LEGISLATIVE COMMITTEE MINUTES

SB30

Bill as Introduced

SB 30 - AS INTRODUCED

2023 SESSION

23-0871
05/08

SENATE BILL ***30***

AN ACT relative to membership of the New Hampshire council on developmental disabilities.

SPONSORS: Sen. Whitley, Dist 15; Sen. Prentiss, Dist 5; Sen. Rosenwald, Dist 13; Sen. Chandley, Dist 11; Sen. D'Allesandro, Dist 20; Sen. Perkins Kwoka, Dist 21; Sen. Gannon, Dist 23; Sen. Watters, Dist 4; Sen. Altschiller, Dist 24; Sen. Fenton, Dist 10; Sen. Soucy, Dist 18; Rep. Grossman, Rock. 11; Rep. Cornell, Hills. 22; Rep. Staub, Hills. 25

COMMITTEE: Health and Human Services

ANALYSIS

This bill provides that the council on developmental disabilities shall consist of at lease 21 members and removes language regarding how vacancies are filled for an unexpired term.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 30 - AS INTRODUCED

23-0871
05/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to membership of the New Hampshire council on developmental disabilities.

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

1 New Hampshire Council on Developmental Disabilities; Membership. Amend RSA 19-J:3 to read as follows:

19-J:3 Membership; Terms.

I. The membership of the council shall be appointed by the governor in accordance with the DD Act and shall consist of [~~not more than~~] ***at least*** 21 members which shall include:

(a) Individuals with developmental disabilities and parents or guardians of adults with mentally impairing developmental disabilities who cannot advocate for themselves, which persons shall make up not less than 60 percent of the membership of the council.

(b) The state agencies or subdivisions that administer funds provided under federal laws related to individuals with disabilities, including the Rehabilitation Act of 1973 (29 U.S.C. section 701 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. section 1400 et seq.), the Older Americans Act of 1965 (42 U.S.C. section 3001 et seq.) and Titles V and XIX of the Social Security Act.

(c) A representative of the University Center for Excellence in Developmental Disabilities Education, Research, and Service established under the DD Act.

(d) A representative of the Protection and Advocacy system for protecting the rights of individuals with developmental disabilities established under the DD Act.

(e) Representatives of local and non-governmental agencies and private and non-profit groups located in New Hampshire concerned with services for individuals with developmental disabilities in New Hampshire.

II. Terms of office shall be 3-year staggered terms. A council member whose term of office is expiring may continue beyond the end of the term until reappointed or until a successor is nominated. The council shall elect a chairperson. [~~Vacancies shall be filled for the unexpired term.~~] Members of the council shall be reimbursed for reasonable and necessary expenses for attending council meetings and performing council duties. The council shall support council member and staff travel to authorized training and technical assistance activities, including in-service training and leadership development activities.

2 Effective Date. This act shall take effect 60 days after its passage.

SB 30 - VERSION ADOPTED BY BOTH BODIES

2023 SESSION

23-0871
05/08

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(c) A representative of the University Center for Excellence in Developmental Disabilities Education, Research, and Service established under the DD Act.

(d) A representative of the Protection and Advocacy system for protecting the rights of individuals with developmental disabilities established under the DD Act.

(e) Representatives of local and non-governmental agencies and private and non-profit groups located in New Hampshire concerned with services for individuals with developmental disabilities in New Hampshire.

II. Terms of office shall be 3-year staggered terms. A council member whose term of office is expiring may continue beyond the end of the term until reappointed or until a successor is nominated. The council shall elect a chairperson. [~~Vacancies shall be filled for the unexpired term.~~] Members of the council shall be reimbursed for reasonable and necessary expenses for attending council meetings and performing council duties. The council shall support council member and staff travel to authorized training and technical assistance activities, including in-service training and leadership development activities.

2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 65
SB 30 - FINAL VERSION

2023 SESSION

23-0871
05/08

SENATE BILL ***30***

AN ACT relative to membership of the New Hampshire council on developmental disabilities.

SPONSORS: Sen. Whitley, Dist 15; Sen. Prentiss, Dist 5; Sen. Rosenwald, Dist 13; Sen. Chandley, Dist 11; Sen. D'Allesandro, Dist 20; Sen. Perkins Kwoka, Dist 21; Sen. Gannon, Dist 23; Sen. Watters, Dist 4; Sen. Altschiller, Dist 24; Sen. Fenton, Dist 10; Sen. Soucy, Dist 18; Rep. Grossman, Rock. 11; Rep. Cornell, Hills. 22; Rep. Staub, Hills. 25

COMMITTEE: Health and Human Services

ANALYSIS

This bill provides that the council on developmental disabilities shall consist of at least 21 members and removes language regarding how vacancies are filled for an unexpired term.

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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.

CHAPTER 65
SB 30 - FINAL VERSION

23-0871
05/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to membership of the New Hampshire council on developmental disabilities.

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

65:1 New Hampshire Council on Developmental Disabilities; Membership. Amend RSA 19-J:3 to read as follows:

19-J:3 Membership; Terms.

I. The membership of the council shall be appointed by the governor in accordance with the DD Act and shall consist of [~~not more than~~] ***at least*** 21 members which shall include:

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(b) The state agencies or subdivisions that administer funds provided under federal laws related to individuals with disabilities, including the Rehabilitation Act of 1973 (29 U.S.C. section 701 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. section 1400 et seq.), the Older Americans Act of 1965 (42 U.S.C. section 3001 et seq.) and Titles V and XIX of the Social Security Act.

(c) A representative of the University Center for Excellence in Developmental Disabilities Education, Research, and Service established under the DD Act.

(d) A representative of the Protection and Advocacy system for protecting the rights of individuals with developmental disabilities established under the DD Act.

(e) Representatives of local and non-governmental agencies and private and non-profit groups located in New Hampshire concerned with services for individuals with developmental disabilities in New Hampshire.

II. Terms of office shall be 3-year staggered terms. A council member whose term of office is expiring may continue beyond the end of the term until reappointed or until a successor is nominated. The council shall elect a chairperson. [~~Vacancies shall be filled for the unexpired term.~~] Members of the council shall be reimbursed for reasonable and necessary expenses for attending council meetings and performing council duties. The council shall support council member and staff travel to authorized training and technical assistance activities, including in-service training and leadership development activities.

65:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 07, 2023
Effective Date: August 06, 2023

Committee Minutes

SENATE CALENDAR NOTICE
Health and Human Services

Sen Regina Birdsell, Chair
Sen Kevin Avard, Vice Chair
Sen Jeb Bradley, Member
Sen Rebecca Whitley, Member
Sen Suzanne Prentiss, Member

Date: January 11, 2023

HEARINGS

Wednesday	01/18/2023
(Day)	(Date)

Health and Human Services	Legislative Office Building 101	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m.	**SB 32-FN**	relative to the opioid abatement trust fund.
9:15 a.m.	**SB 35**	relative to RSV vaccine administration.
9:30 a.m.	**SB 36-FN**	relative to systems of care for healthy aging.
9:45 a.m.	**SB 34-FN**	relative to the controlled drug prescription health and safety program.
10:00 a.m.	**SB 30**	relative to membership of the New Hampshire council on developmental disabilities.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 32-FN

Sen. Rosenwald	Sen. Gannon	Sen. Soucy	Rep. Nordgren
Rep. Rochefort	Rep. Tellez	Rep. Telerski	Rep. J. Murphy

SB 35

Sen. Rosenwald	Sen. Fenton	Sen. Perkins Kwoka	Sen. Gannon
Rep. Merchant	Rep. Rochefort		

SB 36-FN

Sen. Gannon	Sen. Watters	Sen. D'Allesandro	Sen. Avard
Sen. Bradley	Sen. Ricciardi	Sen. Carson	Sen. Rosenwald
Sen. Whitley	Sen. Ward	Sen. Pearl	Sen. Perkins Kwoka
Rep. Hobson			

SB 34-FN

Sen. Gray	Sen. Bradley	Sen. Birdsell	Sen. Avard

SB 30

Sen. Whitley	Sen. Prentiss	Sen. Rosenwald	Sen. Chandley
Sen. D'Allesandro	Sen. Perkins Kwoka	Sen. Gannon	Sen. Watters
Sen. Altschiller	Sen. Fenton	Sen. Soucy	Rep. Grossman
Rep. Cornell	Rep. Staub		

Cameron Lapine 271-2104

Regina Birdsell
Chairman

Senate Health and Human Services Committee

Cameron Lapine 271-2104

SB 30, relative to membership of the New Hampshire council on developmental disabilities.

Hearing Date: January 18, 2023

Time Opened: 11:57 a.m. **Time Closed:** 12:02 p.m.

Members of the Committee Present: Senators Birdsell, Avard, Bradley, Whitley and Prentiss

Members of the Committee Absent: None

Bill Analysis: This bill provides that the council on developmental disabilities shall consist of at lease 21 members and removes language regarding how vacancies are filled for an unexpired term.

Sponsors:

Sen. Whitley	Sen. Prentiss	Sen. Rosenwald
Sen. Chandley	Sen. D'Allesandro	Sen. Perkins Kwoka
Sen. Gannon	Sen. Watters	Sen. Altschiller
Sen. Fenton	Sen. Soucy	Rep. Grossman
Rep. Cornell	Rep. Staub	

Who supports the bill: Senator Cindy Rosenwald (Senate District 13), Senator Donna Soucy (Senate District 18), Senator Debra Altschiller (Senate District 24), Vanessa Blais, Michele Petersen, Ryan Donnelly (Granite State Independent Living), Marcella Termini, and Karen Rosenberg (Disability Rights Center-NH).

Who opposes the bill: Julie Smith.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Senator Becky Whitley
Senate District 15

- Senator Whitley said that SB 30 was a request by the New Hampshire Council on Developmental Disabilities so that the Council could become compliant with federal law.
- Sen. Whitley said that while the Council is a part of the state government, it must remain in compliance with federal law to continue to receive federal funds.

- Sen. Whitley said that federal law requires that 60% or more of the Council's members have a disability or are a parent or guardian of someone with a disability.
- Sen. Whitley said that federal law also requires the Council to reserve nine seats for representatives of various state agencies and their federal partners.
- Sen. Whitley explained that SB 30 would change the statutory language governing the number of council members from "no more than 21" to "at least 21", allowing for an increase in membership that would bring the Council into compliance with federal law.
- Sen. Whitley said that SB 30 would strike language on Line 23 dealing with appointments to vacancies, as the existing language had caused confusion over when terms ended.

Vanessa Blais
Director of Policy and Planning, NH Council on Developmental Disabilities

- Ms. Blais echoed Sen. Whitley's comments and said that she was there to answer any questions the Committee might have.
- Senator Bradley asked if it was federal law that required 16 members of Council to be members with developmental disabilities.
    - Ms. Blais said that federal law requires 60% of Council members to have a disability or to be a parent or guardian of someone with a developmental disability. She said for practical purposes that meant 2/3rds of the Council.
- Sen. Bradley asked if the state requirement for nine seats being reserved for state agencies was how the number of 16 seats for members with developmental disabilities was reached.
    - Ms. Blais added that federal requirements also require nine seats to be set aside for state agencies, groups such as the NH Disability Rights Center and the Institute on Disability, and certain other organizations.
- Sen. Bradley asked if the nine required seats was how the total number of seats on the Council was reached.
    - Ms. Blais said that it was.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

cml
Date Hearing Report completed: January 19, 2023

Speakers

Senate Health & Human Services Committee
SIGN-IN SHEET

Date: Wednesday January 18th, 2023 **Time:** 10:00 a.m.

SB 30 AN ACT relative to relative to membership of the New Hampshire council on developmental disabilities.

Name/Representing *(please print neatly)*

Senator Rebecca Perkins Kwoka (SD 21)	Support ☑	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☑
Senator David Watters (SD 4)	Support ☑	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☑
Sen. Becky Whitley (Prime)	Support ☑	Neutral ☐	Oppose ☐	Speaking?	Yes ☑	No ☐
[illegible]	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
Vanessa Blais New Hampshire Council on Dev. Dis.	Support ☑	Neutral ☐	Oppose ☐	Speaking?	Yes ☑	No ☐
Sarah Sadowski	Support ☑	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☑
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Neutral ☐	Oppose ☐	Speaking?	Yes ☐	No ☐

Senate Remote Testify

Health and Human Services Committee Testify List for Bill SB30 on 2023-01-

Support: 8 Oppose: 1

Name	Title	Representing	Position
Rosenwald, Cindy	An Elected Official	SD 13	Support
Soucy, Donna	An Elected Official	SD 18	Support
Smith, Julie	A Member of the Public	Myself	Oppose
Blais, Vanessa	A Member of the Public	Myself	Support
Petersen, Michele	A Member of the Public	Myself	Support
Donnelly, Ryan	A Member of the Public	Granite State Independent Living	Support
Termini, Marcella	A Member of the Public	Myself	Support
Rosenberg, Karen	A Lobbyist	Disability Rights Center-NH	Support
Altschiler, Senator Debra	An Elected Official	SD24	Support

Testimony

NEW HAMPSHIRE COUNCIL ON DEVELOPMENTAL DISABILITIES

January 11, 2023

Senator Regina Birdsell, Chair
Senate Health and Human Services Committee Members

RE: SB30 – membership of the New Hampshire council on developmental disabilities.

Dear Chairman Birdsell and Members of the Health and Human Services Committee:

My name is Isadora Rodriguez-Legendre and I am the Executive Director of the New Hampshire Council on Developmental Disabilities (DD Council). I am providing testimony on behalf of the DD Council regarding this housekeeping bill, SB30, which seeks to align our federal membership requirements with our state enabling legislation.

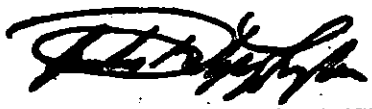
The DD Council is a federally funded state agency that is dedicated to dignity, full rights of citizenship, cultural diversity, equal opportunities, and full participation for all NH citizens with developmental disabilities. The DD Council carries out its mission through education, advocacy, and collaboration on initiatives that encourage full integration and inclusion of individuals with developmental disabilities as required in the Developmental Disabilities Assistance and Bill of Rights Act (DD Act).

The DD Act dictates that our council must be comprised of at least 60% community members with intellectual and/or developmental disabilities (ID/DD) and parents or guardians of people with ID/DD. This ensures that our work is led by individuals and families most impacted by our projects and activities. In our statute we are also required to have 9 additional entities as members, which are representatives of agencies/organizations that support people with ID/DD. Because there are 9 agency seats, we need to increase our community members with lived experience of ID/DD in order to maintain our compliance with the federal law. This bill provides that the council on developmental disabilities shall consist of "at least" 21 members instead of "not more than" so that we can ensure that we have enough seats to maintain that 60% of people with lived experience.

The bill also removes language regarding how vacancies are filled for an unexpired term because it is not required. Our by-laws explain how we fill our vacancies, so it doesn't need to be in the law. Our members are volunteers advocating for disability justice and serve 3-year terms.

Thank you for supporting SB30 so that the DD Council can be in compliance with its federal membership requirements and continue its attention to advocacy, capacity building, and systems change work on behalf of people with disabilities in New Hampshire.

Sincerely Yours,



Isadora Rodriguez-Legendre, MSW
Executive Director

2 ½ Beacon Street, Suite 10 Concord, NH 03301
603-271-3236 www.nhcdd.nh.gov

Voting Sheets

Senate Health and Human Services Committee
EXECUTIVE SESSION RECORD
2023-2024 Session

Bill # SB 30

Hearing date: 1-18-23

Executive Session date: 1-18-23

Motion of: OTP **Vote:** 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	X			X	
Sen. Avard, Vice Chair	X	X		X	
Sen. Bradley	X		X	X	
Sen. Whitley	X			X	
Sen. Prentiss	X			X	

Motion of: Consent **Vote:** 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair	X			X	
Sen. Avard, Vice Chair	X		X	X	
Sen. Bradley	X	X		X	
Sen. Whitley	X			X	
Sen. Prentiss	X			X	

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Birdsell, Chair					
Sen. Avard, Vice Chair					
Sen. Bradley					
Sen. Whitley					
Sen. Prentiss					

Reported out by: Sen. Whitley

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, January 18, 2023

THE COMMITTEE ON Health and Human Services

to which was referred **SB 30**

AN ACT relative to membership of the New Hampshire council on developmental disabilities.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Rebecca Whitley
For the Committee

SB 30 provides that the Council on Developmental Disabilities shall consist of at least 21 members and removes language regarding how vacancies are filled for an unexpired term. Because the Council is federally funded, there are federally-imposed stipulations on the composition of the Council. SB 30 will bring the Council in compliance with those federal rules, as well as provide clarity on members appointed to fill vacancies.

Cameron Lapine 271-2104

FOR THE CONSENT CALENDAR

HEALTH AND HUMAN SERVICES

SB 30, relative to membership of the New Hampshire council on developmental disabilities.
Ought to Pass, Vote 5-0.
Senator Rebecca Whitley for the committee.

SB 30 provides that the Council on Developmental Disabilities shall consist of at least 21 members and removes language regarding how vacancies are filled for an unexpired term. Because the Council is federally funded, there are federally-imposed stipulations on the composition of the Council. SB 30 will bring the Council in compliance with those federal rules, as well as provide clarity on members appointed to fill vacancies.

General Court of New Hampshire - Bill Status System

Docket of SB30

Docket Abbreviations

Bill Title: relative to membership of the New Hampshire council on developmental disabilities.

Official Docket of **SB30.**:

Date	Body	Description
1/5/2023	S	**Introduced** 01/05/2023 and Referred to Health and Human Services; **SJ 4**
1/11/2023	S	**Hearing:** 01/18/2023, Room 101, LOB, 10:00 am; **SC 6**
1/18/2023	S	Committee Report: Ought to Pass, 01/26/2023; Vote 5-0; CC; **SC 7**
1/26/2023	S	**Ought to Pass**: MA, VV; OT3rdg; 01/26/2023; **SJ 5**
3/20/2023	H	Introduced (in recess of) 03/16/2023 and referred to Health, Human Services and Elderly Affairs
3/23/2023	H	Public Hearing: 03/29/2023 10:00 am LOB 201-203
4/12/2023	H	Executive Session: 04/19/2023 11:30 am LOB 201-203
4/26/2023	H	Committee Report: Ought to Pass 04/19/2023 **(Vote 19-0; CC)**
5/4/2023	H	**Ought to Pass**: MA VV 05/04/2023 **HJ 13** P. 14
5/31/2023	H	Enrolled (in recess of) 04/18/2023
5/31/2023	S	Enrolled Adopted, VV, (In recess 05/18/2023); **SJ 16**
6/8/2023	S	Signed by the Governor on 06/07/2023; Chapter 0065; Effective 08/06/2023

NH House	NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 30 **Senate Committee:** HHS

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee
X All Calendar Notices
X Hearing Sign-up sheet(s)
X Prepared testimony, presentations, & other submissions handed in at the public hearing
X Hearing Report
___ Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # _____ ___ - amendment # _____
___ - amendment # _____ ___ - amendment # _____

X Executive Session Sheet
X Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____
___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
___ Enrolled Bill Amendment(s)
___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house
X final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Cameron M. Jaspire 8/9/23
Committee Aide **Date**

Senate Clerk's Office AK