

# Committee Report

**CONSENT CALENDAR**

**May 20, 2021**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Legislative Administration to which  
was referred SB 100,**

**AN ACT adopting omnibus legislation on commissions  
and committees. Having considered the same, report  
the same with the following amendment, and the  
recommendation that the bill OUGHT TO PASS WITH  
AMENDMENT.**

**Rep. Gregory Hill**

**FOR THE COMMITTEE**

## **COMMITTEE REPORT**

Committee:	<b>Legislative Administration</b>
Bill Number:	<b>SB 100</b>
Title:	<b>adopting omnibus legislation on commissions and committees.</b>
Date:	<b>May 20, 2021</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>OUGHT TO PASS WITH AMENDMENT 2021-1554h</b>

### **STATEMENT OF INTENT**

As unanimously voted, the committee approved the establishment of two study committees. One deals with charitable gaming issues and the other deals with an exploration of ADA access to Hampton Beach State Park. The committee amendment removed other parts of the omnibus bill in order to allow the sponsors to build support for the legislation and re-submit it in future legislative years.

Vote 14-0.

Rep. Gregory Hill  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

Legislative Administration

**SB 100**, adopting omnibus legislation on commissions and committees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Gregory Hill for Legislative Administration. As unanimously voted, the committee approved the establishment of two study committees. One deals with charitable gaming issues and the other deals with an exploration of ADA access to Hampton Beach State Park. The committee amendment removed other parts of the omnibus bill in order to allow the sponsors to build support for the legislation and re-submit it in future legislative years. **Vote 14-0.**

Amendment to SB 100

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

2

3 AN ACT establishing legislative committees to study charitable gaming and to study  
4 building a pier over the jetty at Hampton Beach state park for disability access.

5

6 Amend the bill by replacing all after the enacting clause with the following:

7

8 1 Committee Established. There is established a committee to study the regulatory structure of  
9 charitable gaming .

10 2 Membership and Compensation.

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

12 (a) Two members of the senate, one of whom shall be from the ways and means  
13 committee and one of whom shall be from the finance committee, appointed by the president of the  
14 senate.

15 (b) Four members of the house of representatives serving on the ways and means  
16 committee, 2 of whom shall be members of the majority party and 2 of whom shall be members of the  
17 minority party, appointed by the speaker of the house of representatives.

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

20 3 Duties. The committee shall:

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

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

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

**Amendment to SB 100**  
**- Page 2 -**

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

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

8           5 Report. The committee 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, 2022.

11           6 Committee Established. There is established a committee to study building a pier over the  
12 jetty at Hampton Beach state park for access for people with disabilities.

13           7 Membership and Compensation.

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

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

16               (b) Three members of the house of representatives, appointed by the speaker of the  
17 house of representatives, one of whom shall be a majority member of the committee on resources,  
18 recreation and development and one of whom shall be a minority member of the committee on  
19 resources, recreation and development.

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

22           8 Duties. The committee shall study building a pier over the jetty at Hampton Beach state park  
23 for access for people with disabilities.

24           9 Chairperson; Quorum. The members of the study committee shall elect a chairperson from  
25 among the members. The first meeting of the committee shall be called by the first-named senate  
26 member. The first meeting of the committee shall be held within 45 days of the effective date of this  
27 section. Four members of the committee shall constitute a quorum.

28           10 Report. The committee shall report its findings and any recommendations for proposed  
29 legislation to the speaker of the house of representatives, the president of the senate, the house  
30 clerk, the senate clerk, the governor, and the state library on or before November 1, 2021.

31           11 Effective Date. This act shall take effect upon its passage.

**Amendment to SB 100**  
**- Page 3 -**

2021-1554h

AMENDED ANALYSIS

This bill:

- I. Establishes a committee to study charitable gaming.
- II. Establishes a committee to study building a pier over the jetty at Hampton Beach state park for disability access.

# Voting Sheets





2021 SESSION

Legislative Administration

Bill #: SB100/A Motion: OTP/A AM #: \_\_\_\_\_ Exec Session Date: 5/20/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Hill, Gregory G. Chairman	14		
Greene, Bob J. Vice Chairman	1		
McKinney, Betsy	2		
Osborne, Jason M. <i>Rep. Mooney</i>	3		
Rouillard, Claire A.	4		
Sheehan, Vanessa L. Clerk	5		
Simon, Matthew J.	6		
Vandecasteele, Susan J.	7		
Wall, Janet G.	8		
Ley, Douglas A. <i>Rep. Query</i>	9		
Smith, Timothy J.	10		
Frost, Sherry A.	11		
Nutting-Wong, Allison R.	12		
Richards, Beth S.			
Espitia, Manny	13		
<b>TOTAL VOTE:</b>	<b>14</b>	<b>0</b>	



STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK

5/5/2021 3:30:13 PM  
Roll Call Committee Registers  
Report

2021 SESSION

Legislative Administration

Bill #: \_\_\_\_\_ Motion: Amendment AM #: 1554h Exec Session Date: 5/20/21

Members	YEAS	Nays	NV
Hill, Gregory G. Chairman	8		
Greene, Bob J. Vice Chairman	1		
McKinney, Betsy	2		
Osborne, Jason M. <i>Rep Mooney</i>	3		
Rouillard, Claire A.	4		
Sheehan, Vanessa L. Clerk	5		
Simon, Matthew J.	6		
Vandecasteele, Susan J.	7		
Wall, Janet G.		1	
Ley, Douglas A. <i>Rep. Query</i>		2	
Smith, Timothy J.		3	
Frost, Sherry A.		4	
Nutting-Wong, Allison R.		5	
Richards, Beth S.			
Espitia, Manny		6	
<b>TOTAL VOTE:</b>	<b>8</b>	<b>6</b>	



## **COMMITTEE REPORT**

Committee:	<b>Legislative Administration</b>
Bill Number:	<b>SB 100</b>
Title:	<b>adopting omnibus legislation on commissions and committees.</b>
Date:	<b>May 20, 2021</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>OUGHT TO PASS WITH AMENDMENT 2021-1554h</b>

### **STATEMENT OF INTENT**

<<Statement of Intent>>

Vote 14-0.

Rep. Bob Greene  
FOR THE COMMITTEE

## CONSENT CALENDAR

Legislative Administration

**SB 100**, adopting omnibus legislation on commissions and committees. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Bob Greene for Legislative Administration. **Vote 14-0.**

# Hearing Minutes

## HOUSE COMMITTEE ON LEGISLATIVE ADMINISTRATION

### PUBLIC HEARING ON SB 100

**BILL TITLE:** (New Title) establishing legislative committees to study charitable gaming and to study building a pier over the jetty at Hampton Beach state park for disability access

**DATE:** May 11, 2021

**LOB ROOM:** 211 Hybrid      **Time Public Hearing Called to Order:** 9:00 a.m.

**Time Adjourned:** 10:35 a.m.

**Committee Members:** Reps. Hill, Greene, Sheehan, McKinney, Osborne, Rouillard, Simon, Vandecasteele, Wall, T. Smith, Frost, Nutting-Wong, Richards and Espitia

**Bill Sponsors:**  
Sen. Watters

### TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

- Senator Grady - A few years ago looked at state hospital and had some success. Now they want to look at other hospitals. Violence and work place safety need to be looked at now. Hospitals asked them to look into this last year.
- Question - Rep Rouillard - Are the hospitals looking for root causes or looking to update protocols.
- Answer - It is up to the commission to see where this goes. Rules now are not adequate.
- \*Paula Minnehan - NH Hospital Assoc. - Supports Part 1 of the bill. This passed the Senate last year. The incidents of violence in health care facilities continues and needs to be addressed. The charge of the commission is very comprehensive and supports the creation of the commission. The pandemic has made the issue worse.
- Question - Rep Rouillard - Has the NH Hospital Assoc. done any preliminary investigation? If they have, what was found?
- Answer - The security officers collect info on a monthly basis and will give to the commission. Various hospitals and ambulatory surgery centers in the state have been working on it. Have implemented training to de-escalate issues.
- Follow-up - Understand security and training has occurred but has the NH Hospital Assoc met to deal with all of these issues rather than bringing it to the Legislature?
- Answer - Yes, they have, through quality commission but this is happening in nursing homes and homes, etc. We need everyone to meet and this is what this commission would do, bring all these areas together.
- Follow-up question - Is there a chance that you can send this committee the list of state laws that prohibit you from doing the study?
- Answer - Yes, will look into it.
- Joan Widmer - Emergency room nurse and have witnessed aggressive patients. A study showed nurses experienced physical and verbal abuse and did not report it. It needs to have a comprehensive commission to study this problem.
- Question - Rep Rouillard The verbal and physical abuse are combined. Have we made policies about reporting these issues?
- Answer - Yes, steps have been put in place to report issues. Sometimes it depends on management.
- Follow-up question - Has the de-escalation techniques become policy?
- Answer - Not aware of a state policy.
- Question - Rep Hill - Laws are prohibiting what can be done?

- Answer - P Minnehan - Not my expertise.
- Senator James Gray - One of the things assessors have found is that this needs to be looked at regarding non-profits and taxes.
- Kathleen Reardon (Neutral) - Have concerns and don't see the need to move forward with this commission. Non-profits rely on tax exemptions. Non-profits have been essential especially over the past year with the pandemic. This would divert funding from the charitable mission. These non-profits are exempt by law. There is not an urgent need for this commission.
- Question - Rep Smith - Do you have an example of what this would be? What kind of payment?
- Answer - Usually cash payment.
- Question - Rep Wall - With the current system we allow payments in lieu of taxes to attract \_\_\_\_\_, would you want to allow permanent payments in lieu of taxes.
- Answer - Non-profits are exempt from paying taxes.
- Question - Rep Rouillard - Does each town have the ability to set payment in lieu of taxes.
- Answer - State law allows for pilots to take place and are voluntary.
- Follow-up Question - Would this commission look at this?
- Answer - Look at what is happening with pilot.
- Answer - Senator Gray - This is a way to see if non-profits are a burden. Want to seek out fairness not take away tax exempt status.
- \*Paula Minnehan - NH Hospital Assoc - Does not support this bill. The bill was introduced last year and failed. We have concerns about this commission. Hospitals are big charitable institutions. 23 Hospitals are non-profit in NH. Pilots should remain at local level. Hospitals work to assess needs of local community. If there is a for-profit portion of the hospital, they pay taxes or rent out space from the city. This commission could force hospitals to enter into a pilot.
- Michel LaChance - NH Alliance of YMCA's. They oppose this bill. The YMCA in NH provides many services to the community and takes the burden off the state. Requiring the YMCA to pay pilots would hurt their ability to help the community.
- Senator Avar - Introduced for Senator Ward.
- Question - Rep Rouillard - We already know what cost of residential care is and it should be easy to figure out what cost of education is.
- Answer - Does not know the answer.
- Grant Bosse - Two school districts contacted her about children with disabilities and residential care does not have a category for them regarding expenses. This could have major expenses for towns and tax payers and that is why the bill was written.
- Question - Rep Rouillard - It seems that children with special ed needs have been provided for. How would it differ in a residential area?
- Answer - Does not differentiate care right now. This would look at costs outside of the classroom.
- Rep Abrami - Co-Sponsor - Joint committee with senate to look at charitable gaming. House bill and Senate bill - House bill passed and laid on table in Senate. Spoke to a number of members for the committee. Amendment by Ways and Means and will support bill.
- Sen D'Allesandro - We need to look at charitable gaming. It's become a multi-million dollar business. Charities want their portions increased, it needs to be looked at. NH has 16 casinos. Supports the amendment. They have a good committee to do a thorough investigation.
- Question - Rep Hill - The amendment only deals with the membership of the committee?
- Answer - Rep Abrami - yes
- Rep Rouillard - Introduced part 5 of SB100
- Rep Harrington - The Covid 19 virus is extremely dangerous. Need more clarity on the effects of the virus in NH. Need to study what worked and what did not work.
- Grant Bossee - There are unintended consequences of the effects of isolation that has happened during the pandemic. (Speaking for Sen Avar).
- Question - Rep Rouillard - Would you expand the purpose of the committee to look at positive things.
- Answer - You will pass it to Sen Avar?
- Question - Rep Espitia - Would need to expand it to education and medical field.



- Answer - Yes, but what you are asking for would be a commission not a committee. We would need to determine if it should be commission or committee.
- Grant Bossee (for Senator Avard) The jetty is not safe or handicap accessible. Wanted to see what could be done to make it safer and more accessible.
- Rep Renzlo - State parks are the crown jewels of NH. The work of the proposed committee is important. Spoke to Philip Bryces testimony which was submitted.
- Question - Rep Hill - A project like this, where would the funding come from?
- Answer - The study committee would have to figure that out. The parks get funds from the State for Capital improvements.
- Follow-up question - Heard that the Governor is interested in using some of the federal money for state parks.
- Answer - Don't know specifically, the rules for the federal money.
- Follow-up Question - Are you submitting amendment information regarding membership of committee?
- Answer - Yes, will submit amendment.

# House Remote Testify

## Legislative Administration Committee Testify List for Bill SB100 on 2021-05-11

Support: 10 Oppose: 1 Neutral: 1 Total to Testify: 9

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Avard, Senator Kevin	Nashua, NH kevin.avard@leg.state.nh.us	An Elected Official	Senate District 12	Support	Yes (5m)	No	5/7/2021 9:14 AM
Gray, James	Rochester, NH james.gray@leg.state.nh.us	An Elected Official	Senator Gray PART I and II	Support	Yes (5m)	No	5/7/2021 11:12 AM
Reardon, Kathleen	New Boston, NH kreardon@nhnonprofits.org	A Member of the Public	New Hampshire Center for Nonprofits on Part II	Neutral	Yes (3m)	No	5/7/2021 10:50 AM
Minnehan, Paula	Concord, NH pminnehan@nhha.org	A Lobbyist	NH Hospital Association	Support	Yes (3m)	No	5/10/2021 5:42 PM
Abrami, Patrick	Stratham, NH abrami.nhrep@gmail.com	An Elected Official	Rock 19 and House W&M's	Support	Yes (2m)	No	5/5/2021 12:56 PM
Widmer, Joan	Amherst, NH jwidmer56@gmail.com	A Member of the Public	Myself	Support	Yes (2m)	No	5/10/2021 9:34 AM
LaChance, Michael	Nashua, NH mlachance@nmymca.org	A Member of the Public	NH Alliance of YMCAs	Oppose	Yes (2m)	No	5/9/2021 10:35 PM
Renzullo, Andy	Hudson, NH Andrew.renzullo@leg.state.nh.us	An Elected Official	Myself	Support	Yes (2m)	No	5/11/2021 1:24 AM
D'Allesandro, Lou	Manchester, NH dalas@leg.state.nh.us	An Elected Official	Prime sponsor Part IV	Support	Yes (0m)	No	5/5/2021 2:29 PM
Clark, Tyler	Derry, NH tclark@preti.com	A Lobbyist	Diamond Distributors of Moultonborough	Support	No	No	5/11/2021 9:07 AM
Vogt, Robin	Portsmouth, NH robin.w.vogt@gmail.com	A Member of the Public	Myself	Support	No	No	5/10/2021 9:47 AM
Johnston, Cordell	Concord, NH cjohnston@nhmunicipal.org	A Lobbyist	NH Municipal Association -- Part II	Support	No	No	5/7/2021 4:05 PM

# Testimony



Testimony of Kathleen Reardon  
CEO, NH Center for Nonprofits  
in support of amending  
SB 100, Part II  
before the House Legislative Administration Committee  
May 11, 2021, 9 am

Mr. Chairman and Members of the Committee. My name is Kathleen Reardon and I am the CEO of the NH Center for Nonprofits. The Center is a nonprofit organization with over 700 members dedicated to strengthening and giving voice to the state's nonprofit sector through leadership, collaboration, and learning opportunities. Thank you for the opportunity today to testify on Part II of SB 100 regarding the proposed study commission on *payments in lieu of taxes*, also known as PILOTs.

The NH Center for Nonprofits is neutral on this bill. We don't see an urgent need to move forward with a Commission. However, if the Legislature decides to move forward with one, we are happy to be part of it.

### **Property Tax Exemption**

As you know, New Hampshire RSA 72:23 provides for an exemption to religious, educational and charitable organizations from taxation of real estate and personal property if the real estate and personal property are used for mission related purposes.

The exemption is a critical part of most nonprofits' sustainability as their entire financial model is built on this assumption. Over this last year of pandemic related challenges, it is clear that nonprofits in our state play a critical role in community well-being. From nonprofit child care centers making it possible for parents to get back to work, to our health centers to our educational institutions, these organizations are part of our essential community ecosystem.

### **Payments in Lieu of Taxes**

In some cases, PILOT agreements are developed in good faith as a way to address some of the municipal related expenses, like police and fire protection or snow removal for nearby parking. However, it's important to note that dollars that pay PILOTs are diverted from a charitable organization's mission. Donors to nonprofits, often a primary source of funding, often direct funding to mission related activities. Large PILOTs increase the pressures on all funding sources.

The NH Center for Nonprofits urges policymakers to avoid an "opening of the floodgates." We must be careful not to inadvertently create policy that encourages municipalities to collect revenue from nonprofits that are clearly exempt by law. Medium-sized and smaller nonprofits such as crisis centers, community music schools and after school programs would not survive such a burden.

**Study Commission.**

We understand the interest from the Assessing Standards Board in convening a study commission on PILOTs. As the state's primary voice for the nonprofit sector, we don't see an urgent need to move forward with a Commission.

In summary, we are "neutral" on Part II of SB 100. However, if the Legislature creates this Study Commission, we are happy to represent the interests of the nonprofit sector. I am happy to take any questions.



## HOUSE LEGISLATIVE ADMINISTRATION COMMITTEE

May 11, 2021

SB100 – Adopting Omnibus Legislation on Commissions and Committees

### Testimony

Good morning, Chairman and members of the committee. My name is Paula Minnehan, Senior VP, State Government Relations with the New Hampshire Hospital Association (NHHA), representing all 26 of the state's community hospitals as well as all specialty hospitals.

Today I will be testifying on two parts of SB 100, Part I and Part II. NHHA is very supportive of Part I of the bill and we are appreciative of Senator Gray's willingness to sponsor Part I, as well as all the co-sponsors. This language was reintroduced this year since it did not cross over to the House last year due to the pandemic. It did, however, pass the Senate with strong support.

We, along with other health care provider organizations, asked that this commission be established to address the on-going concerns our health care workers face every day while caring for patients. The incidence of violence against health care workers in NH hospitals and other health care settings continues. Hospitals and other providers have implemented various policies and strategies to address this growing concern, however, we believe a more comprehensive, multi-disciplinary approach is warranted. It should not be the expectation that a nurse, an aide, a physician, or other caregiver be verbally or physically harmed while doing their job caring for others.

New Hampshire's hospitals and their healthcare workforce are driven by a mission to provide high quality health care and improve the health and well-being of the communities they serve. To their communities, the blue and white H promises health, healing, and hope when it's needed most, and New Hampshire's hospitals remain committed to caring for their communities and ensuring access to quality, compassionate care. We need to ensure that all healthcare workers can feel safe while serving their communities' needs.

We look forward to working with all the members of the commission to consider what opportunities exist to ensure that our health care workers are safe and protected when they go to work every day.

We ask that you support the creation of a study commission to focus on health care worker safety so we can begin to work with all stakeholders and the legislature to address this very important issue.

Regarding Part II, NHHHA is not supportive of the commission to study payment in lieu of taxes (PILOTs). This language was also introduced last year but did not pass out of the Senate Election Law and Municipal Affairs committee.

From the North Country to the southern border, from our small towns to our growing cities, New Hampshire's hospitals recognize that every New Hampshire resident should have the opportunity to live a healthy life regardless of who they are or their zip code. They understand that much of what influences our health happens outside the walls of the doctor's office—in our schools, workplaces, and neighborhoods.

That is why New Hampshire's hospitals make it a priority to engage and collaborate with community partners to share resources, skills, and expertise, and leverage opportunities to meet the most critical health needs of our communities and make the vision of a healthy place a reality.

We have significant concerns about Part II of SB 100 which would establish a commission to study payments in lieu of taxes made by charitable organizations and other entities fully or partially exempt from property taxes under RSA 72. Twenty-three of New Hampshire's 26 community hospitals are non-profit and exempt from property taxes under RSA 72. Some non-profit hospitals, however, have negotiated and made arrangements to make payments in lieu of taxes, otherwise known as PILOTs. Those are decisions made at the local level and we believe that is where these decisions should remain.

Non-profit hospitals are exempt from paying property taxes in return for the charitable benefits they provide to their communities. New Hampshire's non-profit community hospitals provided nearly \$500 million in community benefits in 2018, the last year for which information is publicly available. Of that total, financial assistance to access care accounted for \$304 million, which includes financial assistance to patients at cost and the value of unreimbursed Medicaid services, while over \$192 million was provided in other community benefits, such as community health improvement services, health professions education, subsidized health services and research, to name a few.

Hospitals work collaboratively to assess and identify the needs of their communities through detailed community health needs assessments, and they provide those reports to the Office of Charitable Trusts in the Attorney General's office.

Hospitals are strong community institutions that provide significant economic benefit to their communities and the patients they serve. In 2019, hospitals statewide provided over 41,000 jobs and contributed \$3.8 billion to the economy through salaries and benefits. When coupled with the over 32,000 jobs that are generated in the local economy because of the hospital's presence in the community and \$1.8 billion in additional salaries and benefits, New Hampshire's hospitals contribute over \$5.6 billion to the state's economy.

In addition, hospitals have partnered with the State on several important initiatives to support patients and impact state policy. In 2020, hospitals statewide paid a Medicaid Enhancement Tax (MET) of \$263 million, which is a tax on their net patient services revenue that, when matched by the federal government, resulted in over \$525 million that is used to fund

uncompensated care payments to hospitals and the overall Medicaid program. In just this past year alone, this resulted in \$300 million going to support the Medicaid program with just \$226 million supporting uncompensated care payments to hospitals. Additionally, hospitals committed to contribute \$50 million over five years to the Governor's Commission on Alcohol and Other Drugs to support the state's prevention, treatment, and recovery efforts. Hospitals also stepped up to help support the Doorway program to help those suffering from addiction across New Hampshire. And hospitals have been strong partners with the state in responding to the COVID-19 pandemic, from standing up surge capacity to testing, vaccinations and so much more.

Decisions about whether a community and a non-profit hospital or other entity should enter into a PILOT is a local decision and one that will be determined based on the local community needs, decisionmakers and more. We are concerned that this study commission could create the expectation that non-profits exempt from property taxes be required to enter into a PILOT. We do not believe that type of mandate from the legislature is the right approach and believe the best approach is to leave those decisions to local decisionmakers to determine how best to serve their communities.

Again, we are very supportive of Part I of SB 100 but request that you delete Part II from SB 100. Thank you for the opportunity to testify and provide our comments. I am happy to answer any questions.



**Testimony on SB 100, Part I**  
**Establishing a Commission to Study Workplace Safety in Health Care Settings**  
**May 11, 2021**

To members of the House Legislative Administration Committee,

This written testimony is offered in support of passage of SB 100, Part I relative to establishing a commission to study workplace safety in health care settings.

Workplace violence is a big issue in healthcare settings. According to the National Institute for Occupational Safety and Health, 73% of victims of workplace violence work in health care or social assistance and 20% of these victims require a month or more away from work to recover (Bureau of Labor Statistics, 2018). Many states, including New Hampshire (RSA 651:6, I), provide enhanced protection from assault through enhanced charges and penalties in their criminal code to public safety workers such as firefighters, emergency medical services, and law enforcement. Thirty-five states include healthcare workers in this enhanced protection; New Hampshire does not.

A 2009 study of 3,465 registered nurse members of the Emergency Nurses Association found that approximately 25% of respondents had experience physical violence more than 20 times in the past 3 years (Gacki-Smith, et al, 2009). Almost 20% reported verbal abuse more than 200 times during the same period (Gacki-Smith). The most common examples of physical violence experienced by more than 50% of the respondents included being pushed/shoved, hit, scratched, kicked and spit upon (Gacki-Smith). Over 70% of the respondents reported being yelled/cursed at, intimidated and/or harassed with sexual language/innuendo (Gacki-Smith). Although this study is over a decade old, evidence from bedside nurses indicates that the situation has not improved and, in fact, is worse.

Even more concern is that according to research, the majority of nurses who experience one or more forms of violence did not report the incident to either their employers or law enforcement authorities (Walsh, et al, 2011).

The American Nurses Association conducted a survey of violence against nurses in 2019. This study of found that 1 in 4 nurses had experienced a physical or verbal assault in the workplace (Peterson, 2019). 20-60% of these assaults go unreported, for a multitude of reasons; including nurses feeling that this is an expected occurrence in the workplace (Peterson). And 13% of missed days at work are related to workplace violence (Peterson).

A workplace violence survey was conducted in Merrimack County (NH) in 2019 by UNH. In this survey, 24% of nurses reported having experienced physical acts of aggression and 35% reported acts of verbal aggression (UNH, 2019). The majority of these reported acts of aggression were perpetrated by patients, with some by family members and/or other visitors (UNH). Interestingly, only 83% of the incidents were reported by the nurse (UNH).

**Testimony on SB 100, Part I**  
**Establishing a Commission to Study Workplace Safety in Health Care Settings**  
**May 11, 2021**

As recently as last fall, an emergency nurse from Dartmouth Hitchcock was strangled to unconscious by a psychiatric patient, thus, becoming a trauma victim herself in her own ED. We have reached out to this nurse and are hopeful she will testify before this committee during the public hearing.

Reducing workplace violence against emergency nurses is a legislative priority for the Emergency Nurses Association and Senate Bill 100, Part 1, is an important step in making this happen. The Commission proposed in Part I of SB 100 will help to develop a uniquely New Hampshire approach to addressing the issue of workplace violence in healthcare settings.

Respectfully submitted by,

Joan C. Widmer, MS, MSBA, RN, CEN  
Government Affairs Co-Chair,  
New Hampshire State Council of the  
Emergency Nurses Association  
Amherst, New Hampshire

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STATE OF NEW HAMPSHIRE  
DEPARTMENT of NATURAL and CULTURAL RESOURCES  
**DIVISION of PARKS and RECREATION**  
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May 10, 2021

The Honorable Gregory Hill  
and the Legislative Administration Committee  
Legislative Office Building, Room 104  
Concord, NH 03301

**RE: SB 100 adopting omnibus legislation on commissions and committees.**

Dear Chair Hill and Members of the Committee,

Please accept this testimony on behalf of the Department of Natural and Cultural Resources, Division of Parks and Recreation ("Division") regarding SB 100, part VI. **The Division supports a study to determine if building a pier over the jetty at Hampton Beach state park would be an appropriate addition to the park.**

NH State Parks welcomes all visitors. In collaboration with the Governor's Commission on Disability, Parks has made available to individuals with a disability accessible beach wheelchairs at the seacoast. We worked with the NH Fish and Game Department to construct an accessible fishing platform at Franconia Notch State Park. A study to determine the feasibility of building a pier of the jetty at Hampton Beach South Park can add to the visitor experience. It is important to note that NH State Parks is operationally self-funded through the revenue collected from fees, services, rentals, retail sales, etc. Expanding visitor access to state parks is a worthy endeavor, while maintaining Parks' revenue stream to ensure the long-term viability, financial health and re-investment in the state park system.

The study committee will want to consider identifying the appropriate agency responsible for the inspection and on-going maintenance and repair of the pier to ensure its upkeep and safety, especially following storm surges and king tides that have increased at Hampton Beach over the years. A pier would allow access over the water and may help reduce the number rescues during storm events by keeping thrill seekers off the jetty.

Thank you for the opportunity to submit this letter of support for a study to determine if building a pier over the jetty would be an appropriate addition to Hampton Beach State Park – South Beach. Please let me know if I can answer questions or provide any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip A. Bryce".

Philip A. Bryce, Director

Cc: Sarah L. Stewart, Commissioner

Bill as  
Introduced

SB 100 - AS INTRODUCED

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

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.

.....

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

21-1075  
05/06

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 Sponsorship. This act consists of the following proposed legislation:
- Part I. LSR 21-0181, establishing a commission to study workplace safety in health care settings, sponsored by Sen. Gray, Dist 6.
  - Part II. LSR 21-0165, establishing a commission to study payments in lieu of taxes, sponsored by Sen. Gray, Dist 6.
  - Part III. LSR 21-0193, establishing a commission to differentiate the cost of education and the cost of care for children in a residential facility, sponsored by Sen. Ward, Dist 8.

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

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

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

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

#### PART I

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

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

##### Commission to Study Workplace Safety in Health Care Settings

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

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

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

- (1) One member of the senate, appointed by the president of the senate.
- (2) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (3) One member appointed by the chief justice of the New Hampshire supreme court.
- (4) The commissioner of the department of health and human services, or designee.
- (5) The commissioner of the department of safety, or designee.
- (6) The commissioner of the department of labor, or designee.
- (7) The attorney general, or designee.
- (8) The president of the State Employees Association, SEIU Local 1984, or designee.
- (9) A member of the New Hampshire Hospital Association, appointed by the association.
- (10) A member of the New Hampshire Nurses Association, appointed by the association.
- (11) A member of Granite State Home Health and Hospice Association, appointed by the association.
- (12) A member of the New Hampshire Health Care Association, appointed by the association.
- (13) A member of the New Hampshire Medical Society, appointed by the society.
- (14) The director of the American Civil Liberties Union of New Hampshire, or designee.
- (15) A member of NAMI-New Hampshire, appointed by that organization.
- (16) A member of the New Hampshire Association of Residential Care Homes (NHARCH), appointed by the association.
- (17) A member of the American College of Emergency Physicians, appointed by that organization.
- (18) The long-term care ombudsman, or designee.
- (19) A member from a nonprofit social services organization representing the patient perspective, appointed by the president of the senate.

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

II.(a) The commission shall:

- (1) Review past history of incidents of violence in the health care workplace that have been instigated by the public, including patients, against health care workers.
  - (2) Explore barriers to reporting incidences.
  - (3) Explore creating a culture that supports reporting by reviewing of best practices.
  - (4) Determine a structure for reporting incidences and effective mechanisms for responding to incidences.
  - (5) Identify education and other strategies to identify risks, increase and reduce vulnerabilities in order to prevent workplace violence.
  - (6) Review other states' workplace safety policies.
  - (7) Review current statutes regarding penalties for assaulting a health care worker and consider changes to the statutes.
  - (8) Consider other matters the commission deems relevant to its study.
- (b) The commission may solicit input from any person or entity the commission deems 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.

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.
- IV. The commission shall examine the cost of maintaining a child in a residential care facility and determine the percentage that is expended for housing, food, and care and the percentage that is expended for education.
- V. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Six members of the commission shall constitute a quorum.
- VI. 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 193:18-d, relative to the commission to differentiate costs, is repealed.

3 Effective Date.

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

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

#### PART IV

##### Establishing a committee to study charitable gaming.

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

2 Membership and Compensation.

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

- (a) Two members of the senate, one of whom shall be from the ways and means committee and one of whom shall be from the finance committee, appointed by the president of the senate.
- (b) Three members of the house of representatives, one of whom shall be from the ways and means committee and one of whom shall be from the finance committee, 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:

- I. Study the oversight and enforcement of charitable gaming in New Hampshire and how that regulatory structure, including staffing levels for auditors, inspectors and other oversight positions, compares with best-practice regulatory standards for the gaming industry and regulatory structures used in other jurisdictions.
- II. Review the recommendations of prior study commissions with respect to the regulatory structure of charitable gaming in New Hampshire and determine to what degree those recommendations have been addressed, including but not limited to recommendations relating to 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, 2021.

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

#### PART VI

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

1 Committee Established. There is established a committee to study building a pier over the jetty at Hampton Beach state park for access for people with disabilities.

2 Membership and Compensation.

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

(a) Three 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 building a pier over the jetty at Hampton Beach state park for access for people with disabilities.

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 speaker of the house of representatives, the president of the senate, the house clerk, the senate clerk, the governor, and the state library on or before November 1, 2021.

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