

January 19, 2023
No. 7A

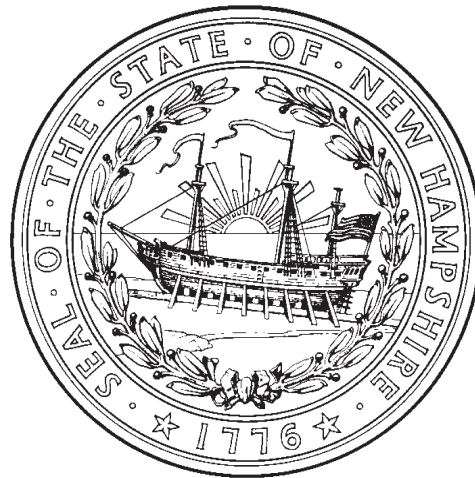
STATE OF NEW HAMPSHIRE

Website Address: <http://gencourt.state.nh.us>

Senate Meeting Schedule Website Address:
<http://gencourt.state.nh.us/senate/schedule/dailyschedule.aspx>

All Standing Committee hearings will be livestreamed on the NH Senate's YouTube channel:
<https://www.youtube.com/NewHampshireSenateLivestream>

Links are also available on the Senate Meeting Schedule.



First Year of the 168th Session of the
New Hampshire General Court

SENATE CALENDAR ADDENDUM

**THE SENATE WILL MEET IN SESSION ON THURSDAY,
JANUARY 26, 2023 AT 12:00 P.M. IN THE SENATE CHAMBER**

The Senate Session on Thursday, January 26, 2023, in the Senate Chamber will be
live streamed at the following link:

<https://youtu.be/66AK75rg0h0>

Please note, this link will not be live until the Senate Session on
Thursday, January 26, 2023 at 12:00 P.M.

CONSENT CALENDAR REPORTS

COMMERCE

SB 41, establishing a committee to study age discrimination by auto insurance companies.
Inexpedient to Legislate, Vote 5-0.
Senator Gannon for the committee.

At the request of a constituent, this bill would have established a committee to study age discrimination by auto insurance companies. Insurance ratings are regulated by the New Hampshire Insurance Department, and they are made up of multiple factors to ensure that rates are competitive in the marketplace. Though age is a protected class in NH, because there is a rational basis and legitimate government interest, higher rates based on age are allowable; therefore, the Committee felt this bill was unnecessary.

SB 98-FN, relative to delinquent payment of accounts by on premises and off premises licensees.
Ought to Pass, Vote 5-0.
Senator Chandley for the committee.

If an on-premises or off-premises licensee has become delinquent on paying their bill to a distributor within a two week period, they are required to be reported to the NH Liquor Commission. If a distributor has failed to report a licensee, they are subject to fines levied by the Commission. Given no opposition from the industry, this bill would increase the reporting requirement for delinquent payments from \$100 to \$250.

SB 99, relative to the responsibilities of insurers in conducting reviews of the operations of administrators.
Ought to Pass, Vote 5-0.
Senator Ricciardi for the committee.

Currently, RSA 402-H:6 has required insurance carriers to conduct semi-annual audits of the contracts of Third-Party Administrators (TPA) who administer benefits for over 100 certificate holders. As part of these audits, at least one is required to be on-site. Given the rapid changes in virtual business practices, this bill would permanently remove the on-site requirement. Audits conducted virtually have been shown to be more accurate, inclusive, and efficient.

SB 102, relative to the Jones Act's effect on New Hampshire's heating and energy fuel market.
Ought to Pass with Amendment, Vote 5-0.
Senator Innis for the committee.

In 1920, the Jones Act was put into place. The Act, designed to protect the US ocean shipping industry, imposed the requirement that any cargo vessel operating between US ports must be a ship that was constructed in America, and is domiciled in America. In some cases, the Jones Act may result in additional costs to shippers, and ultimately, to consumers. Further, the Act may increase energy costs to New Hampshire consumers due to a shortage of American made and domiciled ships that can carry certain types of fuel, including liquefied natural gas. This bill would require the NH Department of Energy to submit a report on the quantitative impact of the Jones Act on energy prices in the state. At the request of the Department, the Committee Amendment would change the reporting deadline and its respective repeal to June 1, 2024.

ELECTION LAW AND MUNICIPAL AFFAIRS**SB 70-FN**, relative to the establishment of an election information portal.

Ought to Pass, Vote 5-0.

Senator Soucy for the committee.

This bill directs the Secretary of State to establish an election information portal. This portal will allow New Hampshire citizens to complete a new voter application, request an absentee ballot or update their information for the statewide centralized voter registration database. Requests by voters in the portal will be verified by the appropriate municipal officer.

REGULAR CALENDAR REPORTS**COMMERCE****SB 100**, relative to the payment of salaried employees.

Inexpedient to Legislate, Vote 4-1.

Senator Soucy for the committee.

EDUCATION**SB 77**, relative to changes in school placement for students.

Ought to Pass, Vote 3-2.

Senator Lang for the committee.

ENERGY AND NATURAL RESOURCES**SB 68-FN**, relative to municipal host for purposes of limited electrical energy producers.

Ought to Pass, Vote 3-0.

Senator Avarad for the committee.

FINANCE**SB 1-FN-A**, relative to the Sununu youth services center.

Ought to Pass with Amendment, Vote 6-0.

Senator Gray for the committee.

AMENDMENTS

Senate Finance
January 24, 2023
2023-0124s
07/08

Amendment to SB 1-FN-A

Amend the title of the bill by replacing it with the following:

AN ACT relative to the closing of the Sununu youth services center and establishing a commission to study the public safety of the secured youth development center and surrounding communities.

Amend section 2 of the bill by replacing paragraph VI with the following:

VI. The department of health and human services shall submit quarterly progress reports to the joint legislative committee on health and human services established under RSA 126-A:13, the fiscal committee of the general court established under RSA 14:30-a, and the office of the child advocate established under RSA 21-V beginning no later than 60 days after the passage of this act, until such time as the facility is operational. Each quarterly report shall include a statement indicating whether the reported progress is sufficient to meet the November 1, 2024 deadline for the opening of the facility. In the event that sufficient progress to meet this deadline has not been made, the progress report shall include the reasons for any projected delay in meeting the November 1, 2024 deadline, a description of the efforts being undertaken to minimize any delay in the development and opening of the facility and projected completion date. In addition, the quarterly progress reports shall include the following information:

- (a) Progress towards retaining an architectural consultant to design the plan for the facility;
- (b) Progress towards completion of the design for the facility;

- (c) Progress towards contracting with the company that will construct the replacement facility;
- (d) The anticipated date construction of the replacement facility will be completed; and
- (e) The anticipated date by which the replacement facility will be operational.

Amend the bill by replacing section 4 with the following:

4 Appropriation; Construction and Operation of a Replacement Secure Facility.

I. The sum of \$15,000,000 for the fiscal year ending June 30, 2023 is hereby appropriated to the department of health and human services for the design and construction of the new secured youth development facility, as described in section 2 of this act. Such funds shall be nonlapsing and continually appropriated to the department for the purposes of this act, and shall not be transferred or used for any other purpose.

II. In order to provide funding for said appropriation, the governor shall first use any available discretionary funds appropriated in the American Rescue Plan Act of 2021, Public Law 117-2 or any other federal funds which can be used for this purpose. The governor is authorized to draw a warrant for the remaining general fund share of said sum out of any money in the treasury not otherwise appropriated.

III. In no event shall total expenditures, from all sources, for the design and construction of the new secured youth development facility exceed \$15,000,000.

Amend the bill by replacing all after section 5 with the following:

6 New Subdivision; Commission to Study Public Safety of the Secured Youth Development Center. Amend RSA 169-B by inserting after section 47 the following new subdivision:

Commission to Study Public Safety of the Secured Youth Development Center

169-B:48 Commission to Study the Public Safety of the Secured Youth Development Center.

I. There is established a commission to study the public safety of the secured youth development center and surrounding communities. Notwithstanding RSA 14:49, the commission shall consist of the following members:

- (a) Three members of the house of representatives, appointed by the speaker of the house of representatives.
- (b) Three senate members, appointed by the senate president.
- (c) The commissioner of the department of health and human services or designee.
- (d) The commissioner of the department of safety or designee.
- (e) The child advocate or their designee.
- (f) A representative from the New Hampshire Sheriff's Association, appointed by that organization.
- (g) A representative from a local law enforcement agency, appointed by the speaker of the house of representatives.
- (h) A representative from a municipal governing body, appointed by the senate president.

II. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission. The commission's study shall include procedures and practices of the secured youth development facility meant to ensure the safety of the youths held at the facility, facility staff, the people of the municipality where the facility is located, and neighboring municipalities.

III. The commission may solicit input from any person 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 held within 45 days of the effective date of this section and be called by the first-named senate member. Six members of the commission shall constitute a quorum.

V. The commission shall submit a preliminary report including its findings and any recommendations for proposed legislation on or before November 1, 2023 and a final report on or before November 1, 2024 to the speaker of the house of representatives; the president of the senate, the house clerk, the senate clerk, the governor, and the state library.

7 Repeal. RSA 169-B:48, relative to a commission to study the public safety of the secured youth development center and surrounding communities, is repealed.

8 Effective Date.

I. Section 5 of this act shall take effect February 28, 2023.

II. Section 7 of this act shall take effect November 1, 2024.

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

2023-0124s

AMENDED ANALYSIS

This bill requires the closure of the Sununu youth services center, and sets out parameters for the contract for a replacement facility. The bill also establishes a commission to study the public safety of the youth development center and surrounding communities.

Commerce

January 24, 2023

2023-0127s

07/05

Amendment to SB 102

Amend the bill by replacing section 2 with the following:

2 New Section; Department of Energy; Jones Act Report. Amend RSA 12-P by inserting after section 15 the following new section:

12-P:16 Jones Act Report. The department of energy shall submit a report to the legislature on the estimated impact of the Merchant Marine Act of 1920, also known as the Jones Act, on New Hampshire's heating fuel and energy market. The report shall include the department's 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 June 1, 2024.

Amend the bill by replacing section 4 with the following:

4 Effective Date.

I. Section 3 of this act shall take effect June 1, 2024.

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