

SENATE BILLS 2010

Updated 3-5-2010

FRIDAY

Leadership Level	Bill No.	Committee	Sponsor	Description	Center's Comments	Current Status	Center's Position
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	Senate passed/adopted Referred to House Executive Departments and Administration Committee	Support
	SB 316	Transportation and Interstate Cooperation	Sen. Kelly, Dist 10; Sen. Janeway, Dist 7; Sen. Fuller Clark, Dist 24; Sen. Gilmour, Dist 12; Sen. Reynolds,	bill establishes a statewide transportation policy. Establishes reasons for a policy and requirements to be included in a policy.		Senate passed/adopted with amendment Referred to	

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			Dist 2; Sen. Cilley, Dist 6			House Public Works and Highways committee	
	SB 339	Commerce, Labor and Consumer Protection	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</p>	(5) Licenses its originators in this state through the Nationwide Mortgage Licensing System and Registry.	Senate passed/adopted with amendment Referred to House Commerce and Consumer Affairs committee	

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				<p>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>V.(a) In this paragraph, "governmental entities" means federal, New Hampshire state, and New Hampshire municipal governments, and the agencies, instrumentalities and corporations thereof.</p> <p>(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</p> <p>(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</p>			

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				<p>placement of, or find mortgage loans on residential property to be financed with public funds exclusively under a contract with a governmental entity; or</p> <p style="text-align: center;">(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.</p> <p style="text-align: center;">(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.</p> <p style="text-align: center;">(c) Governmental entities and exempt nonprofit entities may not be required to obtain a mortgage banker or mortgage broker license when such entity:</p> <p style="text-align: center;">(1) Is authorized to conduct mortgage banker or mortgage broker business in this state by an order of the commissioner or is authorized by</p>			

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				<p>New Hampshire statute to do mortgage lending;</p> <p>(2) Files as an exempt entity on the Nationwide Mortgage Licensing System and Registry;</p> <p>(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> <p>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:</p> <p>VI.(a) In this paragraph, "governmental entities" means federal, New Hampshire state, and New Hampshire municipal</p>			

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				<p>governments, and the agencies, instrumentalities, and corporations thereof.</p> <p>(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</p> <p>(1) exclusively service government program mortgage loans on residential property by a governmental entity, financed by a governmental entity with public funds; or</p> <p>(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.</p> <p>(c) Governmental entities and exempt nonprofit entities may not be required to register as a mortgage servicing</p>			

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				<p>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;</p> <p>(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, Dist 22; Sen. Letourneau,	<p>relative to Medicaid managed care.</p> <p>This bill requires the department of health and</p>	No new info available 2-12-10	Senate passed/adopted with amendm	

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			Dist 19; Sen. Gallus, Dist 1; Rep. Packard, Rock 3; Rep. Boutin, Merr 9; Rep. Wendelboe, Belk 1	<p>human services to establish a mandatory Medicaid managed care program for all Medicaid clients. Under this bill, the department shall develop a waiver to implement the program to present to the fiscal committee of the general court before seeking final approval from the federal Centers for Medicare and Medicaid Services to implement the program.</p> <p>Amendment to SB 343-FN</p> <p>Amend the bill by replacing section 1 with the following:</p> <p>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</p>		ent	

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				<p>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 and human services oversight committee no later than 60 days following the completion of the RFI process summarizing the information obtained.</p> <p>2010-0789s AMENDED ANALYSIS</p> <p>This bill requires the commissioner of the department of health and human services to release a request for information</p>			

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				(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	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 the additional term of service by the consumer.	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,	This bill: I. Ensures that bond money given to the state by licensed game operators covers unpaid		Senate passed/adopted with amendm	

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			Dist 22; Rep. Kidder, Merr 1; Rep. Weare, Rock 14; Rep. Butynski, Ches 4	<p>tickets and "account wagers."</p> <p>II. Removes the requirement that the racing and charitable gaming commission obtain social security numbers from charitable organization members.</p> <p>III. Modifies requirements for operating charitable games.</p> <p>This bill is a request of the racing and charitable gaming commission.</p>		ent	
	SB 377	Judiciary	Sen. Gallus, Dist 1	bill establishes a procedure and timeline for determining that a dwelling unit has been abandoned and for returning or disposing of any personal property left by the prior tenant.	This bill would apply to Nonprofits that are landlords of dwelling units	Committee voted Inexpedient to legislate, vote 3-2. Bill killed	

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						via motion and voice vote.	
	SB 390	Commerce, Labor and Consumer Protection	Sen. Houde, Dist 5; Sen. Hassan, Dist 23; Rep. Nord, Rock 1; Rep. Hammond, 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 in order to keep coverage available and affordable while also expanding the numbers of individuals insured.</p> <p>Cost of premium falls on</p>	Senate Tabled.	

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					employees; costs of administration will fall on employers —is this a burden?		
	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, Dist 1; Sen. Downing, Dist 22; Rep. Butler, Carr 1; Rep. Donovan, Sull 4	<p>This bill establishes a law governing purchasing alliances which may be formed for the purposes of purchasing health insurance.</p> <p>New chapter 420-L and</p> <p>Amend RSA 420-G:10 to read as follows:</p> <p><i>420-G:10 Qualified Association Trust and Qualified Purchasing Alliance.</i></p> <p><i>I. A qualified association trust or other entity, as defined in RSA 420-G:2, XV, and a qualified purchasing alliance, as defined in RSA 420-L:2,</i></p>	Creates purchasing alliances anyone can join in an effort to reduce costs of health insurance. The bill makes no guarantee that those costs will decrease.	Public Hearing: 3-16-10, 8:30 AM, LOB 102	

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				<p><i>X, shall:</i></p> <p><i>(a) Comply with the rating restrictions outlined in RSA 420-G:4 for all small employer members with 50 or fewer employees based upon the association's or alliance's group experience, except that for a qualified association trust, no rating factor shall be utilized without the express written consent of the association.</i></p> <p><i>(b) Offer all eligible members, as defined under the applicable trust or other documents, coverage and rates on a guaranteed issue and renewable basis.</i></p> <p><i>(c) Comply with the regulations concerning medical underwriting in RSA 420-G:5.</i></p> <p><i>(d) Comply with the preexisting conditions provision of RSA 420-G:7.</i></p> <p><i>II. Nothing in this chapter shall be interpreted to limit the size of employers who may participate in coverage with a qualified association trust or a qualified purchasing alliance.</i></p>			

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				<p><i>3 Repeal. The following are repealed:</i></p> <p><i>I. RSA 420-G:2, XIV-a, relative to definition of purchasing alliance.</i></p> <p><i>II. RSA 420-G:10-a, III and IV, relative to purchasing alliances.</i></p> <p><i>4 Effective Date. This act shall take effect 60 days after its passage.</i></p>			
	417	Finance	Jeb Bradley, David Boutin, Fran Wendleboe, Gene Chandler, Sherman Packard, John Barnes, Jr., Peter Bragdon, Michael Downing, John Gallus, Robert	<p>relative to national health care reform and Medicaid.</p> <p>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.</p>		Senate voted inexpedient to legislate Bill killed	

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			Letourneau, Bob Odell, Sharon Carson				
	427	Health and Human Services	Kathleen Sgambati, Michael Downing, Cindy Rosenwald	<p>Adding duties to the oversight committee on health and human services.</p> <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>		<p>Passed/adopted with amendment.</p> <p>Referred to House Health, Human Services and Elderly Affairs Committee</p>	
	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</p>		<p>Senate passed/Adopted</p> <p>Referred to House</p>	

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				<p>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; [if not ready willing and able to work but in voc. Training approved by Commissioner]</p> <p>IV. Benefits are paid to an individual by reason of RSA 282-A:32, I(a)(3);or</p> <p>V. Benefits are paid to an individual by reason of RSA 282-A:32, I(a)(4), (4), (5), or (6).</p> <p>[(3) where person reasonably believes that separation from employment is necessary to</p>		Labor, Industrial and Rehabilitative Services Committee	

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				<p>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</p>			
	450		Kathleen Sgambati, Lou D'Allessandro, John Gallus, Harold Janeway	relative to costs and expenditures at the department of health and human services This bill: I. Consolidates the amount to be reduced by the department of health and human services, as required under HB 1-A of		Hearing 3/11, Room 100, State House, 10:30 am	

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				<p>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> <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</p>			

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				<p>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	Sen. Bradley, Dist 3; Sen. Barnes, Jr., Dist 17; Sen. Bragdon, Dist 11; Sen. Carson, Dist 14; Sen. Downing, Dist 22; Sen. Gallus, Dist 1; Sen. Letourneau, Dist 19; Sen. Odell, Dist 8; Sen. Roberge, Dist 9; Rep. Wendelboe,	<p>authorizing individuals and certain businesses to purchase health insurance from out-of-state insurance companies.</p> <p>An individual who is a resident of this state or an employer with under 100 employees may purchase health insurance from out-of-state health insurance carriers which are approved by the state where the carrier does business.</p> <p>404-I:3 Applicability. This chapter shall not be construed to require the out-of-state insurers to offer or provide state-mandated health benefits required by New</p>	HB 1431-FN is similar and authorizes only individuals to purchase	Senate passed/adopted with amendment	

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			Belk 1; Rep. Renzullo , Hills 27	Hampshire law or rules in health insurance policies sold to New Hampshire residents.			
	455		Kathleen Sgambati , Jacalyn Cilley, Lou D'Allesandro, Betsi DeVries, Martha Fuller Clark, John Gallus, Peggy Gilmour, Margaret Hassan, Matthew Houde, Harold Janeway, Molly Kelly, Bette Lasky, Amanda Merrill, Bob Odell, Deborah	Re NH HealthFirst 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. <i>The basic wellness plan requirements shall be established to promote wellness and preventive care through affordable insurance coverage. The basic wellness plan shall be designed so that the premium for the plan is comparable to or below the lowest cost major medical health insurance presently offered in the small group market that meets the definition of health coverage under RSA 420-G:2, IX.</i>	HB 1488-FN is identical	Senate passed/adopted	

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			Reynolds, Donna Schlachman				
	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; Rep Gionet, Graf 3; Rep. Ingersoll, Coos 4; Rep. Clemons, Hills 24; Rep. Rausch, Rock 5; Rep. L. Ober, Hills 27	<p>relative to table gaming and video lottery at certain locations throughout the state and relative to the recovery of horse racing.</p> <p>This bill:</p> <p>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.</p> <p>II. Allows table gaming and video lottery machines at a destination golf resort and convention center and at north country facilities.</p> <p>III. Establishes a permit process for table gaming and video lottery machines.</p>	This bill appears to have the potential to negatively affect revenues for the several hundred nonprofits who depend on charitable gaming revenues in that an expansion of gaming sites has the potential of luring gamers away from	Public hearing: 3-4-10 Room 100, State House, 10:30AM	

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				<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>	charitable games of chance to other sites.		
	SB505	Commerce, Labor Consumer Protection	Sen. Hassan, Dist 23;	establishing the New Hampshire health services cost review commission and continually appropriating a	Each hospital would have to	Committee voted ought to pass	

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			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; Rep. Schlachman, Rock 13; Rep. Rosenwald, Hills 22; Rep. Dokmo, Hills 6	special fund.	charge all payers the same – no separate deals within one hospital for different payers. But there can be hospital to hospital variance. Commission would oversee justification of rate, and could tell hospital to refigure the rate and then return to the commissio	Senate vote 3/10/10	

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					<p>n for approval. Aim appears to be to have the commercial payers all pay the same rate to the hospital . The end result would be that each commercial insurer would get a sheet with a rate on it for any one hospital. This appears to be a way to deal with</p>		

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					insurance costs and how they contribute to the cost of healthcare.		