

HOUSE BILLS 2010
FINAL UPDATE 7-26-2010
MONDAY

Leadership Level	Bill No.	Committee	Sponsor	Description	Center's Comments	Current Status	Center's Position
	HB 1431-FN	Commerce and Consumer Affairs	Rep. Renzullo, Hills 27; Rep. Garcia, Rock 4; Rep. Ulery, Hills 27; Rep. Hogan, Hills 25; Rep. Coffey, Merr 6; Sen. Carson, Dist 14	authorizes individuals to purchase health insurance from out-of state health insurance carriers selected by the insurance commissioner. This bill grants rulemaking authority to the insurance commissioner for the purposes of the bill.	SB452 is similar and also authorizes businesses to purchase	House ITL	
	HB1459	Commerce and Consumer Affairs	Rep. Butler, Carr 1	Banking Commissioner housekeeping bill. Senate amendment on May 19 went to Conference Committee, and was itself amended The Senate amendment aimed to address the 2010 US Supreme Court decision (<i>Citizens United</i> that allowed increased corporate spending to influence elections. As originally written, the effect	http://www.gencourt.state.nh.us/coefcreports/HB1459.html Significant improvement in the provisions of the bill. 501(c)(3)s excluded.	Bill killed in House	

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				<p>of the amendment was to restrict the ability of nonprofits to exercise free speech rights in connection with advocacy on their mission.</p> <p>The final version of the bill as amended by the Committee of Conference (which then was rejected by the House) exempted 501(c)(3) nonprofits from the registration and reporting requirements (which were significantly reduced for all organizations the bill sought to cover). This amendment alleviated concerns about restrictions on the type of advocacy 501(c)(3)s can do (“issue advocacy”) yet maintained transparency and disclosure of funding sources for election advocacy activities of other types of non-profit organizations, corporations, LLCs and partnerships.</p>			

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	HB 1545-FN	Commerce and Consumer Affairs	Rep. Nord, Rock 1	health insurance carriers may not use group size when determining premiums to be charged by health insurance carriers when issuing small employer health coverage.		House ITL	
	HB 1488-FN	Commerce and Consumer Affairs	Rep. Butler, Carr 1	<p>This bill requires certain health carriers which offer coverage in the small employer market to offer the basic wellness plan in addition to the standard wellness plan.</p> <p>This bill is a request of the insurance department. The Insurance Department states this bill requires health carriers which offer coverage in the small employer (up to 50 'ees) market to offer not just the standard wellness plan but also a basic wellness plan designed so the premium is comparable to or below the least expensive major medical health insurance presently offered in the small group market.</p>	SB 455 is nearly identical	Signed by Governor Eff. 7-17-10 Chapter 57	

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	HB 1597-FN	Commerce and Consumer Affairs	Rep. Hess, Merr 9	<p>Bill requires continuation of insurance coverage in the event of job loss until such time as the individual becomes eligible for other coverage or Medicare. This bill also prohibits denial of coverage for preexisting conditions.</p> <p>The Insurance Department states this bill allows individuals that are no longer eligible for group coverage would be entitled to a continuation in coverage until they become eligible for other group coverage or Medicare, broadens the scope and applicability of the preexisting condition limitation, and eliminates the preexisting condition waiting period that may have been imposed on individuals insured under a group policy at the time the coverage is converted to individual coverage issued by a high risk pool.</p>		House ITL	

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	CACR 30	Commerce and Consumer Affairs	Rep. Renzullo, Hills 27; Rep. Hogan, Hills 25; Rep. Seidel, Hills 20; Rep. Ulery, Hills 27; Sen. Carson, Dist 14	people may enter into private contracts with health care providers for health care services and to purchase health care coverage.		House ITL	
	HCR30	Commerce and Consumer Affairs	Rep. Winters, Hills 17; Rep. C. Soucy, Hills 17; Rep. Infantine, Hills 13	This House Concurrent Resolution urges the attorney general to fully investigate the proposed transaction between Catholic Medical Center Healthcare System and Dartmouth-Hitchcock Health.	We are assessing whether this resolution could be a harbinger of things to come for nonprofits in general—would any affiliations or mergers eventually end up having to go to Probate	House passed with amendment #0279h (New Title) Senate passed w. amendment	

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					<p>Court for approval? If this resolution is passed, would a new law be the next step? And would all nonprofits be swept into it?</p> <p>RSA 7:19-b sets standards for all acquisition transactions involving health care charitable trusts. The Attorney General's Charitable Trusts Division is charged</p>	House concurs 5-13-10.	

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					<p>with reviewing any acquisition transaction for compliance with the standards set forth in the statute. This resolution would require that the Attorney General's determination as to the CMC-Dartmouth affiliation be further vetted by the Probate Court for a full review of issues within its jurisdiction</p>		

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					<p>to preserve the charitable identities, mission and assets of each institution.</p> <p>It also asks the AG to file a report with the Legislature so they can be sure the AG has carried out the duties mandated by the statute.</p> <p>This HCR seems unnecessary as RSA 7:19-b already requires that</p>		

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					<p>assets and proceeds (if any) from any acquisition must continue to be devoted to charitable purposes (mission) and objects of the health care trust being acquired.</p> <p>HCR30 inserts another layer of review (Probate Court approval of an acquisition) and requires the Executive</p>		

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					Branch to report to the Legislature that it has complied with the law.		
	HB 1229-FN	Executive Departments and Administration	Rep. Arsenault, Belk 4	bill exempts hawkers and peddlers doing temporary business in a town from the requirements for state licensure.		House ITL	
	HB 1274-FN-A-LOCAL	Finance	Rep. Jasper, Hills 27; Rep. Chandler, Carr 1; Rep. Hess, Merr 9	bill restores the revenue sharing to cities and towns that was repealed in 2009--\$25 MM in FY 2010 and same in FY 2011 .		House ITL	
	HB 1128-FN-LOCAL Finance	Finance	Rep. Chandler, Carr 1; Rep. Bettencourt, Rock 4; Rep. Seidel, Hills 20; Sen. Bradley, Dist 3	bill repeals a provision which requires that the state treasurer fund the distribution of meals and rooms tax revenues to cities and towns for fiscal year 2011 at no more than the fiscal year 2009 level of distribution.		House passed Senate passed w. amendment	

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						Committee of Conference Report not signed off	
	HB 1664	Finance	Rep. Packard, Rock 3; Rep. Kurk, Hills 7	Bill making appropriations reductions in the operating budget for fiscal year 2011 and relative to state revenues and expenditures.	Amendment at http://www.gencourt.state.nh.us/house/calendars/2010/houcal2010_22.html	House tabled	
	HB 1339	Health, Human Services and Elderly Affairs Health	Rep. DeJoie, Merr 11	bill grants the commissioner of the department of health and human services authority to designate by rules an individual or entity to operate and administer a program or facility which provides services to mentally ill or developmentally impaired persons <i>rather than</i>		House ITL	

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				<i>entering into a contract</i> for such services.			
	HB 1284	Judiciary	Rep. Merry, Belk 2; Rep. Tupper, Merr 6	draft minutes of meetings under the right-to-know law to be available within 5 business days in 2 public locations, one of which is always available for public viewing.		House ITL	Oppose
	HB 1290	Judiciary	Rep. Itse, Rock 9; Rep. Ingbreton, Graf 5	bill increases the limit on annual income that an unincorporated religious society may receive from donations, gifts, or grants from \$5,000 to \$500,000/yr.		House ITL	
Leader	HB 1356	Judiciary	Rep. Watrous, Merr 12; Rep. Cloutier, Sull 4	bill requires certain nonprofit corporations to file a statement with the attorney general's office acknowledging that they are subject to the right-to-know law. Any <i>501(c)(3)</i> which receives 2/3 of its funding or \$50,000 per year, whichever is higher, from the state or a political subdivision or subdivisions of the state. Plus	AMENDMENT: This bill makes 501(c)(3) nonprofits and their affiliates subject to the open records portion of the right-to-know law. It makes a	House ITL	Oppose.

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				have to file annually w. AG that NP is subject to this law.	<p>“public agency” of any nonprofit that has annual revenues of \$100,000 and receives 50% of its funding from state and local government sources. The bill sponsor has said that federal funds that are passed through the state would be included in the calculation. Records exempt from the law include natural person donor records, client-attorney records,</p>		

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					juvenile records. Other laws make other types of records exempt (HIPAA for example). Most "public agency" meetings are not subject to the open meetings portion of the right-to-know law, unless they hold hearings.		
	HB 1368	Labor, Industrial and Rehabilitative Services	Rep. Goley, Hills 8; Rep. Craig, Hills 9; Rep. R. Holden, Hills 7; Rep. Baroody, Hills 13; Sen. DeVries, Dist 18; Sen.	bill clarifies the evidence required to establish the relationship between the employer and the person providing services under the workers' compensation law. <i>(c) Prima facie evidence that the criteria prescribed in subparagraphs (b)(1)(A)-(L) have been met may be established by a written agreement signed by the employer and the person providing services, on or about the date such person was engaged,</i>		Signed by Gov. Eff. 6/14/10 Chapter 145	

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			Cilley, Dist 6	<p><i>which describes the services to be performed and affirms that such services are to be performed in accordance with each of the criteria. Nothing in this subparagraph shall require such an agreement to establish that the criteria have been met. If the commissioner finds that the employer's use of such written agreement was intended to misrepresent an employer has misrepresented the relationship between the employer and the person providing services, the commissioner may assess a civil penalty of up to \$2,500; in addition, such employer shall be assessed a civil penalty of \$100 per employee for each day of noncompliance.</i></p>			
	HB 1168	Labor, Industrial and Rehabilitative Services	Rep. Donovan, Sull 4	<p>bill clarifies the definition of gross misconduct for purposes of unemployment compensation.</p> <p><i>282-A:35 Gross Misconduct. An unemployed individual who has been discharged for arson, sabotage, felony, assault which causes bodily injury, criminal threatening, or dishonesty fraud connected with his or her work, shall suffer the loss of all wage credits earned prior to the date of such dismissal.</i></p>		Signed by the Governor 7/8/10; Effective 9/6/10; Chapter 0275	
	HB 1137	Labor, Industrial and Rehabilitative	Rep. Daniels, Hills 6	bill modifies the purposes for which employers may withhold		Signed by Gov.	

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		Services		a portion of an employee's wages. Basically for whatever 'er and 'ee agree to.		Eff. 8/13/10 Chapter 0133	
	HB 1403	Labor, Industrial and Rehabilitative Services	Rep. Butynski, Ches 4	This bill prohibits bullying in the workplace.		House ITL	
	HB 1473	Legislative Administration	Rep. Nixon, Hills 17; Rep. Rowe, Hills 6; Rep. Ramsey, Hills 8; Rep. DiFruscia, Rock 4	bill requires lobbyists to file an additional annual statement detailing the names of clients and consideration paid, and contributions to legislators and candidates.		House ITL	
	HB 1621-FN	Legislative Administration	Rep. Rowe, Hills 6; Rep. Gorman, Hills 23; Rep. W. O'Brien, Hills 4; Rep. Nixon, Hills 17; Sen. Letourneau,	prohibiting a lobbyist from serving on a public agency or public body, as defined in RSA 91-A, where the lobbyist or the lobbyist's client or employer gains from the activity of the public agency or body.		House ITL	Oppose

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			Dist 19				
	HB 1522	Local and Regulated Revenues	Rep. Bettencourt, Rock 4; Rep. Chandler, Carr 1; Rep. Packard, Rock 3; Sen. Bragdon, Dist 11; Sen. Bradley, Dist 3; Sen. Carson, Dist 14; Sen. Gallus, Dist 1	bill authorizes cities and towns to adopt charter provisions establishing limitations on the growth of budgets and taxes:the annual city budget, the annual school budget if the school district is contained entirely within the city, or taxes assessed by the city. Any charter adopting such limitations shall authorize the elected body to override any such limitation by a 2/3 vote of all members of the elected body or a 2/3 vote of all members of the elected body present and voting.		House ITL	
	HB 1138	Local and Regulated Revenues	Rep. Schlachman, Rock 13; Rep. Schuett, Merr 7; Sen. Merrill, Dist 21	bill removes the requirement that municipal transportation improvement funds be expended only by the legislative body of the municipality.		Signed by Gov. Eff. 7/24/10 Chapter 0085	

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	HB 1297-FN	Local and Regulated Revenues	Rep. Vaillancourt, Hills 15; Rep. M. Smith, Straf 7; Sen. Roberge, Dist 9	bill requires racing and charitable gaming commission to establish annual fees for licensees conducting live racing to generate revenue to cover the costs of administration.		House ITL	
	HB 1335	Local and Regulated Revenues	Rep. Vaillancourt, Hills 15; Rep. Kepner, Rock 15; Rep. Henson, Rock 13; Rep. T. Russell, Rock 13	bill allows municipalities to adopt a lower interest rate chargeable by towns and cities for late tax payments and a lower interest rate for redemptions and subsequent tax payments.		House passed with amendments Senate ITL Bill killed	
	HB 1583	Local and Regulated Revenues	Rep. Daniels, Hills 6	bill clarifies the definition of charitable for purposes of the exemption from property taxation for organizations with charitable activities.		House ITL	

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	HB 1489	Local and Regulated Revenues	Rep. Cloutier, Sull 4; Rep. Donovan, Sull 4; Rep. Harris, Sull 4	allowing municipalities to adopt a volunteer incentive property tax credit for individuals volunteering for town or municipality if indiv. has less than \$25K/yr income or property worth <\$25K, etc., credit not to exceed \$750 off tax bill		House ITL	
	HB 1678-FN	Local and Regulated Revenues	Rep. Gidge, Hills 24	<p>relative to gaming in hotels and establishing a gaming oversight authority.</p> <p>This bill:</p> <p>I. Allows video machine lottery and table gaming in hotels.</p> <p>II. Requires hotels desiring to host gaming to receive a license and municipal approval from the gaming oversight authority.</p> <p>III. Establishes the gaming oversight authority.</p>	Zero about charity gaming	House ITL	

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				IV. Collects certain revenues from gaming for the general fund and host municipalities.			
	HB 1267-LOCAL	Municipal and County Government	Rep. Gandia, Hills 27	<p>This bill enables towns to ask for a criminal records check before granting a hawkers and peddlers license.</p> <p>The purpose of this bill is to enable municipalities to require federal and state background checks on those individuals who seek to obtain hawkers and peddler licenses. The intent of the bill's sponsor is to add a level of scrutiny to those individuals that apply for such licenses that would reveal any public safety concerns in their past. This bill adds language to RSA 320:8 that informs an applicant for a hawkers and peddler license from the secretary of state's office that a state and a federal background check may be conducted if the</p>		Signed by the Governor 7/13/10; Effective 9/11/10; Chapter 0298	

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				<p>local ordinance concerning the granting of such a licenses so requires. The bill further adds language to RSA 31:102-a that requires an applicant to a municipality to provide a release form to the municipality authorizing the release of such a background check to the municipality and that the applicant further direct the department of safety to release the information to other municipalities listed by the applicant. The bill further directs that the results of the background check be sent to and be retained by local law enforcement agencies.</p>			
	HB 1589-FN	Public Works and Highways	Rep. Watters, Straf 4; Rep. M. Rollo, Straf 2; Sen. Fuller Clark, Dist 24	bill removes an exception for the university system of New Hampshire for payment to the state art fund for new buildings or major additions authorized in the capital budget. ½% of the first \$15 M bid price.		House ITL	

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	HCR 23 House Concurrent Resolution	State-Federal Relations and Veterans Affairs	Rep. Ulery, Hills 27; Rep. Haefner, Hills 27; Rep. Renzullo, Hills 27; Rep. Hogan, Hills 25; Rep. Villeneuve, Hills 18	calling on Congress to audit the Association of Community Organizations for Reform Now (ACORN) funding.		House ITL	
	HB 1218	State-Federal Relations and Veterans Affairs	Rep. Ulery, Hills 27; Rep. Haefner, Hills 27; Rep. Renzullo, Hills 27; Rep. Hogan, Hills 25; Rep. Villeneuve, Hills 18	requiring a report of payments by the State to (ACORN) the Association of Community Organizations for Reform Now.		House ITL	
	HB 1262	Transportation	Rep. C. Williams, Hills 14; Rep. L'Heureux, Hills 19	bill establishes a height requirement for disabled parking signs on public and private property to be at least 60 but not more than 120 inches from the ground and failure to comply--\$100 fine		Signed by the Governor 7/6/10; Effective 1/1/11;	

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				<p>Amendment proposed by the Committee on Transportation - C</p> <p>Amend the bill by replacing all after the enacting clause with the following:</p> <p>1 Parking Signs; Disabled. Amend RSA 265:73-a to read as follows:</p> <p>265:73-a Parking Signs; Disabled. A parking space on private or public property that is reserved for persons who are disabled shall be marked by a sign affixed to a post or a building. Said sign shall be clearly visible to anyone directly approaching that particular space. <i>The bottom of the sign shall be at least 60 inches but not more than 120 inches from the ground. Failure to comply with the sign placement requirements of this section shall subject the property owner to a \$100 fine per parking space per day.</i></p> <p>2 Applicability. The sign height requirements in RSA 265:73-a, as amended by section 1 of this act, shall apply to</p>		Chapter 0252	

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				<p>existing disabled parking signs beginning October 1, 2011. 3 Effective Date. This act shall take effect January 1, 2011.</p> <p>2010-0346h</p>			
	<p>CACR 24</p> <p>CONSTITUTIONAL AMENDMENT</p> <p>CONCURRENT RESOLUTION 24</p>	Ways and Means	Rep. Itse, Rock 9	the state is authorized to raise funds from taxation of gambling and gambling winnings		House ITL	
	HB 1490	Ways and Means	Rep. Bergin, Hills 6; Rep. A. Peterson, Hills 3; Rep.	Proposes changes to banking laws		Vetoed by Governor	

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			Foose, Merr 1; Rep. Dokmo, Hills 6			7-13-10	
	HB 1611- FN-A- LOCAL	Ways and Means	Rep. Shattuck, Hills 1	<p>This bill imposes a 2.25 percent retail sales tax. The bill also imposes a 2.25 percent use tax on the use or storage of property in New Hampshire when no sales tax has been paid. Use tax is imposed, for example, when a New Hampshire business buys property out of state tax-free and uses it in New Hampshire. It also applies when a business makes personal use of property that it has purchased for resale or has manufactured for sale.</p> <p>Sales for resale, sales for delivery outside New Hampshire, casual sales, and sales of specific items such as gasoline, heating oil, food, medical supplies, and items of clothing under \$175 are all</p>	Revised fiscal note	House ITL	

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				exempt from taxation.			