

SB 100 - AS AMENDED BY THE SENATE

03/25/2021 0853s

2021 SESSION

21-1075

05/06

SENATE BILL **100**

AN ACT adopting omnibus legislation on commissions and committees.

SPONSORS: Sen. Watters, Dist 4

COMMITTEE: Ways and Means

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ANALYSIS

This bill adopts legislation relative to:

I. Establishing a commission to study workplace safety in health care settings.

II. Establishing a commission to study payments in lieu of taxes, as requested by the assessing standards board.

III. Establishing a commission to differentiate the cost of education and the cost of care for children in a residential facility.

IV. Establishing a committee to study charitable gaming.

V. Establishing a committee to study the effects of COVID-19 lockdowns, quarantines, and school and business closings.

VI. Establishing a committee to study building a pier over the jetty at Hampton Beach state park for disability access.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT adopting omnibus legislation on commissions and committees.

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

1 1 Sponsorship. This act consists of the following proposed legislation:

2 Part I. LSR 21-0181, establishing a commission to study workplace safety in health care  
3 settings, sponsored by Sen. Gray, Dist 6.

4 Part II. LSR 21-0165, establishing a commission to study payments in lieu of taxes,  
5 sponsored by Sen. Gray, Dist 6.

6 Part III. LSR 21-0193, establishing a commission to differentiate the cost of education and  
7 the cost of care for children in a residential facility, sponsored by Sen. Ward, Dist 8.

8 Part IV. LSR 21-0903, establishing a committee to study charitable gaming, sponsored by  
9 Sen. D'Allesandro, Prime/Dist 20; Sen. Watters, Dist 4; Sen. Cavanaugh, Dist 16; Sen. Hennessey,  
10 Dist 1.

11 Part V. LSR 21-0937, establishing a committee to study the effects of COVID-19 lockdowns,  
12 quarantines, and school and business closings, sponsored by Sen. Avard, Dist 12.

13 Part VI LSR 21-1060, establishing a committee to study building a pier over the jetty at  
14 Hampton Beach state park for disability access, sponsored by Sen. Avard, Prime/Dist 12; Sen.  
15 Sherman, Dist 24.

16 2 Legislation. The general court hereby enacts the following legislation:

17 PART I

18 Establishing a commission to study workplace safety in health care settings.

19 1 New Subdivision; Commission to Study Workplace Safety in Health Care Settings. Amend  
20 RSA 126-A by inserting after section 88 the following new subdivision:

21 Commission to Study Workplace Safety in Health Care Settings  
22 126-A:89 Commission to Study Workplace Safety in Health Care Settings.

23 I. There is established a commission to study workplace safety in health care settings.

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

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

26 (2) Two members of the house of representatives, appointed by the speaker of the  
27 house of representatives.

28 (3) One member appointed by the chief justice of the New Hampshire supreme court.

29 (4) The commissioner of the department of health and human services, or designee.

30 (5) The commissioner of the department of safety, or designee.

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

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- 1 (7) The attorney general, or designee.
- 2 (8) The president of the State Employees Association, SEIU Local 1984, or designee.
- 3 (9) A member of the New Hampshire Hospital Association, appointed by the
- 4 association.
- 5 (10) A member of the New Hampshire Nurses Association, appointed by the
- 6 association.
- 7 (11) A member of Granite State Home Health and Hospice Association, appointed by
- 8 the association.
- 9 (12) A member of the New Hampshire Health Care Association, appointed by the
- 10 association.
- 11 (13) A member of the New Hampshire Medical Society, appointed by the society.
- 12 (14) The director of the American Civil Liberties Union of New Hampshire, or
- 13 designee.
- 14 (15) A member of NAMI-New Hampshire, appointed by that organization.
- 15 (16) A member of the New Hampshire Association of Residential Care Homes
- 16 (NHARCH), appointed by the association.
- 17 (17) A member of the American College of Emergency Physicians, appointed by that
- 18 organization.
- 19 (18) The long-term care ombudsman, or designee.
- 20 (19) A member from a nonprofit social services organization representing the patient
- 21 perspective, appointed by the president of the senate.
- 22 (b) Legislative members of the commission shall receive mileage at the legislative rate
- 23 when attending to the duties of the commission.
- 24 II.(a) The commission shall:
- 25 (1) Review past history of incidents of violence in the health care workplace that
- 26 have been instigated by the public, including patients, against health care workers.
- 27 (2) Explore barriers to reporting incidences.
- 28 (3) Explore creating a culture that supports reporting by reviewing of best practices.
- 29 (4) Determine a structure for reporting incidences and effective mechanisms for
- 30 responding to incidences.
- 31 (5) Identify education and other strategies to identify risks, increase and reduce
- 32 vulnerabilities in order to prevent workplace violence.
- 33 (6) Review other states' workplace safety policies.
- 34 (7) Review current statutes regarding penalties for assaulting a health care worker
- 35 and consider changes to the statutes.
- 36 (8) Consider other matters the commission deems relevant to its study.
- 37 (b) The commission may solicit input from any person or entity the commission deems

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relevant to its study.

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

IV. The commission shall make a report with its findings and any recommendations for proposed legislation on or before November 1, 2022 to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library.

2 Repeal. RSA 126-A:89, relative to commission to study workplace safety in health care settings, is repealed.

3 Effective Date.

I. Section 2 of part I of this act shall take effect November 1, 2022.

II. The remainder of part I of this act shall take effect upon its passage.

**PART II**

Establishing a commission to study payments in lieu of taxes.

1 New Section; Persons and Property Taxable; Commission to Study Payments in Lieu of Taxes. Amend RSA 72 by inserting after section 23-n the following new section:

72:23-o Commission to Study Payments in Lieu of Taxes Established.

I. There is established a commission to study payments in lieu of taxes. The members of the commission shall be as follows:

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

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

(c) One representative of the office of the governor, appointed by the governor.

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

(e) One member of the assessing standards board, appointed by the board.

(f) One representative of the New Hampshire Association of Assessing Officials, appointed by the association.

(g) One representative of the New Hampshire Municipal Association, appointed by the association.

(h) One representative of institutions for postsecondary education or higher education, appointed by the governor.

(i) One representative of institutions for secondary education, appointed by the governor.

(j) One representative of the New Hampshire Hospital Association, appointed by the association.

(k) One representative of religious organizations, appointed by the governor.

(l) One member of the public, appointed by the governor.

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(m) One representative from the NH Center for Nonprofits, appointed by the organization.

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

III. The commission shall study payments in lieu of taxes made by charitable organizations and other entities fully or partially exempt from property taxation under RSA 72. The commission may solicit information and testimony from any individual or entity the commission deems relevant to its study.

IV. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

V. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2021.

2 Repeal. RSA 72:23-o, relative to the commission to study payments in lieu of taxes, is repealed.

3 Effective Date.

I. Section 2 of part II this act shall take effect November 1, 2021.

II. The remainder of part II of this act shall take effect upon its passage.

**PART III**

Establishing a commission to differentiate the cost of education and the cost of care for children in a residential facility.

1 New Section; Residential Care Facility; Commission to Differentiate Costs Established. Amend RSA 193 by inserting after section 18-c the following new section:

193:18-d Commission to Differentiate Costs Established.

I. There is established a commission to differentiate the cost of caring for a child in a residential care facility from the cost of educating the child.

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

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

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

(c) The commissioner of the department of education, or designee.

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

(e) Two district superintendents, appointed by the governor.

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

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1 IV. The commission shall examine the cost of maintaining a child in a residential care  
2 facility and determine the percentage that is expended for housing, food, and care and the  
3 percentage that is expended for education.

4 V. The members of the commission shall elect a chairperson from among the members. The  
5 first meeting of the commission shall be called by the first-named senate member. The first meeting  
6 of the commission shall be held within 45 days of the effective date of this section. Six members of  
7 the commission shall constitute a quorum.

8 VI. The commission shall report its findings and any recommendations for proposed  
9 legislation to the president of the senate, the speaker of the house of representatives, the senate  
10 clerk, the house clerk, the governor, and the state library on or before November 1, 2021.

11 2 Repeal. RSA 193:18-d, relative to the commission to differentiate costs, is repealed.

12 3 Effective Date.

13 I. Section 2 of part III of this act shall take effect November 1, 2021.

14 II. The remainder of part III of this act shall take effect upon its passage.

15 **PART IV**

16 **Establishing a committee to study charitable gaming.**

17 1 Committee Established. There is established a committee to study the regulatory structure of  
18 charitable gaming .

19 2 Membership and Compensation.

20 I. The members of the committee shall be as follows:

21 (a) Two members of the senate, one of whom shall be from the ways and means  
22 committee and one of whom shall be from the finance committee, appointed by the president of the  
23 senate.

24 (b) Three members of the house of representatives, one of whom shall be from the ways  
25 and means committee and one of whom shall be from the finance committee, appointed by the  
26 speaker of the house of representatives.

27 II. Members of the committee shall receive mileage at the legislative rate when attending to  
28 the duties of the committee.

29 3 Duties. The committee shall:

30 I. Study the oversight and enforcement of charitable gaming in New Hampshire and how  
31 that regulatory structure, including staffing levels for auditors, inspectors and other oversight  
32 positions, compares with best-practice regulatory standards for the gaming industry and regulatory  
33 structures used in other jurisdictions.

34 II. Review the recommendations of prior study commissions with respect to the regulatory  
35 structure of charitable gaming in New Hampshire and determine to what degree those  
36 recommendations have been addressed, including but not limited to recommendations relating to  
37 oversight, enforcement, control measures, technology and staffing.

III. Study the amounts and distribution of revenues generated by each charitable gaming operator to the state and to the charities served by that operator, including all costs borne by the operator and charities.

IV. Study the methods used by charitable gaming operators to select the charities that will be given dates at the operators' facilities, including the methods used when there is a "wait list" at the facilities.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Four members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2022.

6 Effective Date. Part IV of this act shall take effect upon its passage.

## PART V

Establishing a committee to study the effects of COVID-19 lockdowns, quarantines, and school and business closings.

1 Committee Established. There is established a committee to study the effects of COVID-19 lockdowns, quarantines, and school and business closings.

## 2 Membership and Compensation.

I. The members of the committee shall be as follows:

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

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

II. Members of the committee shall receive mileage at the legislative rate when attending to the duties of the committee.

3 Duties. The committee shall study the effects COVID-19 lockdowns, quarantines, and school and business closings have had on New Hampshire citizens with regard to education and general health, particularly examining incidents of PTSD, overdoses and suicide, and permanent closures of small businesses.

4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from among the members. The first meeting of the committee shall be called by the first-named senate member. The first meeting of the committee shall be held within 45 days of the effective date of this section. Three members of the committee shall constitute a quorum.

5 Report. The committee shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before November 1, 2022.

