
19 or owner, occupant, or lessee of land whose premises is maintained by a commercial applicator
20 certified under RSA 489-C:2, shall be liable for damages arising from insufficiencies or hazards on
21 any premises owned, occupied, maintained, or operated by them, even with actual notice thereof,
22 when such hazards are caused solely by snow or ice, and the commercial applicator's, owner's,
23 occupant's, or lessee's failure or delay in removing or mitigating such hazards is the result of its
24 implementation, absent gross negligence or reckless disregard of the hazard, of best management
25 practices for winter road, parking lot, and sidewalk maintenance adopted and published by the
26 department of transportation and the department of environmental services. All commercial
27 applicators, owners, occupants, or lessees who adopt such best management practices shall be
28 presumed to be acting pursuant to the best management practices in the absence of proof to the
29 contrary.

30 II. In order to receive the liability protection provided in paragraph I, a commercial
31 applicator as defined in RSA 489-C:1, II, or an owner, occupant, or lessee of land shall keep a written
32 record describing its winter road, parking lot and property maintenance practices. The written
33 record shall include the type and rate of application of de-icing materials used, the dates of
34 treatment, and the weather conditions for each event requiring de-icing. Such records shall be kept
35 for a period of 3 years.

36 144:124 Compensation; Definition. Amend RSA 77-E:1, V to read as follows:

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1 V. *For taxable periods beginning on or after January 1, 2013*, “compensation” means:

2 (a) All wages, salaries, fees, bonuses, commissions, or other payments paid *directly* or
3 accrued *by the business enterprise* in the taxable period on behalf of or for the benefit of
4 employees, officers, or directors of the business enterprise and subject to or specifically exempt from
5 withholding under section 3401 of the United States Internal Revenue Code except such payments
6 as are made expressly exempt from withholding under sections 3401(a)(1), (9), (10), (13), (14), (15),
7 (16), (18), (19), and (20); *and except any tips required to be reported by the employee to the*
8 *employer under section 6053(a) of the United States Internal Revenue Code; and*

9 (b) The amount of any deduction taken under RSA 77-A:4, III in the taxable period; and

10 (c) Any net earnings from self-employment subject to tax under section 1401 of the
11 United States Internal Revenue Code to the extent not included in the amount of any deduction
12 taken under RSA 77-A:4, III in the taxable period.

13 144:125 Legislative Budget Assistant; Charge for Cost of Financial Audits. Amend RSA 14:31-c
14 to read as follows:

15 14:31-c Charge Back of *Financial* Audits of Special Funds Agencies. The cost of any *financial*
16 audit done by the legislative budget assistant or by any other auditor under his *or her* direction or
17 authority of any department, division, or agency funded by highway, fish and game, any self-
18 sustaining, or special fund shall be a charge against the appropriate fund and said cost shall be
19 transferred from said fund to the general fund.

20 144:126 Flood Control Payments. Notwithstanding any provision of law to the contrary,
21 \$250,000 in fiscal year 2015 shall be transferred from existing budgetary allocations of the
22 department of justice to the department of revenue administration for the purpose of funding the
23 flood control payments under the Connecticut River Flood Control Compact as contained in
24 RSA 484:1 and the Merrimack River Flood Control Compact as contained in RSA 484:7.

25 144:127 Compensation and Benefit Cost Reductions. For the biennium ending June 30, 2015,
26 the governor shall reduce total appropriations for compensation and benefits for classified employees
27 in any department, as defined in RSA 9:1, by not less than \$10,000,000 in fiscal year 2014 and not
28 less than \$25,000,000 for the biennium, of which the general fund component shall be not less than
29 \$10,000,000.

30 144:128 New Section; Public Assistance to Blind, Aged, or Disabled Persons and to Dependent
31 Children; Prohibited Use of Electronic Benefit Transfer Cards. Amend RSA 167 by inserting after
32 section 7-a the following new section:

33 167:7-b Prohibited Use of Electronic Benefit Transfer Cards.

34 I. Any person receiving public assistance is prohibited from using electronic benefit transfer
35 (EBT) cards or cash obtained with EBT cards for the purpose of purchasing or participating in any
36 activities in any location listed in paragraph II. Any person receiving public assistance who uses an

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1 EBT card in violation of paragraph II shall be subject to the following penalties:

2 (a) Suspension of cash assistance benefits for that person for 2 pay periods for the first
3 offense.

4 (b) Suspension of cash assistance benefits for that person for 4 pay periods for the second
5 offense.

6 (c) Suspension of cash assistance benefits for that person for 6 pay periods for the third
7 and subsequent offense.

8 II. After January 1, 2014, the businesses listed in this paragraph shall not knowingly accept
9 direct cash assistance funds held on electronic benefit transfer cards or cash obtained with electronic
10 benefit transfer cards through any electronic fund transaction using an automated teller machine or
11 point-of-sale device on the business premises. The following businesses are required to comply with
12 this paragraph:

13 (a) State liquor stores and agency liquor stores established by or under the authority of
14 the New Hampshire liquor commission.

15 (b) Off-premises retail licensees that exclusively or primarily sell beer, wine, or other
16 alcoholic beverages.

17 (c) Gaming establishments licensed under the authority of New Hampshire racing and
18 charitable gaming commission that also meet the definition of casino, gambling casino, or gaming
19 establishment under the Social Security Act, 42 U.S.C. section 608(a)(12).

20 (d) Retail establishments which provide adult-oriented entertainment in which
21 performers disrobe or perform in an unclothed state for entertainment.

22 III. The department may notify the licensing authority of any business listed in paragraph II
23 in the event that such business has continued to allow the use of the EBT card in violation of this
24 section. The licensing authority may take reasonable action as deemed appropriate under existing
25 licensing provisions. Notwithstanding any provision of law to the contrary, the department is
26 authorized to provide information and cooperate with the licensing authority regarding any
27 investigation commenced under this section.

28 IV. Any business listed in paragraph II that knowingly accepts direct cash assistance funds
29 held on electronic benefit transfer cards or cash obtained with electronic benefit transfer cards in
30 violation of this section shall be guilty of a violation.

31 144:129 New Subdivision; Commission to Study Expansion of Medicaid Eligibility. Amend RSA
32 126-A by inserting after section 65 the following new subdivision:

33 Commission to Study Expansion of Medicaid Eligibility

34 126-A:66 Commission Established; Membership; Duties.

35 I.(a) There is established a commission to study the potential costs and benefits of expanding
36 Medicaid eligibility in New Hampshire. The members of the commission shall be as follows:

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1 (1) Three members of the senate, two of whom shall be appointed by the president of
2 the senate and one of whom shall be appointed by the minority leader.

3 (2) Three members of the house of representatives, two of whom shall be appointed
4 by the speaker of the house of representatives and one of whom shall be appointed by the minority
5 leader.

6 (3) The commissioner of the department of health and human services, or designee,
7 who shall serve as a non-voting member.

8 (4) The commissioner of insurance, or designee, who shall serve as a non-voting
9 member.

10 (5) Three public members, one member appointed by the governor, one member
11 appointed by the speaker of the house of representatives, and one member appointed by the
12 president of the senate.

13 (b) Legislative members of the commission shall receive mileage at the legislative rate
14 when attending to the duties of the commission.

15 II.(a) The commission's study shall include, but not be limited to:

16 (1) The potential costs and benefits of expanding Medicaid eligibility in
17 New Hampshire as authorized by section 1902(a)(10)(A)(i)(VIII) and section 1902(e)(14) of the Social
18 Security Act as amended by the Patient Protection and Affordable Act, Public Law 111-148, as
19 amended by the Health Care and Education Reconciliation Act of 2010, Public Law 111-152.

20 (2) The feasibility of tailoring expansion of New Hampshire's Medicaid eligibility
21 based on:

22 (A) Maximizing use of federal dollars.

23 (B) The purchase of private health insurance for newly-eligible individuals.

24 (C) Utilizing insurance exchanges for those between 100 percent and 138 percent
25 of the federal poverty level, thus ensuring that limited resources are focused on those most in need.

26 (D) Use of authorized co-payments, other quality of care incentives, or changes in
27 benefits levels.

28 (E) Other innovative approaches, including those used by other states, to tailor
29 Medicaid expansion appropriately for New Hampshire.

30 (F) Receiving a federal block grant for Medicaid.

31 (G) Other related subjects that may serve to inform the legislature as
32 determined by the commissioner.

33 (3) The availability of providers to care for New Hampshire's covered population,
34 including those newly eligible for Medicaid.

35 (4) The impact New Hampshire's Medicaid expansion plan could have on cost-
36 shifting and Medicaid reimbursement.

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1 (5) Methods to provide legal and financial protection to New Hampshire in the event
2 the federal government does not live up to its funding obligations.

3 (6) Reviewing language prepared by the department of health and human services
4 for Medicaid expansion proposals.

5 (b) The commission may solicit information from any person or entity the commission
6 deems relevant to its study.

7 (c) The commission shall make a report of its findings and recommendations under this
8 paragraph for proposed legislation to the president of the senate, the speaker of the house of
9 representatives, and the governor on or before October 15, 2013.

10 III.(a) The commission shall provide ongoing monitoring and evaluation of progress of any
11 Medicaid expansion program implemented and stated goals, which shall include:

12 (1) Improved health outcomes for low income New Hampshire residents.

13 (2) Reduced uncompensated care costs for New Hampshire providers.

14 (3) A reduction in the percentage of New Hampshire residents without health
15 insurance.

16 (4) Reduced use of emergency rooms.

17 (b) The commission shall make an annual report, commencing on October 15, 2014,
18 relative to the monitoring and evaluation required under this paragraph to the governor, the speaker
19 of the house of representatives, and the senate president.

20 IV. The members of the commission shall elect a chairperson from among the voting
21 members. The first meeting of the commission shall be held within 7 days of the effective date of the
22 2014-2015 state operating budget. Five voting members of the commission shall constitute a
23 quorum.

24 V. The department of health and human services shall provide administrative support to the
25 commission.

26 144:130 Appropriation. The sum of \$200,000 is hereby appropriated to the department of health
27 and human services for the fiscal year ending June 30, 2014, for the purpose of providing
28 administrative support to the commission established in RSA 126-A:66 as inserted by section 129 of
29 this act. Contracts for administrative support or consulting services shall not require governor and
30 council approval. The governor is authorized to draw a warrant for said sum out of any money in the
31 treasury not otherwise appropriated.

32 144:131 Repeal. RSA 126-A:66, relative to the commission to study the potential costs and
33 benefits of expanding Medicaid eligibility in New Hampshire, is repealed.

34 144:132 New Subdivision; Commission on Medicaid Long-Term Care Financing and Cost.
35 Amend RSA 151-E by inserting after section 18 the following new subdivision:

36 Commission on Medicaid Long-Term Care Financing and Costs

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1 151-E:19 Commission on Medicaid Long-Term Care Financing and Cost.

2 I. There is established a commission to review and analyze the costs and future funding of
3 Medicaid long-term care services for the elderly, either in licensed facilities or under the Medicaid
4 waiver in New Hampshire.

5 (a) The members of the commission shall be as follows:

6 (1) One member of the senate who shall be a member of the finance committee,
7 appointed by the president of the senate.

8 (2) Three members of the house of representatives, one of whom shall be a member
9 of the health, human services and elderly affairs committee and one of whom shall be a member of
10 the finance committee, appointed by the speaker of the house of representatives.

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

12 (4) A representative of the New Hampshire Association of Counties, appointed by the
13 association.

14 (b) Legislative members of the commission shall receive mileage at the legislative rate
15 when attending to the duties of the commission.

16 II.(a) The commission shall review and analyze the costs and future funding of Medicaid
17 long-term care services for the elderly, either in licensed facilities or under the Medicaid waiver in
18 New Hampshire. The commission's study shall include, but not be limited to, a review and analysis
19 of funding sources, reimbursement rates, and overall costs.

20 (b) The commission may solicit information from any other entity or resource the
21 commission deems relevant to its study.

22 III. The members of the commission shall elect a chairperson from among the members. The
23 first meeting of the commission shall be called by the senate member. The first meeting of the
24 commission shall be held within 45 days of the effective date of this section. Four members of the
25 commission shall constitute a quorum.

26 IV. The commission shall report its findings and any recommendations for proposed
27 legislation to the oversight committee on health and human services, established in RSA 126-A:13,
28 on or before November 1, 2013.

29 144:133 Repeal. RSA 151-E:19, relative to a commission to review and analyze the costs and
30 future funding of Medicaid long-term care services for the elderly, either in licensed facilities or
31 under the Medicaid waiver in New Hampshire, is repealed.

32 144:134 Transfer of Dedicated Funds; Renewable Energy Fund. Notwithstanding the provisions
33 of RSA 362-F:10 and any other law to the contrary, for the fiscal year ending June 30, 2014, the
34 department of administrative services shall transfer funds from the renewable energy fund to the
35 general fund in the amount of \$16,100,000.

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1 144:135 General Fund Balance. Notwithstanding RSA 9:13-e, II, any budget surplus for the
2 close of the fiscal biennium ending June 30, 2013 shall not be deposited in the revenue stabilization
3 reserve account but shall remain in the general fund.

4 144:136 Transfer of Funds to the Tri-County Community Action Program.

5 I. Notwithstanding any provision of law to the contrary, the chairman of the public utilities
6 commission is authorized to transfer funds from the account created by RSA 362-F:10 to the office of
7 energy and planning to repay funds for low income home energy assistance, and to provide other
8 necessary funds to Tri-County Community Action Program, Inc., acting through its court-appointed
9 special trustee, for the stabilization of that agency, in an amount not to exceed \$533,000 upon
10 request of the special trustee, until June 30, 2014. Such funds shall be used to pay and manage
11 priority unsecured debt and such other obligations as the special trustee shall determine. The
12 special trustee shall provide monthly reports on the use of such funds, as well as the efforts to
13 stabilize and restore accountability to the agency, to the office of energy and planning, the
14 department of justice charitable trusts unit, and to the probate court as it requires.

15 II. Funds transferred under this section shall be repaid by the Tri-County Community
16 Action Program from litigation or settlement funds or from insurance proceeds received or recovered
17 by the Tri-County Community Action Program from claims or litigation related to the circumstances
18 that resulted in the special trusteeship. The state shall have a priority claim to reimbursement from
19 such proceeds. The final amount utilized by the agency and the use of the funds shall be reported to
20 the fiscal committee of the general court, the office of energy and planning, and the department of
21 justice charitable trusts unit no later than July 31, 2014.

22 144:137 Transfer of Funds to the Tri-County Community Action Program.

23 I. Notwithstanding any provision of law to the contrary, the chairman of the public utilities
24 commission may transfer funds from the account created by RSA 362-F:10 to provide other necessary
25 funds to Tri-County Community Action Program, Inc., acting through its court-appointed special
26 trustee, for the stabilization of that agency, in an amount not to exceed \$500,000 upon request of the
27 special trustee, until June 30, 2014. Such funds shall be used to pay and manage priority unsecured
28 debt and such other obligations as the special trustee shall determine, with the prior approval of the
29 fiscal committee of the general court. The special trustee shall provide monthly reports on the use of
30 such funds, as well as the efforts to stabilize and restore accountability to the agency, to the office of
31 energy and planning, the department of justice charitable trusts unit, the fiscal committee of the
32 general court, and to the probate court as it requires.

33 II. Funds transferred under this section shall be repaid, if sufficient funds are received by
34 the Tri-County Community Action Program, from litigation or settlement funds or from insurance
35 proceeds received or recovered relating to circumstances that resulted in the special trusteeship.
36 The final amount utilized by the agency and the use of the funds shall be reported to the fiscal

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1 committee of the general court, the office of energy and planning, and the department of justice
2 charitable trusts unit no later than July 31, 2014.

3 144:138 Revolving Loan Fund; Tri-County Community Action Program.

4 I. There is hereby established a non-lapsing and continually appropriated Tri-County
5 Community Action Program revolving loan fund. The fund shall be administered by the department
6 of administrative services and shall be used for the purpose of providing loans for the continued
7 stabilization of the Tri-County Community Action Program, Inc. At no time shall the total
8 outstanding amount loaned exceed \$250,000.

9 II. The sum of \$250,000 is hereby transferred from the renewable energy fund in RSA 362-
10 F:10 and appropriated to the Tri-County Community Action Program revolving loan fund.

11 III. Repayment terms of the loans shall be determined by the department in consultation
12 with the Tri-County Community Action Program, Inc., acting through its court-appointed special
13 trustee, which shall continue to be in effect after the repeal of the revolving loan fund in paragraph I.

14 IV. All funds in the Tri-County Community Action Program revolving loan fund upon the
15 repeal of the authority under paragraph I and any remaining repayment collected after such repeal,
16 shall be deposited in the renewable energy fund under RSA 362-F:10.

17 144:139 New Subparagraph; State Treasurer Accounts; Tri-County Community Action Program
18 revolving loan fund. Amend RSA 6:12, I(b) by inserting after subparagraph (310) the following new
19 subparagraph:

20 (311) Moneys deposited in the Tri-County Community Action Program revolving loan
21 fund.

22 144:140 Repeal; 2016. The following are repealed:

23 I. The Tri-County Community Action Program revolving loan fund established in paragraph
24 I of section 138 of this act.

25 II. RSA 6:12, I(b)(311), relative to Tri-County Community Action Program revolving loan
26 fund.

27 144:141 Trusts and Agency Funds; Other Post-Employment Benefits (OPEB) Trusts. Amend
28 RSA 6:12-c by inserting after paragraph II the following new paragraph:

29 III.(a) The state treasurer may establish one or more other post-employment benefits
30 (OPEB) trusts for the payment of other post-employment benefits for employees or officers of the
31 state after their termination of service. In this paragraph, the term “other post-employment
32 benefits” means employee benefits other than pensions that are received after employment ends, and
33 may include such medical, disability, or other health benefits, as are covered by Statement No. 45 of
34 the Governmental Accounting Standards Board (GASB). The term “trust” means a trust qualified
35 under GASB Statement No. 43.

36 (b) Deposits to any fund under such a trust and any earnings on those deposits shall be

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1 irrevocable and shall be held in trust for the exclusive benefit of retirees and their beneficiaries in
2 accordance with the terms of the plans or programs providing other post-employment benefits,
3 except that funds governed by the trust may be withdrawn for other purposes only when the state's
4 liability owed to former officers or employees for other post-employment benefits has been satisfied
5 or otherwise eliminated pursuant to subparagraph (d)(2). The assets of any trust created pursuant
6 to this paragraph shall be exempt from taxation and execution, attachment, garnishment, or any
7 other process. No public officer, employee, or agency shall divert, use, or authorize the use of such
8 funds for any purpose other than as provided in law for other post-employment benefits covered by
9 the trust and administrative expenses.

10 (c) The state treasurer shall have the full power to invest, reinvest, and manage the
11 assets of the trust. The state treasurer shall invest the assets of the trust with the care, skill,
12 prudence, and diligence under the circumstances then prevailing that a prudent person acting in a
13 like capacity and familiar with such matters would use in the conduct of an enterprise of a like
14 character and with like aims. The state treasurer shall also diversify such investments so as to
15 minimize the risk of large losses unless under the circumstances it is clearly prudent not to do so.
16 The state treasurer may engage a trust administrator, investment consultants, or other qualified
17 professionals to assist with management and investment of the funds of the trust and may pay for
18 these services out of the funds of the trust.

19 (d) The state treasurer may withdraw money from the funds of a trust created pursuant
20 to this paragraph only:

21 (1) As needed to pay other post-employment benefits owed to former state officers
22 and employees; or

23 (2) When all other post-employment benefits liability owed to former state officers or
24 employees has been satisfied or otherwise deceased.

25 (e) The state treasurer shall complete and make available, not later than 120 days after
26 the close of each fiscal year, an annual comprehensive financial report of the OPEB trust for the
27 preceding fiscal year. The comprehensive financial report shall be prepared in a manner consistent
28 with generally accepted accounting principals and shall be audited annually by a qualified
29 independent auditor selected by the state treasurer.

30 (f) When the balance of any trust established under this paragraph reaches \$10,000,000,
31 the state treasurer shall transfer responsibility for administration of the trust to a board of trustees
32 comprised of the state treasurer and 3 members of the public. The governor, the speaker of the
33 house of representatives, and the senate president shall each appoint one trustee, who shall be a
34 qualified person with substantial investment or financial experience, taking into account factors
35 such as educational background, business experience, and professional licensure and designations.
36 The trustees shall serve 3-year terms and until a successor is appointed and qualified, except that

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1 the initial appointment by the governor shall be for a term of one year, the initial appointment by
2 the speaker of the house of representatives shall be for a term of 2 years, and the initial appointment
3 by the senate president shall be for a term of 3 years. No trustee, other than the state treasurer,
4 may serve more than 3 full terms.

5 144:142 Navigation Safety Fund. Amend RSA 270-E:6-a to read as follows:

6 270-E:6-a Navigation Safety Fund. There is established the navigation safety fund which shall
7 be **nonlapsing and** continually appropriated to the department of safety, division of state police.
8 The state treasurer may invest moneys in the fund as provided by law and all interest received on
9 such investment shall be credited to the fund. The fund shall only be used to promote the safety of
10 navigation and the administration and enforcement of RSA 270, RSA 270-B, RSA 270-D, and RSA
11 270-E. [~~Any balance remaining in the navigation safety fund at the close of each fiscal year shall~~
12 ~~lapse to the general fund.~~]

13 144:143 New Hampshire Veterans Home; Appropriation. The sum of \$333,250 is hereby
14 appropriated for the fiscal year ending June 30, 2013 to the New Hampshire veterans home for class
15 023 (heat-electricity-water) within accounting unit 05-43-43-430010-5358, for the purpose of paying
16 utility costs. The governor is authorized to draw a warrant for such amount out of any money in the
17 treasury not otherwise appropriated.

18 144:144 New Hampshire Veterans' Home; Report. Amend RSA 119:13 to read as follows:

19 119:13 Reports. The board shall file with the secretary of state, **the fiscal committee of the**
20 **general court, and the commissioner of administrative services**, on or before October 1 [~~next~~
21 ~~preceding each annual session of the legislature~~] **and every 6 months thereafter**, a report to the
22 legislature, setting forth the operations and condition of the home, a detailed account of all moneys
23 received and expended on its behalf since the last report, an estimate of the amount of money
24 required for its uses before the meeting of the next legislature, and such other matters and
25 recommendations as they shall think its interests require.

26 144:145 Gaming Regulatory Oversight Authority. Amend RSA 284-A:1-2 to read as follows:

27 284-A:1 Gaming Regulatory Oversight Authority Established. There is hereby established a
28 gaming regulatory oversight authority to insure integrity and public confidence in gaming regulation
29 and to oversee and assess the **current** regulation of gaming activities authorized pursuant to New
30 Hampshire law **and recommend the appropriate regulation of casino gambling in New**
31 **Hampshire**. The authority shall consist of the following members:

- 32 I. The attorney general [~~or designee~~].
- 33 II. The commissioner of the department of safety, or designee.
- 34 III. The executive director of the lottery commission, or designee.
- 35 IV. The director of the racing and charitable gaming commission, or designee.
- 36 V. [~~One public member who has relevant experience, appointed jointly by the speaker of the~~

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1 ~~house of representatives and the senate president.~~

2 ~~VI.] One member of the senate, appointed by the president of the senate.~~

3 **VI. One member of the house of representatives, appointed by the speaker of the**
4 **house of representatives.**

5 **VII.** One member who has relevant experience, appointed by the governor.

6 ~~[VII. One public member]~~

7 **VIII. Two public members** appointed by the governor ~~[who]~~ **one of whom shall be**
8 **appointed to** serve as the chair of the authority.

9 284-A:2 Functions and Duties of the Authority.

10 I. The functions and duties of the authority shall include the following:

11 (a) Evaluate whether the current regulations and regulatory bodies for legal gaming in
12 the state are adequate to operate in a manner that protects the public interest and allows the
13 regulation of gaming to be conducted in an effective and efficient manner.

14 (b) Design the structure of the oversight agency necessary to regulate all lawful gaming
15 and betting activity in the state, considering whether the state should continue the current divided
16 structure or whether the state should adopt a unified and centralized gaming control authority.

17 (c) **Review legislative proposals and** recommend ~~[those regulatory functions and~~
18 ~~powers that would be necessary to enable expanded]~~ **comprehensive statutory and regulatory**
19 **provisions to enable and oversee casino** gaming ~~[at one or more locations, including all types of~~
20 ~~expanded gaming referenced in the New Hampshire Gaming Study Commission's Final Report~~
21 ~~issued on May 20, 2010].~~

22 (d) Identify and draft appropriate laws and regulations for ensuring ongoing and
23 stringent review and enforcement of **current and proposed** gaming operations, including:

24 (1) Appropriate provisions for investigating the qualifications of gaming license
25 applicants;

26 (2) Procedures and criteria for issuing gaming licenses or gaming permits, including
27 appropriate fees;

28 (3) Procedures and criteria for selection of ~~[locations]~~ **licensees**;

29 (4) Control of gaming technology and gaming devices; and

30 (5) Procedures for investigating and enforcing violations of any gaming laws or
31 regulations.

32 **(6) Process for sustaining ongoing charitable gaming resources to charities**
33 **in New Hampshire.**

34 (e) Identify, review, and propose necessary changes in the policies and practices of the
35 lottery commission and the racing and charitable gaming commission to ensure the independence,
36 integrity, and public accountability of the regulation of gaming in New Hampshire, including

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1 insulating the regulators from conflicts of interest.

2 II. In making its recommendations, the authority shall conduct a thorough review of gaming
3 regulatory structure and regulation in other states, including but not limited to Maine, Connecticut,
4 Delaware, New Jersey, and Nevada.

5 III. The ~~[authority shall meet monthly beginning July 2010 and may meet more frequently~~
6 ~~as determined by the]~~ **first meeting and all meetings thereafter shall be called by the** chair. All
7 meetings of the authority shall be open to the public and subject to RSA 91-A.

8 IV. With regard to meetings, minutes, and records of the authority:

9 (a) The authority shall notice all proceedings and shall make and keep a record of all
10 proceedings held at public meetings of the authority. A verbatim record of those proceedings shall be
11 prepared by the authority. A copy of the record shall be made available to any person upon request
12 and payment of the costs of preparing the copy.

13 (b) The authority shall maintain such other files and records as the authority determines
14 is necessary.

15 (c) All records, information, or data maintained or kept by the authority shall be
16 maintained or kept at the office of the lottery commission.

17 V. The lottery commission shall allocate \$250,000 as initial start up funds to the authority in
18 funds not otherwise appropriated. Notwithstanding any provision of law to the contrary, for fiscal
19 year ~~[2011]~~ **2014**, the authority may expend the initial allocation as needed to support its activities
20 including, but not limited to, the hiring of staff and the retention of experts in the area of the
21 authority's oversight activities. ~~[Beginning]~~ In fiscal year ~~[2012 and each fiscal year thereafter,]~~
22 **2014**, the lottery commission ~~[shall allocate]~~ **may expend up to** \$250,000 ~~[to the authority]~~ in funds
23 not otherwise appropriated to support the authority's activities. **The authority may expend such**
24 **funds without the approval of the governor and executive council.**

25 VI. The lottery commission, the racing and charitable gaming commission, the liquor
26 commission and other state agencies shall cooperate with the authority and shall provide data and
27 information to the authority upon request. The authority shall be administratively attached to the
28 department of safety pursuant to RSA 21-G:10.

29 VII. The authority shall submit **draft legislation with supporting regulations and** a
30 report to the general court by December 15, ~~[2010]~~ **2013** containing recommendations regarding
31 gaming policy, oversight, and regulation in accordance with the authority's functions and duties as
32 set forth in RSA 284-A:2. Such report shall contain recommendations to the general court for ~~[2011]~~
33 **2014** legislation that would establish ~~[an entity]~~ **one or more entities** sufficient to regulate **existing**
34 **or** expanded gaming~~[- including all types of expanded gaming referenced in the New Hampshire~~
35 ~~Gaming Study Commission's Final Report, issued on May 20, 2010,]~~ so that, in the event that the
36 legislature acts to enable the issuance of one or more licenses for expanded gaming facilities, the

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1 state will be prepared to regulate these activities in an effective and efficient manner.

2 144:146 Repeal. The following are repealed:

3 I. SS 2010, 1:114, relative to the repeal of the gaming regulatory oversight authority.

4 II. SS 2010, 1:123, VI, relative to the effective date of the repeal of the gaming regulatory
5 oversight authority.

6 144:147 Classified Salaries; July 12, 2013. RSA 99:1-a is repealed and reenacted to read as
7 follows:

8 99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and
9 all classified employees represented by an employee organization having an agreement with the
10 state for the biennium ending June 30, 2015 shall be established as follows commencing July 12,
11 2013:

	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08
12 01	18,921.63	19,416.44	19,950.84	20,524.82	21,118.60	21,751.96	22,345.73	22,939.51
13 02	19,416.44	19,950.84	20,524.82	21,118.60	21,751.96	22,345.73	22,939.51	23,592.66
14 03	19,950.84	20,524.82	21,118.60	21,751.96	22,345.73	22,939.51	23,592.66	24,305.19
15 04	20,524.82	21,118.60	21,751.96	22,345.73	22,939.51	23,592.66	24,305.19	25,967.76
16 05	21,118.60	21,751.96	22,345.73	22,939.51	23,592.66	24,305.19	25,967.76	26,937.59
17 06	21,751.96	22,345.73	22,939.51	23,592.66	24,305.19	25,967.76	26,937.59	27,927.22
18 07	22,345.73	23,137.43	24,067.68	24,997.93	25,967.76	26,937.59	27,927.22	29,075.18
19 08	23,137.43	24,067.68	24,997.93	25,967.76	26,937.59	27,927.22	29,075.18	30,163.77
20 09	24,067.68	24,997.93	25,967.76	26,937.59	27,927.22	29,075.18	30,163.77	31,351.32
21 10	24,997.93	25,967.76	26,937.59	27,927.22	29,075.18	30,163.77	31,351.32	32,578.46
22 11	25,967.76	26,937.59	27,927.22	29,075.18	30,163.77	31,351.32	32,578.46	33,884.76
23 12	26,937.59	27,927.22	29,075.18	30,163.77	31,351.32	32,578.46	33,884.76	35,388.99
24 13	27,927.22	29,075.18	30,163.77	31,351.32	32,578.46	33,884.76	35,388.99	36,833.84
25 14	29,075.18	30,163.77	31,351.32	32,578.46	33,884.76	35,388.99	36,833.84	38,417.24
26 15	30,163.77	31,450.28	32,717.00	34,043.10	35,388.99	36,833.84	38,417.24	39,980.85
27 16	31,450.28	32,717.00	34,043.10	35,388.99	36,833.84	38,417.24	39,980.85	41,702.80
28 17	32,717.00	34,043.10	35,388.99	36,833.84	38,417.24	39,980.85	41,702.80	43,385.16
29 18	34,043.10	35,388.99	36,833.84	38,417.24	39,980.85	41,702.80	43,385.16	45,206.07
30 19	35,388.99	36,833.84	38,417.24	39,980.85	41,702.80	43,385.16	45,206.07	47,106.15
31 20	36,833.84	38,417.24	39,980.85	41,702.80	43,385.16	45,206.07	47,106.15	49,501.04
32 21	38,417.24	39,980.85	41,702.80	43,385.16	45,206.07	47,106.15	49,501.04	51,678.22
33 22	39,980.85	41,702.80	43,385.16	45,206.07	47,106.15	49,501.04	51,678.22	53,934.56
34 23	41,702.80	43,484.12	45,423.79	47,422.83	49,501.04	51,678.22	53,934.56	56,329.46
35 24	43,484.12	45,423.79	47,422.83	49,501.04	51,678.22	53,934.56	56,329.46	58,803.52

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1	25	45,423.79	47,422.83	49,501.04	51,678.22	53,934.56	56,329.46	58,803.52	61,475.51
2	26	47,422.83	49,501.04	51,678.22	53,934.56	56,329.46	58,803.52	61,475.51	64,127.70
3	27	49,501.04	51,678.22	53,934.56	56,329.46	58,803.52	61,475.51	64,127.70	66,997.61
4	28	51,678.22	53,934.56	56,329.46	58,803.52	61,475.51	64,127.70	66,997.61	70,599.85
5	29	53,934.56	56,329.46	58,803.52	61,475.51	64,127.70	66,997.61	70,599.85	73,944.78
6	30	56,329.46	58,803.52	61,475.51	64,127.70	66,997.61	70,599.85	73,944.78	77,329.30
7	31	58,803.52	61,594.26	64,483.97	67,413.26	70,599.85	73,944.78	77,329.30	80,971.12
8	32	61,594.26	64,483.97	67,413.26	70,599.85	73,944.78	77,329.30	80,971.12	84,632.73
9	33	64,483.97	67,413.26	70,599.85	73,944.78	77,329.30	80,971.12	84,632.73	88,294.34
10	34	67,413.26	70,599.85	73,944.78	77,329.30	80,971.12	84,632.73	88,294.34	91,916.37
11	35	70,599.85	73,944.78	77,329.30	80,971.12	84,632.73	88,294.34	91,916.37	95,577.98

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

18 144:148 Classified Salaries; July 11, 2014. RSA 99:1-a is repealed and reenacted to read as
19 follows:

20 99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and
21 all classified employees represented by an employee organization having an agreement with the
22 state for the biennium ending June 30, 2015 shall be established as follows commencing July 11,
23 2014:

24		STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08
25	01	19,347.37	19,853.31	20,399.73	20,986.63	21,593.77	22,241.38	22,848.51	23,455.65
26	02	19,853.31	20,399.73	20,986.63	21,593.77	22,241.38	22,848.51	23,455.65	24,123.49
27	03	20,399.73	20,986.63	21,593.77	22,241.38	22,848.51	23,455.65	24,123.49	24,852.06
28	04	20,986.63	21,593.77	22,241.38	22,848.51	23,455.65	24,123.49	24,852.06	26,552.03
29	05	21,593.77	22,241.38	22,848.51	23,455.65	24,123.49	24,852.06	26,552.03	27,543.69
30	06	22,241.38	22,848.51	23,455.65	24,123.49	24,852.06	26,552.03	27,543.69	28,555.58
31	07	22,848.51	23,658.02	24,609.20	25,560.38	26,552.03	27,543.69	28,555.58	29,729.37
32	08	23,658.02	24,609.20	25,560.38	26,552.03	27,543.69	28,555.58	29,729.37	30,842.45
33	09	24,609.20	25,560.38	26,552.03	27,543.69	28,555.58	29,729.37	30,842.45	32,056.72
34	10	25,560.38	26,552.03	27,543.69	28,555.58	29,729.37	30,842.45	32,056.72	33,311.47
35	11	26,552.03	27,543.69	28,555.58	29,729.37	30,842.45	32,056.72	33,311.47	34,647.17
36	12	27,543.69	28,555.58	29,729.37	30,842.45	32,056.72	33,311.47	34,647.17	36,185.24

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1	13	28,555.58	29,729.37	30,842.45	32,056.72	33,311.47	34,647.17	36,185.24	37,662.60
2	14	29,729.37	30,842.45	32,056.72	33,311.47	34,647.17	36,185.24	37,662.60	39,281.63
3	15	30,842.45	32,157.91	33,453.14	34,809.07	36,185.24	37,662.60	39,281.63	40,880.42
4	16	32,157.91	33,453.14	34,809.07	36,185.24	37,662.60	39,281.63	40,880.42	42,641.11
5	17	33,453.14	34,809.07	36,185.24	37,662.60	39,281.63	40,880.42	42,641.11	44,361.33
6	18	34,809.07	36,185.24	37,662.60	39,281.63	40,880.42	42,641.11	44,361.33	46,223.21
7	19	36,185.24	37,662.60	39,281.63	40,880.42	42,641.11	44,361.33	46,223.21	48,166.04
8	20	37,662.60	39,281.63	40,880.42	42,641.11	44,361.33	46,223.21	48,166.04	50,614.82
9	21	39,281.63	40,880.42	42,641.11	44,361.33	46,223.21	48,166.04	50,614.82	52,840.98
10	22	40,880.42	42,641.11	44,361.33	46,223.21	48,166.04	50,614.82	52,840.98	55,148.09
11	23	42,641.11	44,462.52	46,445.82	48,489.84	50,614.82	52,840.98	55,148.09	57,596.87
12	24	44,462.52	46,445.82	48,489.84	50,614.82	52,840.98	55,148.09	57,596.87	60,126.60
13	25	46,445.82	48,489.84	50,614.82	52,840.98	55,148.09	57,596.87	60,126.60	62,858.70
14	26	48,489.84	50,614.82	52,840.98	55,148.09	57,596.87	60,126.60	62,858.70	65,570.57
15	27	50,614.82	52,840.98	55,148.09	57,596.87	60,126.60	62,858.70	65,570.57	68,505.06
16	28	52,840.98	55,148.09	57,596.87	60,126.60	62,858.70	65,570.57	68,505.06	72,188.34
17	29	55,148.09	57,596.87	60,126.60	62,858.70	65,570.57	68,505.06	72,188.34	75,608.54
18	30	57,596.87	60,126.60	62,858.70	65,570.57	68,505.06	72,188.34	75,608.54	79,069.21
19	31	60,126.60	62,980.13	65,934.85	68,930.05	72,188.34	75,608.54	79,069.21	82,792.97
20	32	62,980.13	65,934.85	68,930.05	72,188.34	75,608.54	79,069.21	82,792.97	86,536.97
21	33	65,934.85	68,930.05	72,188.34	75,608.54	79,069.21	82,792.97	86,536.97	90,280.97
22	34	68,930.05	72,188.34	75,608.54	79,069.21	82,792.97	86,536.97	90,280.97	93,984.49
23	35	72,188.34	75,608.54	79,069.21	82,792.97	86,536.97	90,280.97	93,984.49	97,728.49

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

30 144:149 Classified Salaries; January 9, 2015. RSA 99:1-a is repealed and reenacted to read as
31 follows:

32 99:1-a Salaries Established. The salary ranges for all unrepresented classified employees and
33 all classified employees represented by an employee organization having an agreement with the
34 state for the biennium ending June 30, 2015 shall be established as follows commencing January 9,
35 2015:

36	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08
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1	01	19,782.68	20,300.01	20,858.73	21,458.83	22,079.63	22,741.81	23,362.60	23,983.40
2	02	20,300.01	20,858.73	21,458.83	22,079.63	22,741.81	23,362.60	23,983.40	24,666.27
3	03	20,858.73	21,458.83	22,079.63	22,741.81	23,362.60	23,983.40	24,666.27	25,411.23
4	04	21,458.83	22,079.63	22,741.81	23,362.60	23,983.40	24,666.27	25,411.23	27,149.46
5	05	22,079.63	22,741.81	23,362.60	23,983.40	24,666.27	25,411.23	27,149.46	28,163.42
6	06	22,741.81	23,362.60	23,983.40	24,666.27	25,411.23	27,149.46	28,163.42	29,198.08
7	07	23,362.60	24,190.33	25,162.91	26,135.49	27,149.46	28,163.42	29,198.08	30,398.29
8	08	24,190.33	25,162.91	26,135.49	27,149.46	28,163.42	29,198.08	30,398.29	31,536.41
9	09	25,162.91	26,135.49	27,149.46	28,163.42	29,198.08	30,398.29	31,536.41	32,778.00
10	10	26,135.49	27,149.46	28,163.42	29,198.08	30,398.29	31,536.41	32,778.00	34,060.98
11	11	27,149.46	28,163.42	29,198.08	30,398.29	31,536.41	32,778.00	34,060.98	35,426.73
12	12	28,163.42	29,198.08	30,398.29	31,536.41	32,778.00	34,060.98	35,426.73	36,999.41
13	13	29,198.08	30,398.29	31,536.41	32,778.00	34,060.98	35,426.73	36,999.41	38,510.01
14	14	30,398.29	31,536.41	32,778.00	34,060.98	35,426.73	36,999.41	38,510.01	40,165.47
15	15	31,536.41	32,881.47	34,205.83	35,592.27	36,999.41	38,510.01	40,165.47	41,800.23
16	16	32,881.47	34,205.83	35,592.27	36,999.41	38,510.01	40,165.47	41,800.23	43,600.54
17	17	34,205.83	35,592.27	36,999.41	38,510.01	40,165.47	41,800.23	43,600.54	45,359.46
18	18	35,592.27	36,999.41	38,510.01	40,165.47	41,800.23	43,600.54	45,359.46	47,263.23
19	19	36,999.41	38,510.01	40,165.47	41,800.23	43,600.54	45,359.46	47,263.23	49,249.77
20	20	38,510.01	40,165.47	41,800.23	43,600.54	45,359.46	47,263.23	49,249.77	51,753.65
21	21	40,165.47	41,800.23	43,600.54	45,359.46	47,263.23	49,249.77	51,753.65	54,029.90
22	22	41,800.23	43,600.54	45,359.46	47,263.23	49,249.77	51,753.65	54,029.90	56,388.92
23	23	43,600.54	45,462.92	47,490.85	49,580.87	51,753.65	54,029.90	56,388.92	58,892.80
24	24	45,462.92	47,490.85	49,580.87	51,753.65	54,029.90	56,388.92	58,892.80	61,479.45
25	25	47,490.85	49,580.87	51,753.65	54,029.90	56,388.92	58,892.80	61,479.45	64,273.02
26	26	49,580.87	51,753.65	54,029.90	56,388.92	58,892.80	61,479.45	64,273.02	67,045.91
27	27	51,753.65	54,029.90	56,388.92	58,892.80	61,479.45	64,273.02	67,045.91	70,046.42
28	28	54,029.90	56,388.92	58,892.80	61,479.45	64,273.02	67,045.91	70,046.42	73,812.58
29	29	56,388.92	58,892.80	61,479.45	64,273.02	67,045.91	70,046.42	73,812.58	77,309.73
30	30	58,892.80	61,479.45	64,273.02	67,045.91	70,046.42	73,812.58	77,309.73	80,848.26
31	31	61,479.45	64,397.18	67,418.39	70,480.98	73,812.58	77,309.73	80,848.26	84,655.81
32	32	64,397.18	67,418.39	70,480.98	73,812.58	77,309.73	80,848.26	84,655.81	88,484.05
33	33	67,418.39	70,480.98	73,812.58	77,309.73	80,848.26	84,655.81	88,484.05	92,312.29
34	34	70,480.98	73,812.58	77,309.73	80,848.26	84,655.81	88,484.05	92,312.29	96,099.14
35	35	73,812.58	77,309.73	80,848.26	84,655.81	88,484.05	92,312.29	96,099.14	99,927.38

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

7 144:150 Classified Increases; July 12, 2013. RSA 99:3 is repealed and reenacted to read as
8 follows:

9 99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of
10 law to the contrary, classified employees of the state as of July 12, 2013, shall be placed in the
11 corresponding steps in the new salary ranges as their length of service justifies and their salaries
12 shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not
13 be construed as affecting so-called longevity payments which shall be in addition to the regular
14 salary scale.

15 144:151 Classified Increases; July 11, 2014. RSA 99:3 is repealed and reenacted to read as
16 follows:

17 99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of
18 law to the contrary, classified employees of the state as of July 11, 2014, shall be placed in the
19 corresponding steps in the new salary ranges as their length of service justifies and their salaries
20 shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not
21 be construed as affecting so-called longevity payments which shall be in addition to the regular
22 salary scale.

23 144:152 Classified Increases; January 9, 2015. RSA 99:3 is repealed and reenacted to read as
24 follows:

25 99:3 Increase in Salary. Notwithstanding the provisions of RSA 273-A or any other provision of
26 law to the contrary, classified employees of the state as of January 9, 2015, shall be placed in the
27 corresponding steps in the new salary ranges as their length of service justifies and their salaries
28 shall be in accordance with the salary scales set forth in RSA 99:1-a. The provisions hereof shall not
29 be construed as affecting so-called longevity payments which shall be in addition to the regular
30 salary scale.

31 144:153 State Trooper Salaries; July 11, 2014. RSA 99:1-b is repealed and reenacted to read as
32 follows:

33 99:1-b Salaries Established; New Hampshire State Troopers. Commencing July 11, 2014, the
34 salary ranges for individuals covered by the collective bargaining agreement between the state of
35 New Hampshire and the New Hampshire Troopers Association shall be as follows:

36 STEP 01 STEP 02 STEP 03 STEP 04 STEP 05 STEP 06 STEP 07 STEP 08

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1	01	24,150.80	24,839.86	25,526.82	26,266.30	27,041.50	27,867.11	28,583.48	29,381.79
2	02	24,839.86	25,526.82	26,266.30	27,041.50	27,867.11	28,583.48	29,381.79	30,234.71
3	03	25,526.82	26,266.30	27,041.50	27,867.11	28,583.48	29,381.79	30,234.71	31,142.26
4	04	26,266.30	27,041.50	27,867.11	28,583.48	29,381.79	30,234.71	31,142.26	33,289.28
5	05	27,041.50	27,867.11	28,583.48	29,381.79	30,234.71	31,142.26	33,289.28	34,526.65
6	06	27,867.11	28,583.48	29,381.79	30,234.71	31,142.26	33,289.28	34,526.65	35,820.74
7	07	28,583.48	29,659.09	30,839.74	32,022.49	33,289.28	34,526.65	35,820.74	37,335.42
8	08	29,659.09	30,839.74	32,022.49	33,289.28	34,526.65	35,820.74	37,335.42	38,711.44
9	09	30,839.74	32,022.49	33,289.28	34,526.65	35,820.74	37,335.42	38,711.44	40,253.43
10	10	32,022.49	33,289.28	34,526.65	35,820.74	37,335.42	38,711.44	40,253.43	41,822.73
11	11	33,289.28	34,526.65	35,820.74	37,335.42	38,711.44	40,253.43	41,822.73	43,501.27
12	12	34,526.65	35,820.74	37,335.42	38,711.44	40,253.43	41,822.73	43,501.27	45,457.11
13	13	35,820.74	37,335.42	38,711.44	40,253.43	41,822.73	43,501.27	45,457.11	47,356.23
14	14	37,335.42	38,711.44	40,253.43	41,822.73	43,501.27	45,457.11	47,356.23	49,366.70
15	15	38,711.44	40,362.67	41,986.59	43,694.54	45,457.11	47,356.23	49,366.70	51,370.86
16	16	40,362.67	41,986.59	43,694.54	45,457.11	47,356.23	49,366.70	51,370.86	53,604.01
17	17	41,986.59	43,694.54	45,457.11	47,356.23	49,366.70	51,370.86	53,604.01	55,805.65
18	18	43,694.54	45,457.11	47,356.23	49,366.70	51,370.86	53,604.01	55,805.65	58,173.25
19	19	45,457.11	47,356.23	49,366.70	51,370.86	53,604.01	55,805.65	58,173.25	60,595.48
20	20	47,356.23	49,366.70	51,370.86	53,604.01	55,805.65	58,173.25	60,595.48	63,706.76
21	21	49,366.70	51,370.86	53,604.01	55,805.65	58,173.25	60,595.48	63,706.76	66,486.12
22	22	51,370.86	53,604.01	55,805.65	58,173.25	60,595.48	63,706.76	66,486.12	69,433.54
23	23	53,604.01	55,944.30	58,421.15	61,038.74	63,706.76	66,486.12	69,433.54	72,542.72
24	24	55,944.30	58,421.15	61,038.74	63,706.76	66,486.12	69,433.54	72,542.72	75,735.94
25	25	58,421.15	61,038.74	63,706.76	66,486.12	69,433.54	72,542.72	75,735.94	79,122.43
26	26	61,038.74	63,706.76	66,486.12	69,433.54	72,542.72	75,735.94	79,122.43	82,590.85
27	27	63,706.76	66,486.12	69,433.54	72,542.72	75,735.94	79,122.43	82,590.85	86,305.07
28	28	66,486.12	69,433.54	72,542.72	75,735.94	79,122.43	82,590.85	86,305.07	90,931.03
29	29	69,433.54	72,542.72	75,735.94	79,122.43	82,590.85	86,305.07	90,931.03	95,225.06
30	30	72,542.72	75,735.94	79,122.43	82,590.85	86,305.07	90,931.03	95,225.06	99,659.85
31	31	75,735.94	79,286.29	83,059.33	86,828.16	90,931.03	95,225.06	99,659.85	104,365.64
32	32	79,286.29	83,059.33	86,828.16	90,931.03	95,225.06	99,659.85	104,365.64	109,073.54
33	33	83,059.33	86,828.16	90,931.03	95,225.06	99,659.85	104,365.64	109,073.54	113,781.43
34	34	86,828.16	90,931.03	95,225.06	99,659.85	104,365.64	109,073.54	113,781.43	118,514.53
35	35	90,931.03	95,225.06	99,659.85	104,365.64	109,073.54	113,781.43	118,514.53	123,220.32

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1 144:154 State Trooper Salaries; January 9, 2015. RSA 99:1-b is repealed and reenacted to read
2 as follows:

3 99:1-b Salaries Established; New Hampshire State Troopers. Commencing January 9, 2015, the
4 salary ranges for individuals covered by the collective bargaining agreement between the state of
5 New Hampshire and the New Hampshire Troopers Association, and state trooper command staff
6 shall be as follows:

	STEP 01	STEP 02	STEP 03	STEP 04	STEP 05	STEP 06	STEP 07	STEP 08	
7									
8	01	24,392.30	25,088.26	25,782.09	26,528.97	27,311.91	28,145.78	28,869.32	29,675.61
9	02	25,088.26	25,782.09	26,528.97	27,311.91	28,145.78	28,869.32	29,675.61	30,537.06
10	03	25,782.09	26,528.97	27,311.91	28,145.78	28,869.32	29,675.61	30,537.06	31,453.68
11	04	26,528.97	27,311.91	28,145.78	28,869.32	29,675.61	30,537.06	31,453.68	33,622.17
12	05	27,311.91	28,145.78	28,869.32	29,675.61	30,537.06	31,453.68	33,622.17	34,871.91
13	06	28,145.78	28,869.32	29,675.61	30,537.06	31,453.68	33,622.17	34,871.91	36,178.95
14	07	28,869.32	29,955.69	31,148.14	32,342.72	33,622.17	34,871.91	36,178.95	37,708.77
15	08	29,955.69	31,148.14	32,342.72	33,622.17	34,871.91	36,178.95	37,708.77	39,098.56
16	09	31,148.14	32,342.72	33,622.17	34,871.91	36,178.95	37,708.77	39,098.56	40,655.96
17	10	32,342.72	33,622.17	34,871.91	36,178.95	37,708.77	39,098.56	40,655.96	42,240.95
18	11	33,622.17	34,871.91	36,178.95	37,708.77	39,098.56	40,655.96	42,240.95	43,936.28
19	12	34,871.91	36,178.95	37,708.77	39,098.56	40,655.96	42,240.95	43,936.28	45,911.68
20	13	36,178.95	37,708.77	39,098.56	40,655.96	42,240.95	43,936.28	45,911.68	47,829.80
21	14	37,708.77	39,098.56	40,655.96	42,240.95	43,936.28	45,911.68	47,829.80	49,860.37
22	15	39,098.56	40,766.30	42,406.45	44,131.48	45,911.68	47,829.80	49,860.37	51,884.57
23	16	40,766.30	42,406.45	44,131.48	45,911.68	47,829.80	49,860.37	51,884.57	54,140.05
24	17	42,406.45	44,131.48	45,911.68	47,829.80	49,860.37	51,884.57	54,140.05	56,363.71
25	18	44,131.48	45,911.68	47,829.80	49,860.37	51,884.57	54,140.05	56,363.71	58,754.99
26	19	45,911.68	47,829.80	49,860.37	51,884.57	54,140.05	56,363.71	58,754.99	61,201.43
27	20	47,829.80	49,860.37	51,884.57	54,140.05	56,363.71	58,754.99	61,201.43	64,343.83
28	21	49,860.37	51,884.57	54,140.05	56,363.71	58,754.99	61,201.43	64,343.83	67,150.98
29	22	51,884.57	54,140.05	56,363.71	58,754.99	61,201.43	64,343.83	67,150.98	70,127.88
30	23	54,140.05	56,503.75	59,005.36	61,649.13	64,343.83	67,150.98	70,127.88	73,268.15
31	24	56,503.75	59,005.36	61,649.13	64,343.83	67,150.98	70,127.88	73,268.15	76,493.30
32	25	59,005.36	61,649.13	64,343.83	67,150.98	70,127.88	73,268.15	76,493.30	79,913.65
33	26	61,649.13	64,343.83	67,150.98	70,127.88	73,268.15	76,493.30	79,913.65	83,416.76
34	27	64,343.83	67,150.98	70,127.88	73,268.15	76,493.30	79,913.65	83,416.76	87,168.12
35	28	67,150.98	70,127.88	73,268.15	76,493.30	79,913.65	83,416.76	87,168.12	91,840.34
36	29	70,127.88	73,268.15	76,493.30	79,913.65	83,416.76	87,168.12	91,840.34	96,177.31

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1	30	73,268.15	76,493.30	79,913.65	83,416.76	87,168.12	91,840.34	96,177.31	100,656.45
2	31	76,493.30	80,079.16	83,889.92	87,696.45	91,840.34	96,177.31	100,656.45	105,409.30
3	32	80,079.16	83,889.92	87,696.45	91,840.34	96,177.31	100,656.45	105,409.30	110,164.27
4	33	83,889.92	87,696.45	91,840.34	96,177.31	100,656.45	105,409.30	110,164.27	114,919.24
5	34	87,696.45	91,840.34	96,177.31	100,656.45	105,409.30	110,164.27	114,919.24	119,699.68
6	35	91,840.34	96,177.31	100,656.45	105,409.30	110,164.27	114,919.24	119,699.68	124,452.53

7 144:155 Compensation for Certain State Officers; Unclassified State Employees; July 12, 2013.

8 RSA 94:1-a, I (a) is repealed and reenacted to read as follows:

9 I.(a) The following salary ranges shall apply to the following grades:

10	GRADE	MINIMUM	1	2	3	4	MAXIMUM
11	AA	49,460.33	52,685.61	55,910.26	59,134.92	62,359.57	65,584.21
12	BB	51,428.48	54,782.60	58,137.17	61,491.75	64,846.32	68,200.12
13	CC	53,814.89	57,330.25	60,845.19	64,360.14	67,875.08	71,390.31
14	DD	56,659.16	60,361.04	64,063.76	67,766.48	71,469.20	75,170.61
15	EE	60,006.49	63,933.84	67,860.87	71,787.91	75,714.94	79,643.87
16	FF	64,156.43	68,360.25	72,564.38	76,768.51	80,972.64	85,175.27
17	GG	69,254.85	73,796.59	78,338.72	82,880.84	87,422.97	91,964.87
18	HH	75,410.27	80,362.63	85,314.81	90,267.00	95,219.18	100,170.95
19	II	79,728.66	84,968.70	90,209.14	95,449.59	100,690.03	105,929.56
20	JJ	84,047.05	89,574.77	95,102.46	100,630.15	106,157.84	111,687.05
21	KK	86,194.95	91,866.64	97,538.46	103,210.28	108,882.10	114,553.92
22	LL	0.00	0.00	0.00	0.00	0.00	117,912.55
23	MM	0.00	0.00	0.00	0.00	0.00	121,896.43
24	NN	0.00	0.00	0.00	0.00	0.00	126,575.58
25	OO	0.00	0.00	0.00	0.00	0.00	132,045.41
26	PP	0.00	0.00	0.00	0.00	0.00	138,584.04
27	QQ	0.00	0.00	0.00	0.00	0.00	146,453.34

28 144:156 Compensation for Certain State Officers; Unclassified State Employees; July 11, 2014.

29 RSA 94:1-a, I (a) is repealed and reenacted to read as follows:

30 I.(a) The following salary ranges shall apply to the following grades:

31	GRADE	MINIMUM	1	2	3	4	MAXIMUM
32	AA	50,573.19	53,871.03	57,168.24	60,465.45	63,762.66	67,059.86
33	BB	52,585.62	56,015.20	59,445.26	62,875.31	66,305.36	69,734.63
34	CC	55,025.73	58,620.18	62,214.21	65,808.24	69,402.27	72,996.59
35	DD	57,933.99	61,719.16	65,505.19	69,291.22	73,077.25	76,861.94
36	EE	61,356.63	65,372.35	69,387.74	73,403.13	77,418.53	81,435.86

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1	FF	65,599.95	69,898.36	74,197.08	78,495.80	82,794.52	87,091.71
2	GG	70,813.08	75,457.01	80,101.34	84,745.66	89,389.98	94,034.08
3	HH	77,107.00	82,170.78	87,234.39	92,298.00	97,361.61	102,424.80
4	II	81,522.55	86,880.49	92,238.85	97,597.20	102,955.56	108,312.98
5	JJ	85,938.11	91,590.20	97,242.26	102,894.32	108,546.39	114,200.01
6	KK	88,134.33	93,933.63	99,733.07	105,532.51	111,331.94	117,131.38
7	LL	0.00	0.00	0.00	0.00	0.00	120,565.58
8	MM	0.00	0.00	0.00	0.00	0.00	124,639.09
9	NN	0.00	0.00	0.00	0.00	0.00	129,423.53
10	OO	0.00	0.00	0.00	0.00	0.00	135,016.43
11	PP	0.00	0.00	0.00	0.00	0.00	141,702.18
12	QQ	0.00	0.00	0.00	0.00	0.00	149,748.54

13 144:157 Compensation of State Officers; Unclassified State Employees; January 9, 2015; RSA
14 94:1-a, I(a) is repealed and reenacted to read as follows:

15 I.(a) The following salary ranges shall apply to the following grades:

16	GRADE	MINIMUM	1	2	3	4	MAXIMUM
17	AA	51,711.09	55,083.13	58,454.53	61,825.92	65,197.32	68,568.71
18	BB	53,768.79	57,275.55	60,782.77	64,290.00	67,797.23	71,303.66
19	CC	56,263.81	59,939.13	63,614.03	67,288.92	70,963.82	74,639.01
20	DD	59,237.50	63,107.84	66,979.06	70,850.27	74,721.49	78,591.34
21	EE	62,737.16	66,843.22	70,948.96	75,054.70	79,160.44	83,268.17
22	FF	67,075.95	71,471.07	75,866.51	80,261.96	84,657.40	89,051.27
23	GG	72,406.38	77,154.80	81,903.62	86,652.44	91,401.26	96,149.84
24	HH	78,841.91	84,019.63	89,197.17	94,374.71	99,552.25	104,729.35
25	II	83,356.81	88,835.30	94,314.22	99,793.14	105,272.06	110,750.02
26	JJ	87,871.72	93,650.98	99,430.21	105,209.45	110,988.68	116,769.51
27	KK	90,117.36	96,047.14	101,977.06	107,906.99	113,836.91	119,766.83
28	LL	0.00	0.00	0.00	0.00	0.00	123,278.31
29	MM	0.00	0.00	0.00	0.00	0.00	127,443.47
30	NN	0.00	0.00	0.00	0.00	0.00	132,335.55
31	OO	0.00	0.00	0.00	0.00	0.00	138,054.30
32	PP	0.00	0.00	0.00	0.00	0.00	144,890.48
33	QQ	0.00	0.00	0.00	0.00	0.00	153,117.88

34 144:158 Salary Wages for Councilors and Commissioners; July 12, 2013. RSA 94:1-a, II is
35 repealed and reenacted to read as follows:

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1 II. The salary wages for the positions set forth below shall be as follows commencing
2 July 12, 2013:

3	Minimum	Maximum
4 Governor's councilors		\$15,397
5 Racing and charitable gaming commissioners		\$11,941
6 Lottery commission, chairman		\$17,368
7 Lottery commission, members		\$9,776

8 144:159 Salary Wages for Councilors and Commissioners; July 11, 2014. RSA 94:1-a, II is
9 repealed and reenacted to read as follows:

10 II. The salary wages for the positions set forth below shall be as follows commencing July 11,
11 2014:

12	Minimum	Maximum
13 Governor's councilors		\$15,743
14 Racing and charitable gaming commissioners		\$12,210
15 Lottery commission, chairman		\$17,758
16 Lottery commission, members		\$9,996

17 144:160 Salary Wages for Councilors and Commissioners; January 9, 2015. RSA 94:1-a, II is
18 repealed and reenacted to read as follows:

19 II. The salary wages for the positions set forth below shall be as follows commencing
20 January 9, 2015:

21	Minimum	Maximum
22 Governor's councilors		\$16,097
23 Racing and charitable gaming commissioners		\$12,485
24 Lottery commission, chairman		\$18,158
25 Lottery commission, members		\$10,221

26 144:161 Department of Justice; Attorney Salaries; July 12, 2013. RSA 94:1-a, I(c) is repealed
27 and reenacted to read as follows:

28 I.(c) For attorney positions in the department of justice, except for the attorney general and
29 deputy attorney general, the following shall apply commencing on July 12, 2013:

30	Minimum	Market anchor	Maximum
31	\$45,796		\$109,306
32 Attorney		\$55,205	
33 Assistant attorney general		\$75,199	
34 Senior assistant attorney general		\$92,841	
35 Associate attorney general		\$102,250	

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1 144:162 Department of Justice; Attorney Salaries; July 11, 2014. RSA 94:1-a, I(c) is repealed
2 and reenacted to read as follows:

3 I.(c) For attorney positions in the department of justice, except for the attorney general and
4 deputy attorney general, the following shall apply commencing on July 11, 2014:

	Minimum	Market anchor	Maximum
	\$46,826		\$111,766
7 Attorney		\$56,447	
8 Assistant attorney general		\$76,891	
9 Senior assistant attorney general		\$94,930	
10 Associate attorney general		\$104,551	

11 144:163 Department of Justice; Attorney Salaries; January 9, 2015. RSA 94:1-a, I(c) is repealed
12 and reenacted to read as follows:

13 I.(c) For attorney positions in the department of justice, except for the attorney general and
14 deputy attorney general, the following shall apply commencing on January 9, 2015:

	Minimum	Market anchor	Maximum
	\$47,880		\$114,280
17 Attorney		\$57,717	
18 Assistant attorney general		\$78,621	
19 Senior assistant attorney general		\$97,066	
20 Associate attorney general		\$106,903	

21 144:164 Legislative Employees; July 12, 2013. Legislative employees shall receive 1.5 percent
22 salary increases effective July 12, 2013, if such increases are approved by the appointing authority.

23 144:165 Legislative Employees; July 11, 2014. Legislative employees shall receive 2.25 percent
24 salary increases effective July 11, 2014, if such increases are approved by the appointing authority.

25 144:166 Legislative Employees; January 9, 2015. Legislative employees shall receive 2.25
26 percent salary increases effective January 9, 2015, if such increases are approved by the appointing
27 authority.

28 144:167 Increases in Salary; Other Non-Classified or Unclassified Employees. All other
29 nonclassified or unclassified employees not covered by the provisions for salary increases in this act
30 shall be granted a salary increase of 1.5 percent effective July 12, 2013, an additional salary increase
31 of 2.25 percent effective July 11, 2014, and an additional salary increase of 2.25 percent effective
32 January 9, 2015.

33 144:168 Judicial Salaries; July 12, 2013. RSA 491-A:1 is repealed and reenacted to read as
34 follows:

35 491-A:1 Salaries Established. The salaries for the positions set forth below shall be as
36 follows:

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1	Chief justice, supreme court	\$153,749
2	Associate justices, supreme court	\$149,121
3	Chief justice, superior court and administrative	
4	judges appointed pursuant to supreme	
5	court rule 54	\$149,121
6	Associate justices, superior court	\$139,871
7	District court justices prohibited	
8	from practice pursuant to	
9	RSA 502-A:21-a	\$139,871
10	Probate judges prohibited from	
11	practice pursuant to RSA 547:2-a	\$139,871
12	144:169 Judicial Salaries; July 11, 2014. RSA 491-A:1 is repealed and reenacted to read as	
13	follows:	
14	491-A:1 Salaries Established. The salaries for the positions set forth below shall be as	
15	follows:	
16	Chief justice, supreme court	\$157,209
17	Associate justices, supreme court	\$152,476
18	Chief justice, superior court and administrative	
19	judges appointed pursuant to supreme	
20	court rule 54	\$152,476
21	Associate justices, superior court	\$143,018
22	District court justices prohibited	
23	from practice pursuant to	
24	RSA 502-A:21-a	\$143,018
25	Probate judges prohibited from	
26	practice pursuant to RSA 547:2-a	\$143,018
27	144:170 Judicial Salaries; January 9, 2015. RSA 491-A:1 is repealed and reenacted to read as	
28	follows:	
29	491-A:1 Salaries Established. The salaries for the positions set forth below shall be as follows:	
30	Chief justice, supreme court	\$160,746
31	Associate justices, supreme court	\$155,907
32	Chief justice, superior court and administrative	
33	judges appointed pursuant to supreme	
34	court rule 54	\$155,907
35	Associate justices, superior court	\$146,236
36	District court justices prohibited	

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1 from practice pursuant to
2 RSA 502-A:21-a \$146,236

3 Probate judges prohibited from
4 practice pursuant to RSA 547:2-a \$146,236

5 144:171 Judges; State Employee Health Plan; Application. The cost sharing and plan design for
6 judges who participate in the health plans offered by the state shall be the same as those for
7 individuals covered by the collective bargaining agreement between the state of New Hampshire and
8 the State Employees' Association of New Hampshire, Inc.

9 144:172 Judicial Employees; July 12, 2013. All unrepresented judicial employees shall receive
10 1.5 percent salary increases on July 12, 2013.

11 144:173 Judicial Employees; July 11, 2014. All unrepresented judicial employees shall receive
12 2.25 percent salary increases on July 11, 2014.

13 144:174 Judicial Employees; January 9, 2015. All unrepresented judicial employees shall
14 receive 2.25 percent salary increases on January 9, 2015.

15 144:175 Appropriation. The following sums are appropriated from the following sources for the
16 purposes of sections 147-174 of this act for the fiscal years ending June 30, 2014 and June 30, 2015:

17 FY 2014

18 All	Liquor	General	Federal	Highway	Turnpike	Fish & Game	Other
19 \$10,564,795	\$310,637	\$5,173,013	\$1,737,572	\$1,462,421	\$234,660	\$89,669	\$1,556,823

20 FY 2015

21 All	Liquor	General	Federal	Highway	Turnpike	Fish & Game	Other
22 \$33,099,647	\$1,039,860	\$15,255,893	\$5,735,312	\$4,831,714	\$786,429	\$300,595	\$5,149,844

23 144:176 Health Risk Appraisal; Protected Health Information. All information contained in a
24 state employee's health risk appraisal as referenced in any collective bargaining agreement shall be
25 considered protected health information and entitled to all of the non-disclosure and other
26 restrictions set forth in the HIPAA Standards for Privacy of Individually Identifiable Health
27 Information at 45 C.F.R. Part 160 and Subparts A and E of Part 164 ("Privacy Rule").

28 144:177 State Employee Health Plan; Application. The cost sharing and plan design for
29 unrepresented active state employees who participate in the health plans offered by the state shall
30 be the same as those for individuals covered by the collective bargaining agreement between the
31 state of New Hampshire and the State Employees' Association of New Hampshire, Inc. The fiscal
32 committee of the general court may approve changes to the above plan design cost sharing provisions
33 consistent with RSA 21-I:30, I. The cost sharing and plan designs for represented active state
34 employees who participate in the health plans offered by the state shall be in accordance with the
35 provisions of the collective bargaining agreements between the state and the employee organizations
36 representing those employees.

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1 144:178 Department of Administrative Services; Appropriation; Parking Benefit. There is
2 hereby appropriated to the department of administrative services the sum of \$50,000 for the fiscal
3 year ending June 30, 2014 and the sum of \$50,000 for the fiscal year ending June 30, 2015, for the
4 purpose of implementing the state employee parking benefit agreed to in the collective bargaining
5 agreement between the state of New Hampshire and the New Hampshire state employees'
6 association. The governor is authorized to draw a warrant for said sums out of any money in the
7 treasury not otherwise appropriated.

8 179 Contingency.

9 I. If HB 588 of the 2013 regular legislative session becomes law, RSA 206:1-a, as inserted by
10 section 75 of this act, shall be renumbered as RSA 206:1-b.

11 II. If SB 138-FN of the 2013 regular legislative session becomes law, RSA 151-E:19 as
12 inserted by section 132 of this act, and as repealed by section 133 of this act, shall be renumbered as
13 RSA 151-E:20.

14 180 Effective Date.

15 I. Sections 27, 32, 103, 124, 129-130, and 132 shall take effect upon its passage.

16 II. Sections 121-123 of this act shall take effect 90 days after its passage.

17 III. Sections 30, 33, 67, 68, 90, 102, 104, 118, 143, and 146 of this act shall take effect
18 June 30, 2013.

19 IV. Sections 78 and 89 of this act shall take effect August 1, 2013.

20 V. Section 54 of this act shall take effect November 2, 2013.

21 VI. Section 128 of this act shall take effect January 1, 2014.

22 VII. Sections 79-83, 85, 87, and 88 of this act shall take effect February 1, 2014.

23 VIII. Sections 84 and 140 of this act shall take effect June 30, 2016.

24 IX. Section 133 of this act shall take effect November 1, 2013.

25 X. Section 131 shall take effect December 1, 2016.

26 XI. Sections 147, 150, 155, 158, 161, 164, 168, and 172 of this act shall take effect July 12,
27 2013.

28 XII. Sections 148, 151, 153, 156, 159, 162, 165, 169, and 173 of this act shall take effect July
29 11, 2014.

30 XIII. Sections 149, 152, 154, 157, 160, 163, 166, 170, and 174 of this act shall take effect
31 January 9, 2015.

32 XIV. Sections 25 and 26 of this act shall take effect as provided in section 27 of this act.

33 XV. Section 34 of this act shall take effect November 15, 2013.

34 XVI. The remainder of this act shall take effect July 1, 2013.

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Approved: June 28, 2013
Effective Date:

- 1 I. Sections 27, 32, 103, 124, 129-130, and 132 shall take effect June 28, 2013.
- 2 II. Sections 121-123 shall take effect September 26, 2013.
- 3 III. Sections 30, 33, 67, 68, 90, 102, 104, 118, 143, and 146 shall take effect June 30, 2013.
- 4 IV. Sections 78 and 89 shall take effect August 1, 2013.
- 5 V. Section 54 shall take effect November 2, 2013.
- 6 VI. Section 128 shall take effect January 1, 2014.
- 7 VII. Sections 79-83, 85, 87, and 88 shall take effect February 1, 2014.
- 8 VIII. Sections 84 and 140 shall take effect June 30, 2016.
- 9 IX. Section 133 shall take effect November 1, 2013.
- 10 X. Section 131 shall take effect December 1, 2016.
- 11 XI. Sections 147, 150, 155, 158, 161, 164, 168, and 172 shall take effect July 12, 2013.
- 12 XII. Sections 148, 151, 153, 156, 159, 162, 165, 169, and 173 shall take effect July 11, 2014.
- 13 XIII. Sections 149, 152, 154, 157, 160, 163, 166, 170, and 174 shall take effect January 9, 2015.
- 14 XIV. Sections 25 and 26 shall take effect as provided in section 27.
- 15 XV. Section 34 shall take effect November 15, 2013.
- 16 XVI. Remainder shall take effect July 1, 2013.