

Bill as Introduced

HB 301 - AS AMENDED BY THE HOUSE

24Feb2021... 0296h

2021 SESSION

21-0418
04/05

HOUSE BILL **301**

AN ACT relative to the compensation appeals board.

SPONSORS: Rep. Seaworth, Merr. 20

COMMITTEE: Labor, Industrial and Rehabilitative Services

ANALYSIS

This bill requires that the per diems paid to compensation appeals board members shall be prorated to an hourly rate for other board-related work not involving a hearing.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 301 - AS AMENDED BY THE HOUSE

24Feb2021... 0296h

21-0418
04/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the compensation appeals board.

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

1 1 Workers' Compensation; Compensation Appeals Board. Amend RSA 281-A:42-a, III to read as
2 follows:

3 III. Attorney members of the board shall receive \$400 per diem and all other members of the
4 board shall each receive \$250 per diem for each day devoted to the work of the board and shall be
5 reimbursed for necessary travel expenses. ***Said per diems shall be prorated to an hourly basis***
6 ***using 7.5 hours per day for other related work performed by board members.***

7 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 10
HB 301 - FINAL VERSION

24Feb2021... 0296h

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21-0418
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21-0418
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5 reimbursed for necessary travel expenses. ***Said per diems shall be prorated to an hourly basis***
6 ***using 7.5 hours per day for other related work performed by board members.***

10:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: April 23, 2021

Effective Date: June 22, 2021

Committee Minutes

AMENDED
SENATE CALENDAR NOTICE
Executive Departments and Administration

Sen Sharon Carson, Chair
Sen John Reagan, Vice Chair
Sen Denise Ricciardi, Member
Sen Kevin Cavanaugh, Member
Sen Suzanne Prentiss, Member

Date: March 10, 2021

HEARINGS

Wednesday	03/17/2021	
(Day)	(Date)	
Executive Departments and Administration	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	HB 94-FN	relative to licensure renewal dates for certain governing boards under the office of professional licensure and certification.
9:15 a.m.	HB 70	authorizing certification for the microblading of eyebrows.
9:30 a.m.	HB 208	repealing RSA 323 regarding lightning rod dealers and salesmen.
9:45 a.m.	HB 301	relative to the compensation appeals board.
10:00 a.m.	HB 150	making a technical correction and a clarification in the law governing death benefits for emergency medical technicians and rescue squad members.
10:15 a.m.	HB 173-FN	requiring the independent investment committee of the New Hampshire retirement system to report investment fees.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/91554056560>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: +19292056099,,91554056560# or +13017158592,,91554056560#
4. Webinar ID: 915 5405 6560
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtriRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Cameron Lapine 271-2104

Sharon M Carson
Chairman

Sponsors:

HB 94-FN

Rep. McGuire

Rep. T. Lekas

HB 70

Rep. McGuire

Rep. T. Lekas

Rep. Pitre

HB 173-FN

Rep. Schuett

Rep. Schultz

Rep. Ellison

Rep. M. Pearson

Rep. Merchant

HB 208

Rep. Yokela

HB 301

Rep. Seaworth

HB 150

Rep. Schuett

Rep. Goley

Rep. Soucy

Senate Executive Departments and Administration Committee

Cameron Lapine 271-2104

HB 301, relative to the compensation appeals board.

Hearing Date: March 17, 2021

Time Opened: 9:45 a.m.

Time Closed: 9:49 a.m.

Members of the Committee Present: Senators Carson, Reagan, Ricciardi, Cavanaugh and Prentiss

Members of the Committee Absent : None

Bill Analysis: This bill requires that the per diems paid to compensation appeals board members shall be prorated to an hourly rate for other board-related work not involving a hearing.

Sponsors:

Rep. Seaworth

Who supports the bill: Representative Brian Seaworth (Merrimack – District 20) and Rudolph Ogden (New Hampshire Department of Labor)

Who opposes the bill: Robin Vogt.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Representative Brian Seaworth

Merrimack – District 20

- Representative Seaworth said HB 301 passed House Labor, Industrial and Rehabilitative Services unanimously. He said HB 301 was a Department of Labor request.
- Rep. Seaworth said it was revealed in an audit by the Legislative Budget Assistant that a change was needed. He said the statute indicates that the pay should be per diem, but in practice pay is per diem for most things.

- Rep. Seaworth said that there is no change in policy or practice in HB 301 but simply bringing what is written in statute in line with what is actually paid out.

Rudolph Ogden

Deputy Commissioner, New Hampshire Department of Labor

- Mr. Ogden said he was available to answer questions.
- Mr. Ogden said that the intent of HB 301 was not to change practice but to have the statute better reflect reality. He said that for the 30 years the Compensation Appeals Board has been in place, this is how pay has been handled.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

cml

Date Hearing Report completed: March 18, 2021

Speakers

Senate Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB301 01

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

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testify</u>
Seaworth, Brian	Brian.Seaworth@leg.state.nh.us	Not Given	An Elected Official	Prime Sponsor	Support	Yes
Ogden, Rudolph	Rudolph.w.Ogden@dol.nh.gov	603.271.8496	State Agency Staff	New Hampshire Department of Labor	Support	Yes
Vogt, Robin	robin.w.vogt@gmail.com	603.969.5720	A Member of the Public	Myself	Oppose	No

Voting Sheets

**Senate Executive Departments and
Administration Committee
EXECUTIVE SESSION RECORD
2021 Session**

Bill # HB 301

Hearing date: 3-17-21

Executive Session date: 3-17-21

Motion of: OTP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Reagan, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Cavanaugh	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen Ricciardi

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Thursday, March 18, 2021

THE COMMITTEE ON Executive Departments and Administration

to which was referred **HB 301**

AN ACT relative to the compensation appeals board.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Denise Ricciardi
For the Committee

This bill requires that the per diems paid to Compensation Appeals Board members shall be prorated to an hourly rate for other board-related work not involving a hearing. For the existence of the Compensation Appeals Board, this has been the practice for how members are compensated. This bill will bring the statutory language into alignment with the current, and longstanding, practice and is a request of the Department of Labor.

Cameron Lapine 271-2104

FOR THE CONSENT CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 301, relative to the compensation appeals board.

Ought to Pass, Vote 5-0.

Senator Denise Ricciardi for the committee.

This bill requires that the per diems paid to Compensation Appeals Board members shall be prorated to an hourly rate for other board-related work not involving a hearing. For the existence of the Compensation Appeals Board, this has been the practice for how members are compensated. This bill will bring the statutory language into alignment with the current, and longstanding, practice and is a request of the Department of Labor.

General Court of New Hampshire - Bill Status System

Docket of HB301

Docket Abbreviations

Bill Title: relative to the compensation appeals board.**Official Docket of HB301.:**

Date	Body	Description
1/9/2021	H	Introduced (in recess of) 01/06/2021 and referred to Labor, Industrial and Rehabilitative Services HJ 2 P. 42
1/21/2021	H	Public Hearing: 01/28/2021 10:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/96195399441 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/3/2021	H	Executive Session: 02/11/2021 01:00 pm Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/98476278055
2/17/2021	H	Committee Report: Ought to Pass with Amendment #2021-0296h (Vote 20-0; CC) HC 12 P. 9
2/24/2021	H	Amendment #2021-0296h : AA VV 02/24/2021 HJ 3 P. 13
2/24/2021	H	Ought to Pass with Amendment 2021-0296h: MA VV 02/24/2021 HJ 3 P. 13
3/4/2021	S	Introduced 03/04/2021 and Referred to Executive Departments and Administration; SJ 7
3/10/2021	S	Remote Hearing : 03/17/2021, 09:45 am; Links to join the hearing can be found in the Senate Calendar; SC 15
3/18/2021	S	Committee Report: Ought to Pass, 03/25/2021; Vote 5-0; CC; SC 16
3/25/2021	S	Ought to Pass : RC 24Y-0N, MA; OT3rdg; 03/25/2021; SJ 9
4/12/2021	S	Enrolled RC 24Y-0N , MA, (In recess of 04/08/2021); SJ 12
4/12/2021	H	Enrolled (in recess of) 04/09/2021 HJ 7 P. 99
4/26/2021	H	Signed by Governor Sununu 04/23/2021; Chapter 10; Eff: 06/22/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 301

Senate Committee: ED+A

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

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

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 # _____

Executive Session Sheet

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

final version

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

Cameron M. Jopine
Committee Aide

7/20/21
Date

Senate Clerk's Office AK