

LEGISLATIVE COMMITTEE MINUTES

HB1327

Bill as Introduced

HB 1327 - AS INTRODUCED

2022 SESSION

22-2435
08/05

HOUSE BILL **1327**

AN ACT including diabetes in the conditions listed for eligibility for a service animal.

SPONSORS: Rep. Schuett, Merr. 20; Rep. Moffett, Merr. 9; Rep. Sullivan, Sull. 1; Rep. Graham, Hills. 7; Rep. Goley, Hills. 8; Rep. Rogers, Merr. 28; Rep. Booras, Hills. 33; Sen. Whitley, Dist 15; Sen. Carson, Dist 14

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill includes diabetes in the conditions listed for eligibility for a service animal.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 1327 - AS INTRODUCED

22-2435

08/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT including diabetes in the conditions listed for eligibility for a service animal.

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

- 1 1 New Subparagraph; Service Animal Duties; Diabetes Included. Amend RSA 167-D:2, I by
- 2 inserting after subparagraph (i) the following new subparagraph:
- 3 (j) Alerting individuals with diabetes to a change in blood sugar levels.
- 4 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 26
HB 1327 - FINAL VERSION

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Approved: April 18, 2022
Effective Date: June 17, 2022

Committee Minutes

SENATE CALENDAR NOTICE
Health and Human Services

Sen Jeb Bradley, Chair
Sen James Gray, Vice Chair
Sen Kevin Avard, Member
Sen Tom Sherman, Member
Sen Rebecca Whitley, Member

Date: March 9, 2022

HEARINGS

Wednesday

03/16/2022

(Day)

(Date)

Health and Human Services

Legislative Office Building 101 9:00 a.m.

(Name of Committee)

(Place)

(Time)

9:00 a.m.	HB 1327	including diabetes in the conditions listed for eligibility for a service animal.
9:15 a.m.	HB 1390	relative to access to language translation services in telemedicine.
9:30 a.m.	HB 1659-FN	relative to criminal history background checks for certain health care workers.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 1327

Rep. Schuett
Rep. Goley
Sen. Whitley

Rep. Moffett
Rep. Rogers
Sen. Carson

Rep. Sullivan
Rep. Booras

Rep. Graham
Rep. Baldasaro

HB 1390

Rep. M. Murray
Rep. Grossman
Sen. Prentiss

Rep. Espitia
Rep. Marsh

Rep. Query
Rep. Knirk

Rep. Wazir
Sen. Kahn

HB 1659-FN

Rep. Abrami
Sen. Reagan

Rep. McMahon
Sen. Ricciardi

Rep. Grote
Sen. Cavanaugh

Rep. Schapiro
Sen. Bradley

Cameron Lapine 271-2104

Jeb Bradley
Chairman

Senate Health and Human Services Committee

Cameron Lapine 271-2104

HB 1327, including diabetes in the conditions listed for eligibility for a service animal.

Hearing Date: March 16, 2022

Time Opened: 9:04 a.m.

Time Closed: 9:26 a.m.

Members of the Committee Present: Senators Bradley, Gray, Avard, Sherman and Whitley

Members of the Committee Absent: None

Bill Analysis: This bill includes diabetes in the conditions listed for eligibility for a service animal.

Sponsors:

Rep. Schuett

Rep. Moffett

Rep. Sullivan

Rep. Graham

Rep. Goley

Rep. Rogers

Rep. Booras

Rep. Baldasaro

Sen. Whitley

Sen. Carson

Who supports the bill: Representative Dianne Schuett (Merrimack County District 20), Katelyn Gagnon, Stacey Patterson, Senator Sharon Carson (Senate District 14), Candace Bouchard, and Representative Efstathia Booras (Hillsborough County District 33).

Who opposes the bill: None.

Who is neutral on the bill: Chantal Cole.

Summary of testimony presented in support:

Representative Dianne Schuett

Merrimack County District 20

- Representative Schuett said that HB 1327 is a simple bill that adds diabetes to the list of specific reasons someone can have a service animal, which, under New Hampshire law, can only be dogs, trained to perform specific services or tasks.
- Rep. Schuett said that a constituent of hers had asked her to file HB 1327 because she was experiencing difficulties with her employer as someone who has a service dog for Type 1 diabetes.

- Rep. Schuett provided a Frequently Asked Questions page from the Governor's Council on Disability which explained the difference between a service animal and a comfort animal.
- Rep. Schuett said that the Governor's Council on Disability specifically mentions dogs that alert their handlers to drops in blood sugar, but those types of dogs are not included in the specific list of allowable service dogs in New Hampshire.
- Rep. Schuett spoke about a cruise line company that was founded with the pledge to donate proceeds to providing service dogs for young children with diabetes, after the founder's daughter died due to her diabetes.
- Rep. Schuett said that, despite concerns that if the General Court adds one more type of service animal to RSA 167-D:2 then the flood gates will open to others being added, RSA 167-D:2 specifically says "the crime deterrent effect of an animal's presence and the provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purposes of this chapter."
- Rep. Schuett said that some service dogs have been trained to detect different types of cancers.
- Rep. Schuett spoke about Senator Jeanne Shaheen's granddaughter, Elle, and her diabetes service dog, Coach, and the book *Elle & Coach* by Stefany Shaheen.
- Rep. Schuett said that there are 97,000 diagnosed cases of diabetes in New Hampshire. She said that using an alert dog will make dealing with the disease easier. She said that dogs are used in conjunction with a wired glucose monitor as, in many cases, the dog is faster and more reliable, and does not require an electronic signal to operate.
- Rep. Schuett said, anecdotally, that physicians recommend exercise to address and manage diabetes and dogs need to be walked, while glucose monitoring devices do not.
- Senator Avard asked, in states that allow diabetic service dogs, if they are required to have some kind of a medical card to prove they provide a service.
 - Rep. Schuett said that most dogs have some kind of vest or other identifier that indicates that they are service dogs.
- Senator Bradley said that HB 1327 passed the House Health, Human Services, and Elderly Affairs Committee 16-0 on the consent calendar and had no opposition in the House.

Katelyn Gagnon

Pembroke

- Ms. Gagnon, addressing Senator Avard's question to Representative Schuett, said that the Americans with Disabilities Act of 1990 (ADA) does not recognize any certifications for service animals, so there are no papers involved and vests are not required, although most do choose to use them. She said anything purchased online is a scam.
- Ms. Gagnon said that she does not require a diabetes alert dog but does have a service dog for a separate disability and knows how hard it is to attempt to function in society with a service dog.
- Ms. Gagnon said that her spouse has a diabetic service dog because she has a condition where she cannot feel when her blood glucose level is dropping.

- Ms. Gagnon said that the technology for monitoring blood glucose levels is imperfect and sometimes too slow or inaccurate. She said that her spouse's doctor recommended a service dog as an answer to that problem.
- Ms. Gagnon said that her spouse knows that her dog, Sawyer, will alert her if the technology fails or if she doesn't notice it in time.
- Ms. Gagnon said that diabetes is already covered in the ADA but HB 1327 adds another layer of protection.
- Ms. Gagnon said that many employers are not aware of the specifics of the ADA and have made it difficult for her wife to have Sawyer at work with her, despite disclosing him in her interview process. She said that, with her wife's current employer, they have attempted reasonable accommodation requests, which have been denied. She said that the employer first said that the customers might be afraid or allergic to the dog, which is not an ADA-approved reason to deny accommodation, and then said that having the dog on the service floor is disruptive and fundamentally burdensome to their business. Ms. Gagnon said that the employer is forcing her to work from home and hiding the disabled employee. She said that there is another employee who suffers from Type 1 diabetes but he is allowed to work in the store because he does not have a service dog.
- Ms. Gagnon said that the more protections there are the better. She said that he wife has often been told that because other people have Type 1 diabetes and do not need a dog she does not need a dog, which is illogical.
- Senator Avard asked, if diabetes service dogs are added to the statute, if insurers would be obligated to pay for the purchase of the dog as a piece of medical equipment.
 - Ms. Gagnon said that the ADA does not require it so insurers will not do it. She said that she and her spouse have an affordable payment plan to cover their dogs. She said that insurers claim service dogs are not scientifically proven.
- Senator Avard said that his dog lowers his blood pressure.
 - Ms. Gagnon agreed that that is a general benefit to dogs. She said that being involved in the process of selecting and training a service dog makes it more affordable, as does a monthly payment plan.

Stacy Patterson

Pembroke

- Ms. Patterson said that she was diagnosed with Type 1 diabetes at 37 years old. She said that she was initially diagnosed with Type 2 diabetes but went to a specialist in Boston who noted a genetic marker for Type 1 diabetes.
- Ms. Patterson said that her blood glucose drops rapidly and she used to be able to feel it but does not any longer. She said that blood glucose levels are supposed to be somewhere between 80 and 120; her blood glucose levels regularly spike at 220 and plummet to 50. She said that her glucose monitor broadcasts every five minutes, so, if her blood glucose levels drop within a span of 10 minutes, her glucose monitor cannot identify the drop that quickly. She said that Sawyer can smell the decline and alert her, including by jumping on her chest in the middle of the night.
- Ms. Patterson said that Sawyer has saved her life multiple times.

- Ms. Patterson said that she has run into struggles with employers generally and has had to disclose her entire medical history in asking for a reasonable accommodation. She compared her fights to nailing Jell-O to a tree.
- Ms. Patterson said there are many factors in her blood glucose levels, including her feelings, what she's eaten, the weather, her activity level, the amount of sleep she had, etc. She compared managing Type 1 diabetes to walking a tightrope.
- Ms. Patterson said that, while Type 1 diabetes is a mystery, adding a service dog is an added layer of protection. She said that the original intent of HB 1327 was to create a more smooth on-boarding process for service dogs, which she will continue to fight for. She said that she should be allowed the same rights to walk into workplaces as those without service dogs.
- Ms. Patterson said that Type 1 diabetes is unrelenting, but a service dog adds another tool to help prevent more negative outcomes.
- Senator Sherman asked, as a doctor, if Ms. Patterson found it easier to control her blood sugar levels with Sawyer. He asked what the medical impacts have been, since it is, in the long term, cheaper to keep people healthy rather than respond when they're sick.
 - Ms. Patterson said that most people can detect when their blood sugar drops into the 50s or 40s. She said that she can only feel her blood sugar when it drops into the 30s. She said that Sawyer is trained to alert when her blood glucose level is in the 100 to 80 range. Ms. Patterson described training Sawyer by sucking on cotton balls when her blood sugar was low and teaching him to seek out those balls with that scent on them. She said that Sawyer provides better glycemic control and prevents her from passing out.
- Senator Bradley said that the Committee had heard over 40 Senate bills in 2022 but Ms. Patterson had, without a doubt, offered the most compelling testimony the Committee had heard in the session.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

Speakers

Senate Health & Human Services Committee

SIGN-IN SHEET

Date: Wednesday March 16, 2022 **Time:** Time 9:00 a.m.

HB 1327 AN ACT including diabetes in the conditions listed for eligibility for a service animal.

Name/Representing (please print neatly)

Name/Representing (please print neatly)	Support	Neutral	Oppose	Speaking?	Yes	No
<i>Dianna Schmitt Sponsor</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Katelyn Gagnon</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Stacy Peterson</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Senate Remote Testify

Health and Human Services Committee Testify List for Bill HB1327 on 2022-03

Support: 3 Oppose: 0

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Carson, Senator	An Elected Official	Myself	Support
Bouchard, Candace	A Member of the Public	Myself	Support
BOORAS, EFSTATHIA	An Elected Official	Myself	Support
Cole, Chantal	A Member of the Public	Myself	Neutral

Testimony



AMERICAN
KENNEL CLUBSM

Stacey Ober, J.D.
Legislative Analyst
Community Outreach
New England Region

March 16, 2022

The Honorable Jeb Bradley, Chair
New Hampshire Senate Committee on Health and Human Services
33 North State Street, Room 100
Concord, New Hampshire 03301

RE: American Kennel Club Supports HB 1327, Including Diabetes in the Conditions Listed for Eligibility for a Service Animal.

Dear Chair Bradley and Members of the Senate Committee on Health and Human Services:

Founded in 1884, the American Kennel Club (AKC) is a recognized and trusted expert in canine health, breeding, and training. We represent over 5,000 dog clubs nationally, including 14 in New Hampshire, which represent thousands of dog owners. We advocate for the purebred dog as a family companion, advance canine health and well-being, protect the rights of dog owners, and promote the ideals of responsible dog ownership.

HB 1327 would include the alerting of individuals with diabetes to a change in blood sugar levels among the recognized tasks provided by service animals. Changes in blood sugar are a common side effect of insulin therapy for diabetics. Dogs can be trained to respond to organic compounds in exhaled breath that change at low or high blood sugar levels. In addition, these dogs are trained to prompt its user to treat their blood sugar while still alert enough to do so. Improvements in blood sugar control can lead to better quality of life, well-being, and physical activity levels.

AKC strongly supports the training and use of dogs by humans, whose lives are enriched by dogs' performing essential services. We encourage prompt passage of HB 1327.

Please know that AKC and our affiliated dog clubs are available as a resource to you. I can be reached at (919) 816-3348 or Stacey.Ober@akc.org.

Sincerely,

Stacey Ober, JD
Legislative Analyst and Community Outreach Coordinator, New England
AKC Government Relations

CC: The Honorable Dianne Schuett, Sponsor HB 1327
Angela Ferrari, Dog Owners of the Granite State (DOGS)

Committee Hearing Testimony: HB 1327, March 15, 2022

My name is Katelyn Gagnon, and I live in Pembroke, New Hampshire. Thank you for hearing us speak on behalf of this bill today. While I do not require a Diabetic Alert Dog, I do have a service animal for a separate disability. This means I know how difficult it is to need a living medical device around people who don't understand their purpose.

I am also the spouse of a Type 1 Diabetic with a service dog. She is the reason I am here today. My wife suffers from something called "low unawareness." This means she no longer feels when her blood sugar is dropping. This can be dangerous as it can cause her to seize, have permanent nerve damage, or even die if a low blood sugar is left untreated. I've spent years watching her try to mitigate her disease with insulin, diet, and glucose monitors alone. The problem is that technology is imperfect, and it's often wrong or too slow to react and alert her to a rapidly dropping blood sugar in time.

One day, her Endocrinologist said, "It's time to get a Service Dog." After years of worrying about my wife's blood glucose dropping when she's alone, it was a relief to discover there was an answer: A Diabetic Alert Dog. My wife spent months researching trainers and programs, interviewing with trainers, and meeting different dogs to find the right fit. The Granite State Service Dogs program has been a true life saver. Since matching with her dog Sawyer and extensively working on scent and public access training, my wife is able to go about her day with the comfort of knowing that even if she doesn't feel herself dropping or even if her technology fails her, her dog is almost always able to notify her before the situation becomes dangerous.

We are asking that diabetes be added to the state statute as an additional protection for people like my wife. Federal laws can be changed. It is important that the State of New Hampshire protects its citizen's right to a Service Dog.

Additionally, employers in this state aren't always aware of the ADA regulations. It has been very difficult for my wife to have Sawyer with her at work. Despite telling them in all three interviews she went through that she has a service dog for her type 1 diabetes, her current job has denied her reasonable accommodation request twice. Saying the first time that having the dog on the retail floor would lose them money due to customers being allergic to or afraid of the dog. When it was pointed out that the ADA states those aren't reasons to deny a service dog, they said "it is disruptive and would fundamentally alter the nature and operation of the business." They said that because she has a continuous glucose monitor they don't believe the dog is a necessity for her. They are making the medical calls now and there is nothing we can do about it. They are even going to force her into a work from home position because of her diabetes.

There is another type 1 diabetic in her store that is allowed to stay. The only difference? The other diabetic hasn't requested a service dog accompany him to his workplace. We are talking about a corporate employer. They have all of the resources and money in the world and still don't understand. As we are working class people, this leaves us with very few options besides my wife finding yet another job and hoping they are willing to educate themselves..The more protections and information out there, the better it is for people in my wife's position. It can take months for a Reasonable Accommodation request for a service dog to go through. (If it goes through at all) She's often been told, "Well, so and so has diabetes and doesn't need a dog so you really don't either." That's not acceptable or safe for the individual who needs the service animal.

I respectfully ask that you seriously consider adding Diabetes to the New Hampshire Service Dog Statute to protect the rights of Granite State residents suffering from this disease. Thank you for your time.

This is a pretty simple bill, it just asks to include diabetes as a specific reason to use a service animal. New Hampshire law defines "service animal" as only dogs that are individually trained to perform services or tasks. I've provided each of you with a copy of the RSA 167-D:1 (item A) and that definition is down under Roman IV. My constituent, Stacey Patterson-Gagnon who is here with her dog, Sawyer, asked me to file this bill because she did encounter some difficulty with employers. She will testify shortly and describe that and her experiences living with diabetes-1, which is an autoimmune condition that can be deadly. In addition to Stacey, Mary Finlayson, who supplied Stacey's dog, Sawyer will tell you about the process of determining the qualities in dogs best suited for this kind of work and some of the training needed to perfect them.

I have also provided you with a partial printout from the Governor's Council on Disabilities (item B), taken from their Frequently Asked Questions which explains the difference between comfort animals and genuine service animals. In Section 3, it states one of the services performed would be alerting to low blood sugar and in Section 7, it refers to specific kinds of service dogs and notes - assisting with diabetic disabilities. And yet, diabetes is NOT specified in our statute! Mr. Saia from the Governor's Council is here to answer any questions you may have about these articles.

The next item I provided for you is exhibit C - for M&M Island Cruises. That may seem an oddity, but as you look at their mission statement, you will see that the owner/operator, Mr. Kevin Morris started these boat cruises with the idea to use some of the proceeds to provide service dogs for children with diabetes. This was done in memory of his daughter, Mandy who passed away from diabetes, but whose last years of life were made more livable by use of her service dog. Mr. Morris could not make it today, but I have enclosed a letter he and his surviving daughters have written about their experience and mission. One of his contacts to provide dogs is Gilford's Golden Guardians and Kaarla Weston from that group has also offered a letter testifying to these dog's abilities.

I understand that there is often a concern in the legislature that adding one more item to lists in the RSAs opens the door to many others being brought forward, however, I draw your attention to the "Crime determinant effect" listed in RSA 162-2, Roman II, just under our proposed addition, that states "emotional support, well-being, comfort, or companionship" would not allow other more frivolous reasons to be added to the statute. I would also say to you that dogs have been found to be capable of amazing sensibilities in recent years - alerting to certain types of cancer and cardiac arrhythmias. I would hope this committee would be open to some of those possibilities in the future, but I also trust your wisdom to determine the worth of any new proposals. And I hope that you will agree that these diabetes alert dogs do perform a valuable service and deserve to be specifically recognized in statute for their work.

Our own U.S. Sen. Jeanne Shaheen's granddaughter Elle is afflicted with diabetes-1 and her Mom Stefany wrote a book about their journey. Stefany was planning to testify here today, but as you may have heard on the news, the Senator has Covid and Stefany already has had a case, and has opted to stay and help her Mom. But I have one copy of the book she wrote which I will turn over to the Chair and hope you can all get a chance to check it out. Stefany relates in it how skeptical she was at first about trusting a dog, but then Elle's dog, Coach came along and because of him, Elle was able to deal with her diabetes to the extent that she was confident enough to attend college out of state, away from the protective eyes of her family.

In closing, I will tell you that there are approximately 97,000 diagnosed cases of diabetes in New Hampshire and we feel that using an alert dog would help many of them deal with their disease more easily and accurately. The patients who use dogs now usually use them in conjunction with a wired in glucose monitor but Stacey and Katelyn will tell you that in many cases, the dogs are faster, more reliable, don't need electronic connections. And just one more very unscientific reason to use one of these dogs: we are all aware that one of the major recommendations by health professionals for diabetics is to get regular exercise. And dogs need to be walked! Monitors make no such demand.

CHAPTER 167-D

SERVICE ANIMALS AND SEARCH AND RESCUE DOGS

Section 167-D:1

167-D:1 Definitions. —

As used in this chapter:

I. "Housing accommodation" means any publicly assisted housing accommodation or any real property, or portion thereof, which is used or occupied, or is intended, arranged, or designed to be used or occupied, as the home, residence, or sleeping place of one or more persons, but shall not include any single family residence the occupants of which rent, lease, or furnish for compensation not more than one room therein.

II. "Public facility" means any place of public accommodation and any street, highway, sidewalk, walkway, public building, and any other place or structure to which the general public is regularly, normally, or customarily permitted or invited.

III. A "place of public accommodation" shall mean, but shall not be limited to, any tavern roadhouse, hotel, motel, or trailer camp, whether for entertainment of transient guests or accommodation of those seeking health, recreation, or rest; any producer, manufacturer, wholesaler, distributor, retail shop, store establishment, or concession dealing with goods or services of any kind; any restaurant, eating house, or place where food is sold for consumption on the premises; any place maintained for the sale of ice cream, ice, and fruit preparations or their derivatives, soda water or confections, or where any beverages of any kind are retailed for consumption on the premises; any garage; any public conveyance operated on land or water, or in the air, or any stations and terminals thereof; any bathhouse, boardwalk, or seashore accommodation; any auditorium, meeting place, or hall; any theatre, motion picture house, music hall, roof garden, skating rink, swimming pool, amusement and recreation park, fair, bowling alley, gymnasium; shooting gallery, billiard and pool parlor, or any other place of amusement; any comfort station; any dispensary, clinic, or hospital; any public library; any kindergarten, primary and secondary school, trade or business school, high school, academy, college and university, or any educational institution under the supervision of the state board of education, or the commissioner of education of the state of New Hampshire.

IV. "Service animal" means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for purposes of this definition.

V. "Service animal trainer" means any person who is employed to train dogs for or is volunteering to raise dogs for a provider of service animals for persons with disabilities or an individual trainer who helps a person with disabilities to train his or her own service animal or an individual trainer who tests an animal to verify its eligibility for the New Hampshire service animal tag.

VI. "Search and rescue dog" means any dog which has been trained to perform typical search and rescue operations and is certified by a competent authority or holds a title from a competent authority or organization recognized by the office of the governor, the department of safety, the department of fish and game, or the Federal Emergency Management Agency or its successor agency.

Source. 2011, 170:2, eff. Jan. 1, 2012. 2014, 66:3, eff. Jan. 1, 2015.

167-D:2 Service Animal Duties. —

I. The work or tasks performed by a service animal shall be directly related to the handler's disability. Work and tasks may include, but is not limited to:

- (a) Assisting individuals who are blind or have low vision with navigation and other tasks.
- (b) Alerting individuals who are deaf or hard of hearing to the presence of people or sounds.
- (c) Providing nonviolent protection or rescue work.
- (d) Pulling a wheelchair.
- (e) Assisting an individual during a seizure.
- (f) Alerting individuals to the presence of allergens.
- (g) Retrieving items such as medicine or a telephone.
- (h) Providing physical support and assistance with balance and stability to individuals with mobility disabilities.
- (i) Helping persons with psychiatric and neurological disability by preventing or interrupting impulsive or destructive behaviors.

II. The crime deterrent effect of an animal's presence and the provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purposes of this chapter.

Source. 2011, 170:2, eff. Jan. 1, 2012.

167-D:3 Private Clubs, Etc. – Nothing herein contained shall be construed to include or apply to any institution, bona fide club, or place of accommodation, which is in its nature distinctly private; nor shall anything herein contained apply to any educational facility operated or maintained by a bona fide religious or sectarian institution; and the right of a natural parent or one in loco parentis to direct the education and upbringing of a child under his or her control is hereby affirmed; nor shall anything herein contained be construed to bar any private secondary or postsecondary school from using good faith criteria other than race, creed, color, national origin, ancestry, or disability in admission of students.

Source: 2011, 170:2, eff. Jan. 1, 2012.

167-D:4 Service Animals May Accompany. – It is lawful for any service animal to accompany his or her handler or trainer into any public facility, housing accommodation, or place of public accommodation to which the general public is invited, subject only to the conditions and limitations established by law and applicable alike to all persons.

Source: 2011, 170:2, eff. Jan. 1, 2012.

167-D:5 Application of RSA 167-D:4 to Search and Rescue Dogs. – The provisions of RSA 167-D:4 shall also apply to dogs involved in search and rescue missions at the request of a government agency when such dogs are in the course of, or traveling to or from the scene of, their official duties.

Source: 2011, 170:2, eff. Jan. 1, 2012.

167-D:6 Service Animal Trainer. – A service animal trainer, while engaged in the actual training process and activities of such animals, shall have the same rights and privileges with respect to access to public facilities, and the same responsibilities as are applicable to persons with disabilities using a service animal.

Source: 2011, 170:2, eff. Jan. 1, 2012.

167-D:7 Licensing. – Service animals shall be licensed as provided in RSA 466.

Source: 2011, 170:2, eff. Jan. 1, 2012.

167-D:8 Prohibited Acts. –

- I. It is unlawful for a person, directly or indirectly, either to prohibit, hinder, or interfere with a service animal's handler or trainer who otherwise complies with the limitations applicable to persons without disabilities.
- II. It is unlawful for any person to fit an animal with a collar, leash, vest, sign, or harness of the type which represents that the animal is a service animal, or service animal tag issued under RSA 466:8 or to request a service animal tag issued under RSA 466:8 if in fact said animal is not a service animal.
- III. It is unlawful for any person to willfully interfere or attempt to interfere with a service animal.
- IV. It is unlawful for any person to represent that such person has a disability or is a service animal trainer for the purpose of acquiring a service animal unless said person has a disability or is a service animal trainer and to impersonate, by word or action, a person with a disability for the purpose of receiving service dog accommodations or service animal accessories such as a collar, leash, vest, sign, harness, or service animal tag, which represents that the animal is a service animal or to acquire a service animal tag issued under RSA 466:8.

Source: 2011, 170:2. 2012, 211:2, eff. Aug. 12, 2012. 2014, 66:1, eff. Jan. 1, 2015.

167-D:9 Nonuse of Service Animal. – A person with a disability not using a service animal in any of the places, accommodations, or conveyances listed in RSA 167-D shall have all of the rights and privileges conferred by law upon other persons; and the failure of a person with a disability to use a service animal in those places, accommodations, or conveyances shall not be held to constitute nor be evidence of contributory negligence.

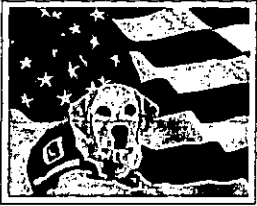
Source: 2011, 170:2, eff. Jan. 1, 2012.

167-D:10 Penalty. –

- I. Any person violating any provision of this chapter shall be guilty of a misdemeanor and subject to enhanced penalties in paragraphs II and III.



Service Animals



Frequently Asked Questions

3. Do I qualify for a Service Animal?

The ADA defines an individual with a disability as "a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such impairment, or a person who is perceived by others as having such impairment." Though this may seem like a broad definition, it does not limit the type of disability for which a Service Dog can be used. In addition, there is great flexibility with respect to the nature and severity of a person's physical or mental "disability." The idea behind the law is that if you have any condition that makes it difficult to perform or limits an important life activity, you do qualify. The life activity might only be a problem during certain times, like dizziness, leading to balance problems, **low blood sugar** or seizures, to name a few examples.

AND...

7. What kinds of service dogs are there?

Service dogs are generally separated into three categories: guide dogs, hearing dogs, and service dogs (which are for disabilities other than blindness or deafness). There are many kinds of Service Dogs, almost as many as there are kinds of disabilities.

Some Service Dogs assist with mobility. For a physically disabled person, a Service Dog may pick up dropped items, open and close doors, and turn on lights, for example. Other Service Dogs assist with medical-related disabilities, such as neurological, developmental, psychiatric, and **diabetic disabilities**. Service Dogs vary in breed and in which tasks they are trained to provide. Larger dogs are used to pull wheel chairs, while smaller dogs might be more convenient for medical alert purposes. While there are several types of disability, a service animal is more likely to be mitigated by a properly trained Service Dog.



[Watch Our Feature on WMUR NH Chronicle Here!](#)

MEREDITH – Mandy Grier's family said the moment she got her diabetic alert dog Mylo, "Her life was forever changed"; he helped her live an independent life with her type 1 diabetes. Two years after her passing, her family is now working to give children facing the same condition their furry companion and protector.

Mandy's dad, Kevin Morris, and her sisters, Anne Grier and Kelly McAllister, are working to raise money to give a diabetic alert dog every year to one child.

To cover the costs, the family has created a cruise service around the lake as well as a [GoFundMe](#) account for donations. So far the GoFundMe has raised \$18,560 as of Monday and the cruise company is in progress for this summer. They have already found a good dog for a young girl and presented her with her new companion in May.

Members of the Morris family all come from Meredith. Amanda, Anne, and Kelly all went to Inter-Lakes Schools and the family attended St. Charles Church.

Mandy was diagnosed with Type 1 diabetes at seven-years-old and she struggled with it her whole life. About eight years ago the family raised money to get her a diabetes alert dog named Mylo. Diabetic alert dogs are trained to recognize when their handler is having low or high blood sugar and is able to alert them so they can take and actions before their blood sugar gets to dangerous levels.

"It was her happiest six years of her life," Kevin said. "Not only was she a companion, but it was like having a doctor with her at all times." Mylo was trained to recognize when Mandy's blood sugar level went below 80 and she would alert her before she even knew something was going on. Her family said Mylo gave Mandy a healthier and more independent life without as many trips to the hospital. Mandy died on Feb. 22, 2019 from complications with diabetes at the age of 42.

"When Mandy passed away, I really wanted to do something in memory of Mandy and to help a child with diabetes," Kevin said. "I would love to raise money to get a dog."

Kevin along with Anne and Kelly put together M&M Angel Service Dogs, named after Mandy and Mylo, to raise money so a child can get a diabetic alert dog. They are also aiming to turn it into a nonprofit organization. To help with this endeavor, Kevin bought a 39-foot pontoon boat and started M&M Island Cruises. Kevin said his family has been on the lake their whole lives and members of the family have had places on Cotton and Bear Islands. The boat can hold around 20 people and has an upper deck with a spiral staircase and a bathroom. The company will offer charter cruises around the lake for groups of up to 18 people for morning cruises, wedding parties, bachelor and bachelorette parties, and many other occasions. A portion of the proceeds from each cruise will go toward getting a diabetic alert dog for a child.

Researching the dogs, Kevin said he was surprised to learn a diabetic alert dog costs an average of \$15,000 to \$30,000. He said he also didn't know where to find a trainer or find a child who could use one.

Then he found Gilford's Golden Guardians Service Animal Training, a Gilford-based company founded by Karla Weston to train golden retrievers to be medical alert animals, service animals for people with autism, and emotional support animals.

Kevin said he learned Weston already knew a lot of the answers he was looking for, including connections to different hospital's endocrinology departments and contact with five different breeders around New England.

The family spoke with the endocrinology department at Wentworth Douglass Hospital in Dover and the hospital put them in contact with a family that really could use this dog.

The recipient was a little girl who was diagnosed with type 1 diabetes at 4. Kevin said he and Annie and Kelly met the girl and her family.

"It was a little emotional for them because they were going to receive the dog, emotional to us because we were doing this in memory of my daughter," Kevin said. "The thing that makes my side of the family happy, we actually had a dream or a mission and now we're actually giving the dog away."

The girl received her 12-week-old puppy during a special presentation at the Meredith town docks.

After about a month, the dog went through a 10-week training period and learned how to recognize when her blood sugar goes over or below certain numbers. The dog went through two hours of training a day, then returned home with her family. At the end of training the dog was a full alert dog, able to accompany her to school and other places.

Kevin said he even found out the puppy's mother was named Mandy.

"That kind of made us all say maybe my daughter is running the show from heaven," Kevin said.

Kevin said he wants to continue doing this for the rest of his life and has told his daughters he wants them to continue the tradition when he's gone.

**To contribute to the GoFundMe for M&M Angel Service Dogs,
visit <https://gofund.me/ca22856f>**

© 2022 M&M Island Cruises

We're proud to work with Gilford's Golden Guardians in training service animals

Visit Their Website Here



3/11/2012

Annie Grier

Kevin Morris
603.387.8523

Kelly McAllister

PO Box 1489, Meredith, NH 03253

The story behind M&M Island Cruises is one that we hold close to our hearts, and one that we want to share with as many people as possible. My hope is that once you have heard our story, you will be a part of helping us share it with others and be a part of the miracles that we are going to create and the lives we are going to change.

My daughter, Mandy, was diagnosed with type 1 diabetes when she was 7 years old. Mandy was kind, loving, gentle, and amazing. She loved children and she loved to give and to help. She struggled and suffered in countless ways because of this disease that is often silent. We were constantly researching any and every way that we could help her. We knew that a Diabetic Alert Dog could change her life and the overall quality of it. What more do any of us want for the ones we love?

A Diabetic Alert Dog is a dog that has completed rigorous training to alert their diabetic companion, in advance, of low and or high blood sugars. They are trained to do this **before** these levels become dangerous or require more extensive assistance or intervention. By detecting these signs early, the individual with diabetes can take the necessary steps to correct their blood sugar levels. This is what they do. This is what they are trained to do. In reality, however, they do so much more. To a person with diabetes, a Diabetic Alert Dog provides them with the priceless gifts of independence, companionship, improved health, safety, and lifesaving abilities.

We worked extremely hard as a family to provide Mandy with her Diabetic Alert Dog, Mylo. The day Mylo became a part of our Mandy's world, her life was forever changed. As a Diabetic Alert Dog, Mylo not only gave her irreplaceable companionship and independence but lifesaving changes as well. She prevented hospitalizations and helped improve her overall health and the quality of her life. Mylo's presence in Mandy's life afforded her opportunities that she otherwise would never have known. Mandy's happiest and most precious times were spent on Lake Winnepesaukee, with Mylo by her side. We lost our Mandy on February 22, 2019 to complications from her diabetes. That day changed our lives and our worlds forever. We saw what Mylo added to Mandy's life and to ours as well. The seeds of an idea began to form. What an amazing experience we had watching Mandy and Mylo together. What a life changer she has been. Wouldn't it be wonderful to help other children with diabetes experience this as well?

But these amazing animals and their intense training are extremely expensive. As a result of the high cost, there are many children who may never be afforded this opportunity. We want to remember and honor Mandy. We want to share this life changing opportunity. We want to change the lives of other little girls and boys with diabetes. And thus, our idea was born.

My family and I have started a business, M&M Island Cruises, on Lake Winnepesaukee with the mission and goal being to raise money to provide other children with Diabetic Alert Dogs. We raised enough funds to provide our first recipient with a dog. We worked closely with a specialized dog trainer, identified our first recipient, and presented our first dog to an amazing young girl and her wonderful family on May 29, 2021 at the Town Docks in Meredith, NH. We hope this is the first of many children! We were beyond thrilled to help this young girl and her family in this way. We plan to continue doing so, every year, for other children in the future. In our efforts to memorialize and honor our Mandy, we could not imagine a better way than this.

Please visit our GoFundMe page to donate and please go to our website below for more information and pictures.

Thank you,

Kevin Morris
Annie Grier
Kelly McAllister

GoFundMe: <https://gofund.me/cea2e769>

Website: www.mandmislandcruisesnh.com

HB 1327



...for a life of service

3/13/2022

Gilford's Golden Guardians pairs puppies with people, primarily children, who have a confirmed diagnosed disability and who also have a health care practitioner's recommendation to use a service animal to optimize their health and wellness. In accordance with Titles II and III of the American with Disabilities Act (ADA), the service animals are individually trained and taught alerts and tasks to optimize the health, wellness and /or independence of their handler. Each training is tailored to meet the handler's needs and ensures the dog is able to alert or perform the specified tasks.

The federal definition of service animal is broad and emphasizes the animal performing tasks and or alerts. Its intent is to provide examples but not an exhaustive list of the possible types of assistance provided by the service animal. New Hampshire has indicated only dogs will meet the definition of service animal.

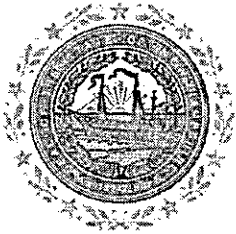
A number of dogs assist citizens in NH by providing an alert for low and or high blood sugar. These citizens have Type 1 or Type 2 diabetes. Gilford's Golden Guardians specializes in training service dogs for youth handlers so that they may benefit from a swift indication that their blood sugar needs to be addressed. In some situations that may be needing sugar and in other cases that may be needing insulin. Sadly, mismanaged or unmanaged diabetes can result in stroke, seizure and in some cases death. Our service dogs are able to respond and give their handler an indication that their scent is changing in their bodies and thus their blood sugar must be addressed.

We encourage all of our handlers to have the appropriate medication, technology (Dexcom meter) and to consider a service animal for the most comprehensive supports to manage Diabetes. As such, we would support the NH definition of service animal to include Diabetic Alert Dogs. We work every day to enhance the lives of citizens in NH by using highly skilled dogs. Diabetic alert is just one of many ways that our dogs are saving lives.

Thank you for your consideration. Please visit our website: www.gilfordsgoldenguardians.com

Kaarla Weston

Owner of Gilford's Golden Guardians, LLC



New Hampshire Governor's Commission on Disability

Christopher T. Sununu, Governor
Paul Van Blarigan, Chair
Charles J. Saia, Executive Director

March 16, 2022

Senator Jeb Bradley, Chair
Senate Health & Human Services Committee
Legislative Office Building Rm101
33 North State Street
Concord, New Hampshire 03301

Re: IIB 1327, AN ACT including diabetes in the conditions listed for eligibility for a service animal.

Dear Mr. Chair and Senators of Senate Health & Human Services Committee,

At the request of Representative Dianne Schuett, and on behalf of the Governor's Commission on Disability (GCD), I have reviewed HB 1327, an Act including diabetes in the conditions listed for eligibility for a service animal. HB 1327 seeks to add "alerting individuals with diabetes to a change in blood sugar levels", to the list of service animal duties codified in RSA 167-D:2.

According to the Americans with Disabilities Act (ADA), a service animal is a dog specifically trained to perform a task directly related to a person's disability. NH RSA 167-D:1 IV defines a service animal consistent with the ADA.

It is my understanding that HB 1327 has been proposed to seek clarification and to make it easier for individuals with diabetes when encountering questions relative to service animals which are able to detect change in blood sugar levels. As there is consistency with the ADA, NH RSA 167-D, and to generally make life easier for individuals with a disability, the passage of HB 1327 would be a benefit to the community.

Respectfully submitted,

Charles J. Saia
Executive Director

Complete Document

Can Be Viewed

In Bill Folder

Submitted as written

testimony for

HB 1327

"This book will inspire and encourage countless parents and children around the country. I loved it." —HILLARY RODHAM CLINTON



STEFANY SHAHEEN

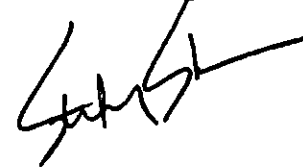
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Diabetes, the Fight for My Daughter's Life,
and the Dog Who Changed Everything

with Mark Dagostino

ELLE & COACH

Diabetes, the Fight for My Daughter's Life,
and the Dog Who Changed Everything



STEFANY SHAHEEN

with

MARK DAGOSTINO

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*For the scientists who will one day find a cure
and for all those who are working to make
life better until then...*





CONTENTS

<i>Preface: First Glimpse</i>	vii
Chapter 1: The Diagnosis	1
Chapter 2: Making Room	21
Chapter 3: Work	39
Chapter 4: Trials and Errors	48
Chapter 5: Darkness	71
Chapter 6: Pressing Paws	82
Chapter 7: A Distant Howl	103
Chapter 8: Lessons Learned	112
Chapter 9: Flying Coach	123
Chapter 10: Little Miracles	162
Chapter 11: Coach's Spotlight	180
Chapter 12: Dog Fight	190
Chapter 13: Center Stage	206
Chapter 14: Super Dog	215
<i>Afterword</i>	223
<i>Acknowledgments</i>	227
<i>Reading Group Guide</i>	229

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I have a feeling this book is going to change a lot of lives for the better."

—JODI PICOUULT, *NEW YORK TIMES* bestselling author of *MY SISTER'S KEEPER* and *LEAVING TIME*



STEFANY SHAHEEN has dedicated herself to making life better for people living with diabetes. She co-founded a company to support people with nutrition-sensitive medical conditions, serves on the board of trustees at Joslin Diabetes Center, has served as the national chair for the Juvenile Diabetes Research Foundation Children's Congress, and is currently on the foundation's Research and Advocacy Committee. She is a key spokesperson for her mother, U.S. Senator Jeanne Shaheen. Stefany is a city councilor in Portsmouth, New Hampshire, where she and her family live.

Mark Dagostino is a *New York Times* bestselling co-author and a former senior writer at *People* magazine. He also lives in New Hampshire with his children.

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Voting Sheets

Senate Health and Human Services Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # HB 1327

Hearing date: 3-16-22

Executive Session date: 3-16-22

Motion of: OTP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Bradley, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Avarad	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<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. Bradley, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Avarad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Bradley, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Avarad	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Sherman	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Whitley	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Avarad

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, March 16, 2022

THE COMMITTEE ON Health and Human Services

to which was referred **HB 1327**

AN ACT including diabetes in the conditions listed for
eligibility for a service animal.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Kevin Avard
For the Committee

HB 1327 adds diabetes to the conditions listed in statute for eligibility of a service animal. The Committee heard deeply personal, moving testimony about the tremendous, life-saving service that dogs, with the proper training in detecting changes in blood glucose levels, can provide. HB 1327 would bring New Hampshire's service animal eligibility regulations in-line with the federal Americans with Disabilities Act requirements.

Cameron Lapine 271-2104

FOR THE CONSENT CALENDAR

HEALTH AND HUMAN SERVICES

HB 1327, including diabetes in the conditions listed for eligibility for a service animal.

Ought to Pass, Vote 5-0.

Senator Kevin Avarad for the committee.

HB 1327 adds diabetes to the conditions listed in statute for eligibility of a service animal. The Committee heard deeply personal, moving testimony about the tremendous, life-saving service that dogs, with the proper training in detecting changes in blood glucose levels, can provide. HB 1327 would bring New Hampshire's service animal eligibility regulations in-line with the federal Americans with Disabilities Act requirements.

General Court of New Hampshire - Bill Status System

Docket of HB1327

Docket Abbreviations

Bill Title: including diabetes in the conditions listed for eligibility for a service animal.*Official Docket of HB1327.:*

Date	Body	Description
11/20/2021	H	Introduced 01/05/2022 and referred to Health, Human Services and Elderly Affairs
1/12/2022	H	Public Hearing: 01/18/2022 01:00 pm LOB 210-211
2/1/2022	H	Executive Session: 01/24/2022 04:00 pm LOB 210-211
2/2/2022	H	Committee Report: Ought to Pass (Vote 16-0; CC)
2/16/2022	H	Ought to Pass: MA VV 02/16/2022 HJ 3
3/1/2022	S	Introduced 02/24/2022 and Referred to Health and Human Services; SJ 5
3/9/2022	S	Hearing: 03/16/2022, Room 101, LOB, 09:00 am; SC 11
3/16/2022	S	Committee Report: Ought to Pass, 03/24/2022; Vote 5-0; CC; SC 12
3/24/2022	S	Ought to Pass: MA, VV; OT3rdg; 03/24/2022; SJ 6
4/7/2022	S	Enrolled Adopted, VV, (In recess 03/31/2022); SJ 8
4/8/2022	H	Enrolled (in recess of) 03/31/2022
4/20/2022	H	Signed by Governor Sununu 04/18/2022; Chapter 26; EFF.06/17/2022

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 1327

Senate Committee: HHS

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. Lapine
Committee Aide

6-29-22
Date

Senate Clerk's Office AK