

Committee Report

CONSENT CALENDAR

March 5, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Transportation to which was referred HB 421,

AN ACT relative to organ donation on a driver's license.

Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Travis O'Hara

FOR THE COMMITTEE

COMMITTEE REPORT

| | |
|-------------------|--|
| Committee: | Transportation |
| Bill Number: | HB 421 |
| Title: | relative to organ donation on a driver's license. |
| Date: | March 5, 2021 |
| Consent Calendar: | CONSENT |
| Recommendation: | OUGHT TO PASS |

STATEMENT OF INTENT

The committee agrees, in whole, that our choice to donate our organs is a legal choice that we assume under our own freewill. This is a choice that we can make on how our private property is handled even after our passing. This choice can be revoked by us at any time in our life, the logo on our ID is just a reminder of that commitment with our private property and is not used by first responders to determine any action to our body, post passing.

Vote 19-0.

Rep. Travis O'Hara
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Transportation

HB 421, relative to organ donation on a driver's license. **OUGHT TO PASS.**

Rep. Travis O'Hara for Transportation. The committee agrees, in whole, that our choice to donate our organs is a legal choice that we assume under our own freewill. This is a choice that we can make on how our private property is handled even after our passing. This choice can be revoked by us at any time in our life, the logo on our ID is just a reminder of that commitment with our private property and is not used by first responders to determine any action to our body, post passing.

Vote 19-0.

Original: House Clerk

Cc: Committee Bill File

Voting Sheets

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on

BILL TITLE: HB 421 RELATIVE TO ORGAN DONATION ON A DRIVERS' LICENSE

DATE: 3/5/21

LOB ROOM: 301-303

MOTION: (Please check one box)

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

Moved by Rep. ___O'Hara_____ Seconded by Rep. Gagne_____ Vote: 19-0_____

MOTION: (Please check one box)

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

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

MOTION: (Please check one box)

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

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

MOTION: (Please check one box)

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

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

CONSENT CALENDAR: YES _____ NO

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

Respectfully submitted: Karel Crawford
_____ Rep Karel Crawford, Clerk

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



1/22/2021 10:08:26 AM
Roll Call Committee Registers
Report

2021 SESSION

TRANSPORTATION

Bill #: HB 421 Motion: OTP AM #: _____ Exec Session Date: 3/5/21

| <u>Members</u> | <u>YEAS</u> | <u>Nays</u> | <u>NV</u> |
|-------------------------------|-------------|-------------|-----------|
| Walsh, Thomas C. Chairman | X | | |
| Gagne, Larry G. Vice Chairman | X | | |
| Crawford, Karel A. Clerk | X | | |
| Smith, Steven D. | X | | |
| Hill, Gregory G. | X | | |
| Aron, Judy F. | X | | |
| Ankarberg, Aidan | X | | |
| Gorski, Ted | X | | |
| O'Hara, Travis J. | X | | |
| Pitaro, Matthew | X | | |
| Sykes, George E. | X | | |
| Cleaver, Skip J. | X | | |
| Fenton, Donovan W. | X | | |
| Pickering, Daniel R. | X | | |
| Rich, Cecilia | X | | |
| Telerski, Laura D. | X | | |
| Fox, Dru | X | | |
| Stevens, Deb | X | | |
| Veilleux, Daniel T. | X | | |
| TOTAL VOTE: | 19 | 0 | |

Public Hearing

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON

BILL TITLE: HB-421 relative to organ donation on a driver's license

DATE: 2/5/21

LOB ROOM: 301-303

Time Public Hearing Called to Order: 9:30 am

Time Adjourned: 10:04

Committee Members: Reps. Walsh, Gagne, Crawford, **Smith, Hill, Aron, Ankarberg, Gorski, O'Hara, Pitaro, Sykes, Cleaver, Pimentel, Pickering, Rich, Telerski, Fox, Stevens and Veilleux**

**Bill Sponsors:
Rep Torosian**

TESTIMONY

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

Rep. Torosian introduced Bill 421

Was passed last term in Transportation strengthens the language and the decision on the license and no one can revoke it.

Rep. Gorski

Q. - Rep. Teleski: appreciate the attempt to pass this are you aware of other states who have the same language, A. Rep. Torosian says many states have this language.

Q.- Rep. O'Hara Can I put it in my will if my next of kin decides not to donate

Q.- Rep. Pitaro: Does the first responder have to call the DMV to see if they can use the organ? A. what is on your license is not a legal document

Q. - Rep. Aron: How often do people change their minds? A. It's an emotional time can't give you a number on how many times they change their minds. Follow up: Organ donation should be honored If it is refused: A.

Q. - Rep. Hill: Someone donates his body to Harvard for medical science, is this included in this bill?

A. put it into a legal document, this would be different

Sean Fitzpatrick – New England Donor Services It is an individual right to be a donor, they can have that known, existing law, this bill will put it into plain language so all will understand. In support of it. All 50 states have the right to make the decision and have revised their statute.

DMV has a list of all donors and if you change your mind the DMV will take it off the list. Hospital will check with DMV list first. Minors must have permission from the parents. Donate is a gift and if not suitable the gift will be denied.

Q. - Rep. Pitaro: If you authorize it through your license, but their will says differently what happens?, A. DMV comes first.

Rep. Pimentel is replacing Rep. Fenton

House Remote Testify

Transportation Committee Testify List for Bill HB421 on 2021-02-05

Support: 11 Oppose: 0 Neutral: 1 Total to Testify: 2

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> |
|---------------------|--|------------------------|--------------------------------|-----------------|-------------------|--------------------|-------------------|
| Torosian, Peter | FlyBirdAir@aol.com | An Elected Official | Rockingham Count District # 14 | Support | Yes (5m) | No | 2/4/2021 9:58 AM |
| Fitzpatrick, Sean | sfitzpatrick@ned.s.org | A Member of the Public | New England Donor Services | Support | Yes (2m) | No | 2/4/2021 3:43 PM |
| Janigian, John | john.janigian@leg.state.nh.us | An Elected Official | Myself | Support | No | No | 2/4/2021 9:31 PM |
| Torosian, Mary Beth | Mbt1717@gmail.com | A Member of the Public | Myself | Support | No | No | 2/5/2021 8:51 AM |
| Rathbun, Eric | ericrathbun@gmail.com | A Member of the Public | Myself | Support | No | No | 2/5/2021 8:59 AM |
| Brudniak, Kelly | kelly.a.brudniak@dos.nh.gov | State Agency Staff | NH DMV | Neutral | No | No | 2/5/2021 9:03 AM |
| ploszaj, tom | tom.ploszaj@leg.state.nh.us | An Elected Official | Myself | Support | No | No | 2/5/2021 12:32 PM |
| Fordey, Nicole | nikkif610@gmail.com | A Member of the Public | Myself | Support | No | No | 1/30/2021 9:12 PM |
| Lekas, Tony | Rep.Tony.Lekas@gmail.com | An Elected Official | Myself | Support | No | No | 1/31/2021 9:10 PM |
| Bean, Harry | froggytourtaint@aol.com | An Elected Official | Myself | Support | No | No | 2/1/2021 7:52 AM |
| Piemonte, Tony | tony.piemonte@leg.state.nh.us | An Elected Official | Myself | Support | No | No | 2/2/2021 11:27 AM |
| Spillane, James | james@jamespillane.org | An Elected Official | Rockingham 2 | Support | No | No | 2/4/2021 7:50 AM |

Testimony

Bill as
Introduced

HB 421 - AS INTRODUCED

2021 SESSION

21-0564
11/05

HOUSE BILL **421**

AN ACT relative to organ donation on a driver's license.

SPONSORS: Rep. Torosian, Rock. 14; Rep. Janigian, Rock. 8; Rep. Piemonte, Rock. 4; Rep. Spillane, Rock. 2

COMMITTEE: Transportation

ANALYSIS

This bill clarifies that a person's decision to donate his or her own body, organ, or tissue upon death is not subject to amendment or revocation after such person's death.

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.

21-0564
11/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to organ donation on a driver's license.

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

1 Uniform Anatomical Gift Act; Honoring an Individual's Decision to Donate. Amend RSA 291-A:23 to read as follows:

291-A:23 Honoring an Individual's Decision to Donate. A person's decision to make a donation of that person's own body, organ, or tissue after death shall be honored **and may not be revoked or amended by anyone after such individual's death**. In the absence of a revocation or amendment **by the individual prior to death**, health care providers and procurement organizations shall act in accordance with the donor's decision and may take appropriate actions to effect the anatomical gift.

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