

ATE BILLS 2010
UPDATE 7-26-2010
Monday

| Leadership Level | Bill No. | Committee | Sponsor | Description | Center's Comments | Current Status | Center's Position |
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| Supporting | SB 307 | Executive Departments and Administration | Sen. Janeway, Dist 7, Rep Kurk Hills 7 | Relative to voting by members of voluntary corporations | New section includes provision that each individual board member entitled to vote is entitled to no more than one vote | Signed by Governor Eff. 7/25/2010 Chapter 105 | Support |
| | SB 316 | Transportation and Interstate Cooperation | Sen. Kelly, Dist 10; Sen. Janeway, Dist 7; Sen. Fuller Clark, Dist 24; Sen. Gilmour, | bill establishes a statewide transportation policy. Establishes reasons for a policy and requirements to be included in a policy. | | Referred to House Public Works and Highways committee for Interim Study | |
| | SB321 | Sen. D'Allesandro, Dist 20; Sen. Odell, Dist 8; | Sen. D'Allesandro, Dist 20; Sen. | This bill makes several technical changes to the state coordinating council for community transportation in New | | Signed by Governor Eff. 7/17/2010 | |

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| | | Sen. Fuller Clark, Dist | Odell, Dist 8; | Hampshire and establishes regional | Chapter 38 |
| SB 339 | Commerce, Labor and Consumer Protection | Sen. DeVries, Dist 18; Sen. Cilley, Dist 6 | Sen. DeVries, Dist 18; Sen. Cilley, Dist 6 | <p>This bill excludes certain governmental and nonprofit entities from certain licensing requirements as mortgage loan originators.</p> <p>This bill is a request of the banking department.</p> <p>Committee amendment to the bill: Replace the title with the following:</p> <p>AN ACT excluding certain governmental and nonprofit entities from certain licensing requirements as mortgage bankers, brokers, or services.</p> <p>Amend the bill by replacing sections 1-2 with the following:</p> <p>-1 New Paragraph; License Required; Governmental and Certain Nonprofit Entities Licensing. Amend RSA 397-A:3 by inserting after paragraph IV the following new paragraph:</p> | <p>Signed by the Governor on 06/28/10; Effective 08/27/10; Chapter 220</p> |

V.(a) In this paragraph, “governmental entities” means federal, New Hampshire state, and New Hampshire municipal governments, and the agencies, instrumentalities and corporations thereof.

(b)(1) In this paragraph, “exempt nonprofit entities” means nonprofit agencies or persons which have a tax exempt status granted under the provisions of section 501(c)(3) or 501(c)(4) of the Internal Revenue Code and (A) exclusively make or issue commitments for mortgage loans on residential property to be financed by a governmental entity with public funds, or negotiate, place, assist in placement of, find, or offer to negotiate, place, assist in placement of, or find mortgage loans on residential property to be financed with public funds exclusively under a contract with a governmental entity; or

(B) make or issue commitments for mortgage loans on residential property and are determined by the commission to be organized exclusively for benevolent or charitable purposes for the benefit of New Hampshire consumers

(2) For purposes of this definition, the making of a mortgage loan includes being named as the lender or mortgagee on the note, mortgage, or other loan documents

(c) Governmental entities and exempt nonprofit entities may not be required to obtain a mortgage banker or mortgage broker license when such entity:

(1) Is authorized to conduct mortgage banker or mortgage broker business in this state by an order of the commissioner or is authorized by New Hampshire statute to do mortgage lending;

(2) Files as an exempt entity on the Nationwide Mortgage Licensing System and Registry;

(3) Conforms to the requirements of the Nationwide Mortgage Licensing System and Registry including but not limited to the reporting requirements;

(4) Files and maintains a bond in accordance with RSA 397-A:5, III(c) to cover the business conducted by its originators; and

(5) Licenses its originators in this state through the Nationwide Mortgage Licensing System and Registry.

-2 New Paragraph; Mortgage Servicing Companies; Governmental and Certain Nonprofit Entities Licensing. Amend RSA 397-B:4 by inserting after paragraph V the following new paragraph:

VI.(a) In this paragraph, “governmental entities” means federal, New Hampshire state, and New Hampshire municipal governments, and the agencies, instrumentalities, and corporations thereof

(b) In this paragraph, “exempt nonprofit entities” means nonprofit agencies or persons which have a tax exempt status granted under the provisions of section 501(c)(3) or 501(c)(4) of the Internal Revenue Code and

(1) exclusively service government program mortgage loans on residential property by a governmental entity, financed by a governmental entity with public funds; or

(2) exclusively service mortgage loans on residential property which were issued or made by an organization determined by the commissioner to be organized exclusively for benevolent or charitable purposes for the benefit of New Hampshire consumers

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| | | | | <p>(c) Governmental entities and exempt nonprofit entities may not be required to register as a mortgage servicing company when such organization: (1) Is authorized to conduct the business of a mortgage servicing company by an order of the commissioner or is authorized by New Hampshire statute to do mortgage servicing;</p> <p>(2) Files as an exempt entity on the Nationwide Mortgage Licensing System and Registry; (3) Conforms to the requirements of the Nationwide Mortgage Licensing System and Registry including but not limited to the reporting requirements;</p> <p>(4) Files and maintains a bond in accordance with RSA 397-A:5, III(c) to cover the business conducted by its originators: and</p> <p>(5) Licenses its originators in this state through the Nationwide Mortgage Licensing System and Registry.</p> | | |
| | SB 343 | Health and Human Services | Sen. Bradley, Dist 3; Sen. Downing, | relative to Medicaid managed care. | | Senate passed/adopted with amendment |

Dist 22; This bill requires the
Sen. department of health and
Letourne human services to establish a
au, Dist mandatory Medicaid
19; managed care program for all
Sen. Gall Medicaid clients. Under this
us, Dist bill, the department shall
1; Rep. develop a waiver to
Packard, implement the program to
Rock 3; present to the fiscal
Rep. committee of the general
Boutin, court before seeking final
Merr 9; approval from the federal
Rep. Centers for Medicare and
Wendelb Medicaid Services to
oe, Belk implement the program.
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Amendment to SB 343-FN

Amend the bill by replacing
section 1 with the following:

-1 Request for Information relative to Medicaid Managed Care. The commissioner of the department of health and human services shall release a request for information (RFI) no later than August 1, 2010 soliciting information regarding the feasibility of contracting with a managed care organization for risk-based managed care for all Medicaid recipients, including the elderly, those meeting federal supplemental security income and state standards for disability, and those who are also currently enrolled in Medicare. The RFI shall specifically ask for information relating to reducing the costs of the Medicaid program or slowing the growth in Medicaid spending while maintaining the same quality measures presently achieved. The commissioner shall submit a report to the governor, speaker of the house of representatives, president of the senate, and the health

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AMENDED ANALYSIS

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| | | | | This bill requires the commissioner of the department of health and human services to release a request for information (RFI) soliciting information regarding the feasibility of contracting with a managed care organization for risk-based managed care for all Medicaid recipients | |
| SB 345 FN SPONSO RS: Sen | Commerce, Labor and Consumer Protection | Sen. Houde, Dist 5; Rep. Pierce, Graf 9 | Relative to automatic renewal of contracts. This bill makes it a violation of the consumer protection act for a contract for services to include an automatic renewal provision that does not require written acceptance of | Examples of this type of contract might include various services such as snow removal, maintenance, supplies, waste removal | Senate tabled |
| SB 367 | Ways and Means | Sen. Odell, Dist 8; Sen. D'Allesandro, Dist 20; Sen. Downing, Dist 22; Rep. Kidder, Merr 1; Rep. Weare, Rock 14; Rep. Rutynski | This bill: I. Ensures that bond money given to the state by licensed game operators covers unpaid tickets and "account wagers." II. Removes the requirement that the racing and charitable gaming commission obtain social security numbers from charitable organization members. | Signed by Gov. Eff 1/1/2011 Chapter 190 | |

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| | | | DUTYNSKI, Ches 4 | <p>III. Modifies requirements for operating charitable games.</p> <p>This bill is a request of the racing and charitable gaming commission.</p> | | |
| | SB 377 | Judiciary | Sen. Gallus, Dist 1 | bill establishes a procedure and timeline for determining that a dwelling unit has been | This bill would apply to Nonprofits that are landlords of dwelling units | Bill killed |
| | SB 390 | Commerce, Labor and Consumer Protection | Sen. Houde, Dist 5; Sen. Hassan, Dist 23; Rep. Nord, Rock 1; Rep. Hammon d, Hills 3; Rep. McEachern, Rock 16; Rep. Houde-Quimby, Sull 1 | <p>Relative to health insurance premium only cafeteria plans.</p> <p>Bill requires small employers (having 50 or fewer employees) that employ 5 or more and do not offer employer-sponsored health insurance to all employees to establish and maintain a health coverage premium only cafeteria plan. In addition any employee working 15 hours a week and not eligible for an employer-sponsored plan may elect to purchase this coverage on an individual basis via payroll deduction.</p> | <p>As of November 2009, at least 13 states had adopted a cafeteria plan approach as part of state-based health insurance coverage reforms</p> <p>Cost of premium falls on employees; costs of administration will fall on employers—is this a burden?</p> | <p>Signed by Gov.</p> <p>Eff.</p> |

8/21/2010

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| | SB 408 | Commerce, Labor and Consumer Protection | Sen. Sgambati , Dist 4; Sen. Gilmour, Dist 12; Sen. Reynolds , Dist 2; Sen. Odell, Dist 8; Sen. Gallus | This bill establishes a law governing purchasing alliances which may be formed for the purposes of purchasing health insurance. It aims to make health insurance purchasing alliances more affordable by means of tying potential cost savings to value purchasing, quality of care, and wellness promotion. | Creates purchasing alliances Purchasing alliances would The application process | Enrolled | |
| | 417 | Finance | Jeb Bradley, David Boutin, Fran Wendle oe, Gene Chandler, Sherman Packard, John Barnes, Jr., Peter | relative to national health care reform and Medicaid. This bill prohibits the expansion of the Medicaid program if Congress passes a national health insurance plan unless the expansion is approved by the general court or is paid for by the federal government. | | Bill killed | |
| | 427 | Health and Human Services | Kathleen Sgambati , Michael Downing, Cindy Rosenwal | Adding duties to the oversight committee on health and human services. | | Signed by the Governor on 07/06/10; Effective 09/04/10; | |

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| | | d | <p>This bill repeals the oversight committee to review the allocation of funds to persons with developmental disabilities or acquired brain disorders and adds those duties to the oversight committee on health and human services.</p> | Chapter 0268 |
| 445 | Commerce, Labor and Consumer Protection | Margaret Hassan, Betsy DeVries, Franklin Bishop | <p>Relative to funds chargeable for unemployment compensation.</p> <p>This bill describes certain situation where the unemployment compensation trust fund may be charged by the commissioner of employment security.</p> <p>This bill is a request of the department of employment security.</p> <p>Amend RSA 282-A:75, III-V to read as follows:</p> <p>III. Benefits are paid to an individual by reason of RSA 282-A:31, III;</p> | <p>Signed by Gov</p> <p>Eff. 5/18/2010</p> <p>Chapter 405</p> |

[if not ready willing and able to work but in voc. Training approved by Commissioner]

IV. Benefits are paid to an individual by reason of RSA 282-A:32, I(a)(3); ~~or~~

~~V. Benefits are paid to an individual by reason of RSA 282-A:32, I(a)(4), (4), (5), or (6).~~

[(3) where person reasonably believes that separation from employment is necessary to protect himself or herself or any member of his or her immediate family from domestic abuse

(4) person is separated from employment because he or she has become unable to perform some or all of his or her job duties due to pregnancy or to an illness or injury that is not work-related

(5) leaving employment was necessary to allow employee to accompany spouse due to location of spouse's employment, and not practical to commute

(6) leaving employment was due to the illness or disability of a member of immediate family

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| | 450 | <p>Kathleen Sgambati, Lou D'Allesandro, John Gallus, Harold Janeway</p> | <p>relative to costs and expenditures at the department of health and human services</p> <p>This bill:</p> <p>I. Consolidates the amount to be reduced by the department of health and human services, as required under HB 1-A of the 2009 legislative session, for the biennium instead of for each fiscal year.</p> <p>II. Exempts certain rates for services, placements, and programs for children and families from RSA 541-A.</p> <p>III. Clarifies the administration of the New Hampshire employment program.</p> <p>IV. Makes the funded family assistance program (FANF) permissive rather than mandatory.</p> | Committee of Conference) | Oppose |
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| | | | | <p>V. Requires recipients of medical assistance to name the department as beneficiary of all life insurance policies, except under certain circumstances.</p> <p>VI. Clarifies services, placements, and programs for children in the state services system.</p> <p>VII. Allows the department of health and human services to make a claim for recovery of assistance for a deceased recipient from the division of abandoned property.</p> | | |
| | 452 FN | Commerce, Labor and Consumer Protection | <p>Sen. Bradley, Dist 3; Sen. Barnes, Jr., Dist 17; Sen. Bragdon, Dist 11; Sen. Carson, Dist 14; Sen. Downing, Dist 22; Sen. Gallus,</p> | <p>authorizing individuals and certain businesses to purchase health insurance from out-of-state insurance companies.</p> <p>This bill, as introduced, would have allowed out-of-state insurance companies, neither licensed in nor regulated by NH, to cherry pick customers in NH and be free of NH's health coverage mandates.</p> | <p>HB 1431-FN is similar and authorizes only individuals to purchase</p> <p>Amended bill seems unnecessary.</p> | <p>House ITL</p> |

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| | 455 | | <p>Kathleen Re NH HealthFirst Sgambati , Jacalyn Cilley, Lou D'Allesan dro, Betsi DeVries, Martha Fuller Clark, John Gallus, Peggy Gilmour, Margaret Hassan, Matthew Houde, Harold Janeway, Molly Kelly, Bette Lasky, Amanda Merrill, Bob Odell, Deborah Reynolds , Donna Schlachm an</p> <p>Original bill would have required certain health coverage carriers in the small employer market to offer basic wellness plan in addition to standard wellness plan.</p> <p>As passed, entire bill text was replaced with an amendment authorizing Ins. Dept to implement and protect consumer rights re the private health insurance market reforms now required by federal law including: insurers must provide coverage to children younger than 19 that have pre-existing conditions; parents can include children up to age 26 on their health plans; insurers can't terminate coverage when a person gets sick; no lifetime caps on coverage; and preventive services must be fully covered by insurance policies.</p> | <p>HB 1488-FN is identical</p> | <p>Signed by the Governor on 07/01/10; Chapter 0243</p> <p>Section 15 Effective 07/01/11</p> <p>Sections 1-7 & 14 Effective 07/01/10</p> | |
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| | | | | | | Section 16 Effective 7/01/12 | |
| | | | | The bill as passed also provides for NH's existing high risk pool entity to administer the new high risk pool authorized under national health reform. | | Remainder Effective 09/23/10 | |
| | SB 489 | Finance | Sen. D'Allesandro, Dist 20; Sen. Gallus, Dist 1; Sen. Downing, Dist 22; Sen. Lasky, Dist 13; Sen. Gilmour, Dist 12; Sen. Sgambati, Dist 4; Sen. DeVries, Dist 18; | relative to table gaming and video lottery at certain locations throughout the state and relative to the recovery of horse racing. This bill: I. Allows the construction of one destination golf resort and convention center in the southern tier of the state and 2 gaming facilities in the north country. II. Allows table gaming and video lottery machines at a destination golf resort and convention center and at north country facilities. | This bill appears to have the potential to negatively affect revenues for the several hundred nonprofits that depend on charitable gaming revenues in that an expansion of gaming sites has the potential of luring gamers away from low stakes (required by law) charitable games of chance to other higher stakes sites. | House ITL | |

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| | | <p>Rep. Gionet, Graf 3; Rep. Ingersoll, Coos 4; Rep. Clemons, Hills 24; Rep. Rausch, Rock 5; Rep. L. Ober, Hills 27</p> | <p>III. Establishes a permit process for table gaming and video lottery machines.</p> <p>IV. Establishes a gaming enforcement unit in the division of state police.</p> <p>V. Distributes proceeds of video lottery machines to the general fund, municipalities where the facility is located, the alcohol and drug abuse treatment program, the fire standards and training and emergency medical services fund, the police standards and training council training fund, the department of transportation, and the gaming operator.</p> <p>VI. Distributes a percentage of the proceeds from table gaming to the general fund and the gaming operation.</p> | | | | |
| | SB493 | <p>Executive Departments and Administration</p> | <p>Sen. DeVries, Dist 18; Sen. Lasky, Dist 13; Sen. Honda</p> | <p>relative to the use of best value contracting by state agencies and establishing a best value procurement commission.</p> | <p>Bill would establish a best value to assess the feasibility of, and in state procurement and to</p> <p>Bill would add a new RSA "Notwithstanding any other use the lowest responsible or value, in which case the election criteria that will be used to</p> | <p>House voted ITL</p> | |

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| | | | rouce, Dist 5; Rep. P. McMaho n, Merr 3: Rep | | And includes: “‘best-value’ means a factors are considered in the performance and value of the | |
| | SB495 | Executive Departments and Administrati on | establishi ng a task force on state procurem ent policies and procedur es, and authorizi ng pilot projects using best value procurem ent with 11/2/13 sunset | establishing a task force on state procurement policies and procedures, and authorizing pilot projects using best value procurement. First meeting of task force w/in 45 days of passage The task force shall consist of the following 11 members: (a) The commissioner of the department of administrative services, or designee. (b) The commissioner of the department of resources and economic development, or designee. | | Signed by the Governor on 07/20/10; Chapter 0360. Section 3 Effective 11/2/13. Remainder Effective 07/21/10 |

(c) The attorney general, or designee.

(d) The commissioner of the department of transportation, or designee.

(e) The commissioner of the department of labor, or designee.

(f) The commissioner of the department of environmental services, or designee

(g) The commissioner of the department of health and human services, or designee

(h) Three members of the house of representatives, appointed by the speaker of the house of representatives.

(i) One member of the senate, appointed by the senate president.

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| | <p>SB501</p> | <p>Commerce, Labor and Consumer Protection</p> | <p>Sen. Hassan, Dist 23; Sen. Houde, Dist 5; Sen. Merrill, Dist 21; Sen. DeVries, Dist 18; Sen. Cilley, Dist 6; Sen. Lasky, Dist 13; Sen. Kelly, Dist 10; Sen. Larsen, Dist 15; Sen. Fuller Clark, Dist 24; Sen. Sgambati, Dist 4; Sen. Reynold</p> | <p>Governor's "NH Working Initiative" signed into law May 6, 2010.</p> <p>In a "worksharing" program, employers can reduce employee hours to avoid layoffs and the State will pay unemployment benefits to workers with reduced hours. The "NH Working Initiative" law (SB501 as amended) allows employers strapped for funds to reduce the hours of all full time and full part-time (not seasonal) employees in order to avoid lay offs. Hours can be reduced between 10 and 50%. Health insurance benefits must continue. The pay reduction makes reduced-hour employees eligible for unemployment benefits. An employer wishing to participate in a "worksharing" program</p> | <p>Signed by Governor</p> <p>Sections 1, 2 & 5 Effective 05/11/10</p> | |
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| | | s, Dist 2; Sen. Janewa y, Dist 7; Sen. D'Allesa | | Remainder Effective 01/01/11, Chapter 28 |
| SB505 | Commerce, Labor Consumer Protection | Sen. Hassan, Dist 23; Sen. DeVries, Dist 18; Sen. Cilley, Dist 6; Sen. Gallus, Dist 1; Sen. Houde, Dist 5; Sen. Fuller Clark, Dist 24; Rep. Butler, Carr 1: | establishing the New Hampshire health services cost review commission and continually appropriating a special fund. Original bill: would establish a hospital rate-setting commission, for reforming the health care payment system in NH. As amended and passed, the bill creates an independent 22 month study commission with \$250,000 in funding for admin. staff & expert consultants to report out on health care costs, pricing and to consult with consumers. | Signed by the Governor on 06/28/10; Section 3 Eff. 7/01/12, Rem. Eff. 06/28/10; Chapter 224 |