

LEGISLATIVE COMMITTEE MINUTES

SB223

Bill as Introduced

SB 223 - AS INTRODUCED

2022 SESSION

22-2911
07/05

SENATE BILL **223**

AN ACT relative to requirements for recovery houses.

SPONSORS: Sen. D'Allesandro, Dist 20; Sen. Watters, Dist 4; Sen. Soucy, Dist 18; Rep. Goley, Hills. 8

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill modifies the requirements for facility bedroom square-footage in order for recovery houses to be exempted from certain requirements of the state fire code by the state fire marshal.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to requirements for recovery houses.

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

1 1 State Board of Fire Control; Exemption for Recovery Houses; Minimum Facility Requirements
2 Modified. Amend RSA 153:10-d, I(i) to read as follows:

3 (i) The facility shall have a minimum of [200] **50** gross square feet per [~~resident~~] **bed per**
4 **sleeping room.**

5 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 88
SB 223 - FINAL VERSION

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88:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 20, 2022
Effective Date: July 19, 2022

Committee Minutes

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: December 21, 2021

HEARINGS

Wednesday

01/12/2022

(Day)

(Date)

Executive Departments and Administration	State House 103	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m.	SB 223	relative to requirements for recovery houses.
9:15 a.m.	SB 226-FN	establishing a recruitment and retention program for state employment.
9:30 a.m.	SB 356-FN	relative to medical benefits payments by state retirees.
9:50 a.m.	SB 363-FN	relative to service credit for certain group II retirement eligibility.
10:10 a.m.	SB 218	declaring October 13 as Metastatic Breast Cancer Awareness Day.
10:25 a.m.	SB 219	declaring the month of September as kinship care awareness month.

10:40 a.m. SB 359-FN

requiring the commissioner of the department of administrative services to conduct an inventory of all state real estate.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 223

Sen. D'Allesandro Sen. Watters Sen. Soucy Rep. Goley

SB 226-FN

Sen. D'Allesandro Sen. Hennessey Sen. Rosenwald Sen. Watters
Sen. Perkins Kwoka Sen. Gray Sen. Bradley Sen. Sherman
Sen. Reagan Sen. Cavanaugh Sen. Carson Sen. Whitley
Sen. Prentiss Sen. Birdsell Sen. Kahn

SB 356-FN

Sen. D'Allesandro Sen. Bradley Sen. Sherman Sen. Hennessey
Sen. Rosenwald Sen. Watters Sen. Whitley Sen. Birdsell
Sen. Carson Sen. Gannon Sen. Cavanaugh Sen. Prentiss
Sen. Soucy Sen. Kahn

SB 363-FN

Sen. D'Allesandro Sen. Bradley Sen. Cavanaugh Rep. Goley
Rep. Umberger Rep. Wall

SB 218

Sen. Perkins Kwoka Sen. Avard Sen. Carson Sen. D'Allesandro
Sen. Gannon Sen. Watters Sen. Bradley Sen. Rosenwald
Sen. Hennessey Sen. Whitley Sen. Birdsell Sen. Sherman
Sen. Soucy Sen. Ricciardi Sen. Kahn Sen. Cavanaugh
Sen. Prentiss

SB 219

Sen. Perkins Kwoka Sen. Carson Sen. Bradley Sen. Hennessey
Sen. Whitley Sen. Prentiss Sen. D'Allesandro Sen. Watters
Sen. Cavanaugh Sen. Kahn

SB 359-FN

Sen. Perkins Kwoka Sen. Whitley Sen. Rosenwald Rep. DiLorenzo
Rep. Porter Rep. Vann

Chantell Wheeler 271-1403

Sharon M Carson
Chairman

**Senate Executive Departments and Administration
Committee**

Chantell Wheeler 271-1403

SB 223, relative to requirements for recovery houses.

Hearing Date: January 12, 2022

Time Opened: 9:04 a.m.

Time Closed: 9:15 a.m.

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

Members of the Committee Absent : None

Bill Analysis: This bill modifies the requirements for facility bedroom square-footage in order for recovery houses to be exempted from certain requirements of the state fire code by the state fire marshal.

Sponsors:

Sen. D'Allesandro

Sen. Watters

Sen. Soucy

Rep. Goley

Who supports the bill: Sen. D'Allesandro, Sen. Watters, Sen. Soucy, Sean Toomey (State Fire Marshall's Office), David Mara, Jake Berry (New Futures), Kim Buck (NH Coalition of Recovery Residences), Paula Minnehan (NH Hospital Association)

Who opposes the bill: None

Who is neutral on the bill: None

Summary of testimony presented in support:

Senator D'Allesandro

- After the implementation of HB 377 which resulted in RSA 153:10-d; it was discovered that the 200 square feet per resident requirement is too restrictive.
- The 200 square foot per person standard is required for single family homes.
- The National Association of Recovery Residences (NARR) standard is 50 square feet per person in each sleeping room. This standard is consistent with the state's building code for dormitory occupant load.

Kim Buck, Executive Director of the NH Coalition of Recovery Residences (NHCORR)

- Roughly 25% of the existing NHCORR certified recovery houses cannot meet the 200 square feet standard.
- Often times recovery homes are older New England style homes that lack large common areas.
- There is significant national support for the 50 square foot standard.

Sean Toomey, State Fire Marshall's Office

- The 50 square feet standard is more appropriate.

David Mara, Governor's Advisor on Addiction and Behavioral Health

- The fact that 25% of certified recovery houses cannot meet this standard is concerning; the problem is especially acute in the northern part of the state.
- Certification is important for recovery houses to ensure the safety of the residents.
- Senator Cavanaugh expressed concern about non-certified homes and the lack of health and safety compliance in homes that are not certified.
- Concerned about non-certified recovery houses.

Summary of testimony presented in opposition: None

Neutral Information Presented: None

cbw

Date Hearing Report completed: January 13, 2022

Speakers

Senate Remote Testify

Executive Departments and Administration Committee Testify List for Bill SB223 on 2022-01-12

Support: 3 Oppose: 0

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Watters, Senator David	An Elected Official	Myself	Support
Soucy, Senator	An Elected Official	SD 18	Support
Berry, Jake	A Lobbyist	New Futures	Support

Testimony

SB223

Following the implementation of HB 377 (now RSA 153:10-d), it was discovered that the requirement to have a minimum of 200 gross square feet per resident is too restrictive. According to Kim Bock, the Executive Director of the New Hampshire Coalition of Recovery Residences (NHCORR), approximately 25% of the existing NHCORR certified recovery houses are not able meet that standard.

During the initial development of this language, the 200 gross square feet per person was identified as an occupant load factor to be consistent with a typical residential load factor found in the state building and fire codes for residential occupancies. This typically is residential occupancies outside the definition of a single family home. The National Association of Recovery Residences (NARR) standard requires 50 square feet per person in each sleeping room. This measurement is consistent with the dormitory occupant load found in the state building code.

It is the opinion of State Fire Marshal Sean Toomey that rather than coming up with an arbitrary occupant load for NH recovery residences, it is appropriate to modify the language to align with the NARR standard, and the state building code for dormitory-style residential space.

Voting Sheets

**Senate Executive Departments and
Administration Committee
EXECUTIVE SESSION RECORD
2022 Session**

Bill # SB 223

Hearing date: 1/12/2022

Executive Session date: 1/12/2022

Motion of: OTP Vote: 50

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 type="checkbox"/>	<input checked="" 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 checked="" 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: CONSENT Vote: 50

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 checked="" 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: S. CARSON

Notes: _____

Committee Report

General Court of New Hampshire - Bill Status System

Docket of SB223

Docket Abbreviations

Bill Title: relative to requirements for recovery houses.*Official Docket of SB223.:*

Date	Body	Description
12/14/2021	S	To Be Introduced 01/05/2022 and Referred to Executive Departments and Administration; SJ 1
12/21/2021	S	Hearing: 01/12/2022, Room 103, SH, 09:00 am; SC 50
1/26/2022	S	Committee Report: Ought to Pass, 02/03/2022; Vote 5-0; CC; SC 5
2/3/2022	S	Ought to Pass: MA, VV; OT3rdg; 02/03/2022; SJ 2
3/23/2022	H	Introduced 03/17/2022 and referred to Executive Departments and Administration
4/12/2022	H	Public Hearing: 04/05/2022 10:00 am LOB 302-304
4/12/2022	H	Committee Report: Ought to Pass (Vote 13-1; CC) HC 15 P. 8
4/21/2022	H	Ought to Pass: MA VV 04/21/2022 HJ 10
5/13/2022	S	Enrolled Adopted, VV, (In recess 05/12/2022); SJ 13
5/13/2022	H	Enrolled (in recess of) 05/12/2022
5/24/2022	S	Signed by the Governor on 05/20/2022; Chapter 0088; Effective 07/19/2022

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SIB 223

Senate Committee: EDTA

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:

OBW
Committee Aide

2/10/22
Date

Senate Clerk's Office AK