
Committee Report

REGULAR CALENDAR

February 5, 2019

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Executive Departments and Administration to which was referred HB 524,

AN ACT relative to child day care agencies compliance with local codes. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Carol McGuire

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Executive Departments and Administration
Bill Number:	HB 524
Title:	relative to child day care agencies compliance with local codes.
Date:	February 5, 2019
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2019-0162h

STATEMENT OF INTENT

This bill, as amended, creates a study committee to look at obstacles to forming and running day care businesses. There are anecdotal reports of issues with building inspections, fire inspections, licensing, and state reimbursement requirements, which are within state purview. Local problems can be identified and flagged for local action.

Vote 14-4.

Rep. Carol McGuire
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Executive Departments and Administration

HB 524, relative to child day care agencies compliance with local codes. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Carol McGuire for Executive Departments and Administration. This bill, as amended, creates a study committee to look at obstacles to forming and running day care businesses. There are anecdotal reports of issues with building inspections, fire inspections, licensing, and state reimbursement requirements, which are within state purview. Local problems can be identified and flagged for local action. **Vote 14-4.**

Original: House Clerk
Cc: Committee Bill File

From: Carol McGuire [mailto:mcguire4house@gmail.com]
Sent: Tuesday, February 05, 2019 11:36 AM
To: Goley, Jeff; Simmons, Miriam; Smarling, Pam
Subject: blurbs

Majesty

HB 524, day care OTP/A

This bill, as amended, creates a study committee to look at obstacles to forming and running day care businesses. There are anecdotal reports of issues with building inspections, fire inspections, licensing, and state reimbursement requirements, which are within state purview. Local problems can be identified and flagged for local action.

submitted by
Rep. Carol McGuire



Rep. McWilliams, Merr. 27
January 29, 2019
2019-0162h
05/04

Amendment to HB 524

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

2

3 AN ACT establishing a committee to study issues and impediments to starting, running, and
4 growing home and commercial day care facilities in New Hampshire.

5

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

7

8 1 Statement of Intent. The general court hereby establishes the following study committee
9 with the intent of supporting families in New Hampshire by providing adequate day care across the
10 state, removing structural impediments to opening, running and growing day care businesses, and
11 reversing the current trend of day care closures outnumbering openings.

12 2 Committee Established. There is established a committee to study issues and impediments to
13 starting, running, and growing home and commercial day care facilities in New Hampshire.

14 3 Membership and Compensation.

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

16 (a) Three members of the house of representatives, appointed by the speaker of the
17 house of representatives.

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

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

21 4 Duties.

22 I. The committee shall:

23 (a) Examine the adequacy of day care programs and facilities across the state;

24 (b) Identify issues and impediments to starting, running, and growing both home and
25 commercial day care facilities; and

26 (c) Identify ways to reverse the current trend of day care closures outnumbering
27 openings.

28 II. In conducting its study, the committee shall solicit information from the state fire
29 marshal's office, all municipalities with populations over 25,000, and at least 2 municipalities from
30 each county.

31 5 Chairperson; Quorum. The members of the study committee shall elect a chairperson from
32 among the members. The first meeting of the committee shall be called by the first-named house
33 member. The first meeting of the committee shall be held within 45 days of the effective date of this

Amendment to HB 524

- Page 2 -

1 section. Three members of the committee shall constitute a quorum.

2 6 Report. The committee shall report its findings and any recommendations for proposed
3 legislation to the speaker of the house of representatives, the president of the senate, the sponsors
4 of this act, the chairperson of the house executive departments and administration committee, the
5 house clerk, the senate clerk, the governor, and the state library on or before November 1, 2019.

6 7 Effective Date. This act shall take effect upon its passage.

Amendment to HB 524

- Page 3 -

2019-0162h

AMENDED ANALYSIS

This bill establishes a committee to study issues and impediments to starting, running, and growing home and commercial day care facilities in New Hampshire.

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 524

BILL TITLE: (New Title) establishing a committee to study issues and impediments to starting, running, and growing home and commercial day care facilities in New Hampshire.

DATE: February 5, 2019

LOB ROOM: 306

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. McGuire Seconded by Rep. Schultz AM Vote: 13-5

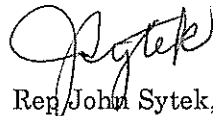
Amendment # 2019-0162h

Moved by Rep. McGuire Seconded by Rep. Schultz Vote: 14-4

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,



Rep. John Sytek, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 524

BILL TITLE: relative to child day care agencies compliance with local codes.

DATE: 2/8/19

LOB ROOM: 306

MOTION: (Please check one box)

- OTP ITL Retain (1st year) Adoption of Amendment # 016214
 (if offered)
- Interim Study (2nd year)

Moved by Rep. McGUIRE Seconded by Rep. SCHULTZ Vote: 13-5

MOTION: (Please check one box)

- OTP OTP/A ITL Retain (1st year) Adoption of Amendment # 63
 (if offered)
- Interim Study (2nd year)

Moved by Rep. McGUIRE Seconded by Rep. SCHULTZ Vote: 14-4

MOTION: (Please check one box)

- OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: ___ YES X NO

Minority Report? ___ Yes ___ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: [Signature]
Rep John Sytek, Clerk



2019 SESSION

Executive Departments and Administration

Bill #: HB 524 Motion: ADDA Amendment AM #: 0162H Exec Session Date: 2-5-19

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Goley, Jeffrey P. Chairman		X	
Schuett, Dianne E. Vice Chairman		X	
Jeudy, Jean L.		X	
Schmidt, Peter B.			
Schultz, Kristina M.	X		
Fontneau, Timothy J.	X		
Desjardin, Kathy J.	X		
Fellows, Sallie D.	X		
Fox, Samantha L.	X		
Grote, Jaci L.		X	
Merchant, Gary	X		
Pimentel, Roderick L.	X		
McGuire, Carol M.	X		
Sytek, John Clerk	X		
Beaudoin, Steven P.	X		
Proulx, Mark L.	X		
Panasiti, Reed A.		X	
Pearson, Stephen C.	X		
Roy, Terry	X		
Yakubovich, Michael			
TOTAL VOTE:	13	5	



2019 SESSION

Executive Departments and Administration

Bill #: HR 524 Motion: OT/A AM #: 0162H Exec Session Date: 2/5/19

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Goley, Jeffrey P. Chairman		X	
Schuett, Dianne E. Vice Chairman		X	
Jeudy, Jean L.	X		
Schmidt, Peter B.			
Schultz, Kristina M.	X		
Fontneau, Timothy J.	X		
Desjardin, Kathy J.	X		
Fellows, Sallie D.		X	
Fox, Samantha L.	X		
Grote, Jaci L.		X	
Merchant, Gary	X		
Pimentel, Roderick L.	X		
McGuire, Carol M.	X		
Sytek, John Clerk	X		
Beaudoin, Steven P.	X		
Proulx, Mark L.	X		
Panasiti, Reed A.	X		
Pearson, Stephen C.	X		
Roy, Terry	X		
Yakubovich, Michael			
TOTAL VOTE:	14	4	

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Amendment to HB 524

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4 of this act, the chairperson of the house executive departments and administration committee, the
5 house clerk, the senate clerk, the governor, and the state library on or before November 1, 2019.

6 7 Effective Date. This act shall take effect upon its passage.

UNAPPROVED

2019-0162h

AMENDED ANALYSIS

This bill establishes a committee to study issues and impediments to starting, running, and growing home and commercial day care facilities in New Hampshire.

UNVAPPROVED

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 524

BILL TITLE: (New Title) establishing a committee to study issues and impediments to starting, running, and growing home and commercial day care facilities in New Hampshire.

DATE: January 29, 2019

LOB ROOM: 306 **Time Public Hearing Called to Order:** 2:30 p.m.

Time Adjourned: 2:40 p.m.

Committee Members: Reps. Goley, Schuett, Sytek, P. Schmidt, Schultz, Fontneau, Desjardin, Grote, Merchant, Pimental, McGuire, S. Beaudoin, Proulx, Panasiti and S. Pearson

Bill Sponsors:

Rep. McWilliams

Rep. Acton

TESTIMONY


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

*1. **Rep. Rebecca McWilliams, Merrimack district 27, sponsor, introduced the bill and spoke of her own personal experience with the difficulty finding day care providers. There are a lot of rules and it was a major step to go from 12 to 13 children – such as adding sprinklers. There are serious needs and impediments should be removed. Although 4 new day care centers have opened 10 have closed.**

***She then introduced an amendment 2019-0162h, distributed to the committee, that changed the bill to from a study committee to look into this issue.**

2. **Paul Parisi, Fire Marshal, spoke for informational purposes and said that the trigger was going from 12 to 13 children.**

3. **William McKinney, Mt Vernon and NHBOA – opposes the bill – submitted pink card.**

Respectfully submitted,
Rep. Sytek Committee Clerk 

HB 524. Relative to Child Day Care Agencies . . .

- 1 Rep. McWilliams, sponsor, introduced the bill and spoke of her own personal experience with the difficulty finding day care providers. There are a lot of rules and it was a major step to go from 12 to 13 children – such as adding sprinklers. There are serious needs and impediments should be removed. Although 4 new day care centers have opened 10 have closed. She then introduced an amendment distributed to the committee, that changed the bill to from a study committee to look into this issue.
- 2 Paul Parisi, Fire Marshal, spoke for informational purposes and said that the trigger was going from 12 to 13 children.

2019
01/29/19

Respectfully submitted, Rep. Sytek Committee Clerk

pink card -
William McLawry
? NHSEA - ? did not speak

Bill as
Introduced

HB 524 - AS INTRODUCED

2019 SESSION

19-0284
05/08

HOUSE BILL **524**

AN ACT relative to child day care agencies compliance with local codes.

SPONSORS: Rep. McWilliams, Merr. 27; Rep. Acton, Rock. 10

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill exempts a home child day care agency from sprinkler system requirements under the state and local fire code if the agency has at least 2 accessible means of egress.

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

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to child day care agencies compliance with local codes.

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

1 1 Child Day Care Licensing; Compliance with State and Local Codes; Alternative to Sprinkler
2 System Requirement. Amend RSA 170-E:28, I to read as follows:

3 I. Any entity which intends to receive children, or arranges for child care or child
4 placement of one or more children unrelated to the operator, shall apply for a license to operate one
5 or more of the types of facilities for child care. Application for a license to operate a child care
6 agency or institution or a child-placing agency shall be made to the department in the manner and
7 on forms prescribed by rules adopted by the commissioner under RSA 541-A. Such forms shall
8 provide for the birth names, birth dates and addresses of all persons having responsibility for care
9 or placement of children or regular contact with children at the institution or agency. The agency
10 or institution shall obtain approvals in accordance with state and local requirements pertaining to
11 health, safety and zoning as applicable; ~~and,~~ *provided that a home child day care agency*
12 *shall be exempt from any sprinkler system required under the state or local fire code if the*
13 *home child day care agency has at least 2 accessible means of egress.* If the department is
14 satisfied that the person, institution, agency, or program conforms to standards prescribed for the
15 type of child care or child placement for which application is made, the department shall issue a
16 license in proper form designating on that license the type of child care or child placement, the
17 name and address of the person or institution, the duration of the license and, except for child-
18 placing agencies, the age range, the gender, and the number of children to be served.

19 2 Effective Date. This act shall take effect 60 days after its passage.