SB 142-FN - AS AMENDED BY THE SENATE

03/11/2021 0603s
04/01/2021 0997s

2021 SESSION

21-0891
06/05

SENATE BILL ***142-FN***

AN ACT adopting omnibus legislation relative to certain study commissions.

SPONSORS: Sen. Birdsell, Dist 19

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill adopts legislation:

I. Reestablishing the commission to study the incidence of post-traumatic stress disorder in first responders. This bill also requires first responders to have mental health training focusing on post-traumatic stress disorder.

II. Relative to the commission to study barriers to increased land development in New Hampshire.

III. Reestablishing the commission to study grandfamilies in New Hampshire.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT adopting omnibus legislation relative to certain study commissions.

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 21-0891, relative to the commission to study post-traumatic stress disorders in first responders, sponsored by Sen. Birdsell, Prime/Dist. 19.

Part II. LSR 21-0929, relative to the commission to study barriers to increased land development in New Hampshire, sponsored by Sen. Perkins Kwoka, Prime/Dist. 21; Sen. Watters, Dist. 4; Sen. Rosenwald, Dist. 13; Sen. Whitley, Dist. 15; Sen. Bradley, Dist. 3; Sen. Hennessey, Dist. 1; Sen. Kahn, Dist. 10; Sen. Prentiss, Dist. 5; Sen. D'Allesandro, Dist. 20; Sen. Sherman, Dist. 24; Sen. Soucy, Dist. 18; Rep. DiLorenzo, Rock. 17.

Part III. LSR 21-0968, reestablishing the commission to study grand families in New Hampshire, sponsored by Sen. Carson, Prime/Dist. 14.

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

PART I

Relative to the Commission to Study Post-Traumatic Stress Disorders in First Responders.

1 New Section; Commission to Study the Incidence of Post-Traumatic Stress Disorder in First Responders Reestablished. Amend RSA 281-A by inserting after section 17-c the following new section:

281-A:17-d Commission to Study the Incidence of Post-traumatic Stress Disorder in First Responders Reestablished.

I.(a) There is reestablished the commission to study the incidence of post-traumatic stress disorder in first responders and whether such disorder should be covered under workers' compensation. The members of the commission shall be as follows:

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

(2) Three members of the house of representatives, one of whom shall be from the labor, industrial and rehabilitative services committee, one of whom shall be from the executive departments and administration committee, and one of whom shall be from the state-federal relations and veterans affairs committee, appointed by the speaker of the house of representatives.

(3) The labor commissioner, or designee.

(4) The commissioner of safety, or designee.

(5) The insurance commissioner, or designee.

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

(7) A representative of the New Hampshire Municipal Association, appointed by the association.

(8) A representative of the New Hampshire Association of Counties, appointed by the association.

(9) A representative of the National Alliance on Mental Illness New Hampshire, appointed by the alliance.

(10) A fire chief, appointed by the New Hampshire Association of Fire Chiefs.

(11) One member appointed by the New Hampshire Association of Chiefs of Police.

(12) One member appointed by the New Hampshire Police Association.

(13) A representative of the Professional Firefighters of New Hampshire, appointed by that organization.

(14) A representative of the New Hampshire Association of Emergency Medical Technicians, appointed by the association.

(15) A representative of the New Hampshire Public Risk Management Exchange, appointed by that organization.

(16) An attorney, appointed by the New Hampshire Association for Justice.

(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 study:

(1) Costs associated with training and resources, application of training, and operation of the presumption that post-traumatic stress disorder in first responders is occupationally caused.

(2) Whether a first responder's death from suicide is a line of duty death.

(3) Life insurance payouts for first responders who die of suicide.

(4) Life insurance payouts for retired first responders who die of suicide.

(5) Federal line of duty deaths by suicide.

(6) Cost and administration of resiliency training.

(7) The need for culture change to enable first responders to openly address PTSD issues without impacting their careers.

(8) Discuss the intersection of benefits provided by Workers' Compensation and the New Hampshire Retirement System when a first responder retires because of PTSD and whether additional benefits are warranted, including a retirement insurance subsidy.

(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. Nine members of the commission shall constitute a quorum.

IV. On or before November 1, 2021, the commission shall submit an interim report of 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 and shall submit a final report on or before November 1, 2022.

2 New Section; Mental Health Training for First Responders. Amend RSA 106-L by inserting after section 7 the following new section:

106-L:7-a Mental Health Training for First Responders.

I. No person shall assume their role as a first responder unless such person has satisfactorily completed mental health training focusing on post-traumatic stress disorder. In the case of a law enforcement officer, such person will receive such training from a program developed and delivered by the New Hampshire police academy. In the case of a firefighter or EMS provider, such person will receive such training from a program developed and delivered by the New Hampshire fire academy. Subsequently, all first responders shall successfully complete annual online training, and shall attend a live training program every 5 years from the first responder's respective training academy.

II. Mental health training focusing on post-traumatic stress disorder shall be made available annually and at no cost to any first responders after their retirement.

3 Effective Date. Part I of this act shall take effect 60 days after its passage.

Part II

Relative to the Commission to Study Barriers to Increased Land Development in New Hampshire.

1 New Section; Office of Strategic Initiatives; Commission to Study Barriers to Increased Density of Land Development in New Hampshire. Amend RSA 4-C by inserting after section 8-a the following new section:

4-C:8-b Commission to Study Density of Land Development in New Hampshire.

I. There is established a commission to study barriers to increased density of land development in New Hampshire. The membership of the commission shall be as follows:

(a) Two members of the senate, one of whom shall serve on the election law and municipal affairs committee and one of whom shall serve on the energy and natural resources committee, appointed by the senate president.

(b) Two members of the house of representatives, one of whom shall serve on the municipal and county government committee and one of whom shall serve on the environment and agriculture committee, appointed by the speaker of the house of representatives.

(c) Two public members, appointed by the governor.

(d) The director of the office of strategic initiatives, or designee.

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

(f) The commissioner of the department of business and economic affairs, or designee.

(g) The executive director of the New Hampshire housing finance authority, or designee.

(h) The executive director of New Hampshire Legal Assistance, or designee.

(i) The executive director of Housing Action NH, or designee.

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

(k) One representative of the New Hampshire Home Builders Association, appointed by the association.

(l) One representative of the New Hampshire Association of Regional Planning Commissions, appointed by the association.

(m) One representative of the New Hampshire Business and Industry Association, appointed by the association.

(n) One representative of the housing subcommittee of the Governor's Millennial Advisory Council, chosen by the council.

(o) One person to represent conservation interests, chosen jointly by the Society for the Protection of New Hampshire Forests, the Nature Conservancy, and the New Hampshire Association of Conservation Commissions.

(p) One representative of the New Hampshire Association of Realtors, appointed by the association.

(q) One member of the American Council of Engineering Companies of New Hampshire, appointed by the council.

(r) The president of the NH Planners Association, or designee.

II. The commission shall study issues related to the density of land development in New Hampshire. The commission's duties shall include revisiting the actions of the commission established in 2019, 300, and shall specifically include but not be limited to:

(a) Determining minimum standards of residential development density by considering the availability of public water and sewer infrastructure or other appropriate alternatives and account for variability of environmental conditions.

(b) Considering possible property tax incentives to promote residential density development, particularly workforce housing.

(c) Exploring possible methods of enforcement of the share community responsibility of workforce housing under RSA 674.

(d) Studying the impacts of development, specifically impacts on school enrollment and property values.

(e) Examining potential model ordinances to support municipalities in their planning work.

(f) Recommending any proposed legislation resulting from the work of the commission.

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 first-named 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. The senate election law and municipal affairs committee staff shall provide clerical, administrative, and research services to the commission as may be needed.

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

V. The commission shall submit an interim report of 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 and shall submit a final report on or before November 1, 2022.

2 Repeal. RSA 4-C:8-b, relative to the commission to study density of land development in New Hampshire, is repealed.

3 Effective Date.

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

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

Part III

Reestablishing the Commission to Study Grandfamilies in New Hampshire.

1 New Section; Commission to Study Grandfamilies in New Hampshire. Amend RSA 170-G by inserting after section 17-a the following new section:

170-G:17-b Commission to Study Grandfamilies in New Hampshire.

I. There is established a commission to study grandfamilies in New Hampshire. The membership of the commission shall be as follows:

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

(b) Three members of the house of representatives, one of whom shall serve on the health, human services and elderly affairs committee, one of whom shall serve on the committee responsible for children and family law, and one of whom shall serve on the finance committee, appointed by the speaker of the house of representatives.

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

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

(e) One representative of the division of family assistance, department of health and human services, appointed by that division.

(f) One representative of the division for children, youth and families, department of health and human services, appointed by that division.

(g) One representative of MomsRising, appointed by that organization.

(h) One representative of the Family Assistance Advisory Council, appointed by the council.

(i) One representative of Waypoint, formerly Child and Family Services of New Hampshire, appointed by that organization.

(j) One representative of a family resource center, appointed by Family Support New Hampshire.

(k) One representative of Court Appointed Special Advocates of New Hampshire, appointed by that organization.

(l) One representative of New Futures, appointed by that organization.

(m) One representative of National Alliance on Mental Illness New Hampshire, appointed by that organization.

(n) One representative of the NH Head Start Directors Association, appointed by the association.

(o) One public school principal, appointed by the New Hampshire Association of School Principals.

(p) One pediatrician licensed in New Hampshire, appointed by the New Hampshire Pediatric Society.

(q) One member of the New Hampshire Bar Association, appointed by the association.

(r) One representative of AARP, appointed by that organization.

(s) One representative of the New Hampshire Association of Chiefs of Police, appointed by the association.

(t) Three grandparent caregivers, appointed by the Family Assistance Advisory Council.

(u) One representative of a community health center in New Hampshire, appointed by the governor.

II. The commission shall address issues related to grandfamilies in New Hampshire. The commission's duties shall include, but not be limited to:

(a) Review of current data regarding grandfamilies in New Hampshire.

(b) Review of current barriers facing grandparents who are raising children in New Hampshire.

(c) Identification of causes of issues affecting New Hampshire grandfamilies.

(d) Development of corrective actions for addressing issues facing grandfamilies in New Hampshire.

(e) Identification of current actions being taken to assist grandfamilies in New Hampshire and their effectiveness.

III. 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 30 days of the effective date of this section. Seven members of the commission shall constitute a quorum.

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

V. The commission shall submit an interim report of 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 and November 1, 2024. The commission shall submit a final report on or before November 1, 2026.

2 Repeal. RSA 170-G:17-b, establishing a commission to study grandfamilies in New Hampshire, is repealed.

3 Effective Date.

I. Section 2 of Part III of this act shall take effect November 1, 2026.

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

LBA
21-0891
Amended 3/15/21

SB 142-FN- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENT #2021-0603s)

AN ACT adopting omnibus legislation relative to certain study commissions.

FISCAL IMPACT: [ ] State [ ] County [ ] Local [X] None

METHODOLOGY:

The Office of Legislative Budget Assistant states this bill has no fiscal impact on state, county and local expenditures or revenue.

AGENCIES CONTACTED:

None