

Bill as  
Introduced

HB 609 - AS INTRODUCED

2013 SESSION

13-0150

04/05

HOUSE BILL

**609**

AN ACT

relative to possession of a firearm on school property.

SPONSORS:

Rep. Itse, Rock 10; Rep. Comerford, Rock 33

COMMITTEE:

Criminal Justice and Public Safety

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ANALYSIS

This bill provides that a school district shall vote to require the school board to establish policies and procedures relative to licensed school employees carrying a firearm while on school property.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Thirteen*

AN ACT relative to possession of a firearm on school property.

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

1 1 New Subdivision; Possession of a Firearm on School Property. Amend RSA 193-D by inserting  
2 after section 9 the following new subdivision:

3 Possession of a Firearm on School Property

4 193-D:10 Possession of a Firearm on School Property.

5 I. Within 90 days of its adoption by a school district in accordance with paragraph II, a  
6 school board shall establish and implement policies and procedures relative to a school employee who  
7 is licensed pursuant to RSA 159 to carry a concealed firearm while on school property.

8 II. The school board of a school district may adopt the provisions of paragraph I in the  
9 following manner:

10 (a) The school board shall submit a warrant article to the school district legislative body  
11 for ratification or denial without amendment. The question shall be placed on the warrant of the  
12 next special or annual school district meeting. In districts without annual meetings, the legislative  
13 body of the school district shall consider and act upon the question in accordance with their normal  
14 procedures for passage of resolutions, ordinances, and other legislation. The question put to the  
15 voters shall be whether or not to authorize a school employee who is licensed pursuant to RSA 159 to  
16 carry a concealed firearm while on school property.

17 (b) If a majority of those voting on the question vote “yes,” the provisions of paragraph I  
18 take effect within the school district, on the date set by the school board.

19 (c) A school district may rescind the adoption of paragraph I in the manner described in  
20 this section.

21 2 Effective Date. This act shall take effect January 1, 2014.

# Speakers

# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 609 Date Feb. 21, 2013  
 Committee Criminal Justice

\*\* Please Print All Information \*\*

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Bill Urbach	42 Long St. Boscawen	796-6434		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jean Bastek	Manchester NH			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leah Wokzko	17 Heed St		Manchester	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Margaret Keyes	Epsom NH		SAS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BILL KINGSTON	81 MAINMIST CIRCLE		NEWCASTLE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
JOHN FARD	253 KINGSFORD		DANVILLE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Crosby Kenneth	679 Oldmail Rd		Tampworth	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Pait	Candia NH			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bruce Gowan	Rumford			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stella Tremblay	Auburn Rock		4th	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LAURENCE MELANSON	20 CANTON BRIDGE RD		WEBSTER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SUE RYAN	393 DORCHESTER RD		LYNNE 03768	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ANTHONY RYAN	393 DORCHESTER RD		LYNNE 03768	<input checked="" type="checkbox"/>	<input type="checkbox"/>
RONALD BAILEY	1103 RTE 12A,		PLAINFIELD NH	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gail Colozzi	Matthew Dr		Salem	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BARRY LEBENS	21USHER LANE		MERRIMACK NH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alex Kish	22 shadow Ln		SUNAPEE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Jane Cormier	241 Main St		Allen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Philip S. Fogg	37 Beaver Lake Ave.		Derry NH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ralph Demicca	GONH Support		w/ Language <sup>Change</sup>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Timothy Taylor	82 Harriman St		Manchester, NH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Pam Tucker	Rock. 23			<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bruce Couturier	453 Tabbs Hill Rd		Se. F.	<input checked="" type="checkbox"/>	<input type="checkbox"/>

# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 609 Date 2-21-2015  
 Committee CT & PS

\*\* Please Print All Information \*\*

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Donald F. Mooney	232 MILLER RD	444-6876	TDG	<input checked="" type="checkbox"/>	
Nancy Mooney	"	"	"	<input checked="" type="checkbox"/>	
Victoria Hall	23 Pine St. Manchester, NH 03103	998-4989		<input checked="" type="checkbox"/>	
Deb Hall	"	603-548-1930		<input checked="" type="checkbox"/>	
Carl Dow	Chichester			<input checked="" type="checkbox"/>	
CH STONE	TILLON	528 6058		<input checked="" type="checkbox"/>	
Anne Kuziak	1875 Maplewood Portsmouth	373-0996			<input checked="" type="checkbox"/>
John Ruckembrod	14 Evergreen Lane Ossipee NH			<input checked="" type="checkbox"/>	
REP DAVID MURATAKE			Hills 32	<input checked="" type="checkbox"/>	
JAL Coco		603 627 7768		<input checked="" type="checkbox"/>	
Antoinette C Piper	Ashtland	273-0985	Self + Leona Piper David Piper + Charles Piper	<input checked="" type="checkbox"/>	
James Stein	208 NW Blvd Nashua		Myself	<input checked="" type="checkbox"/>	
Phil Bond	7 Parkhill road Derry NH	432-6002	Myself	<input checked="" type="checkbox"/>	
PHIL CLARK	16 BRADY AVE DERRY, NH	603-275-3265		<input checked="" type="checkbox"/>	
LINDSAY DEARBORN NH Public Health Assoc	503 Proarty Ln, Lebanon	448-4172			<input checked="" type="checkbox"/>
Daniel Passen	7 Douglas Dr, Amherst	249-5193		<input checked="" type="checkbox"/>	
James R. Whittemore	214 Gibson Rd Hudson NH	603-883-3433	Self	<input checked="" type="checkbox"/>	
JOHN J. VALERA	1321 2ND NH. TAKE WINDSOR NH 03244	603-478-0013		<input checked="" type="checkbox"/>	
Rep Sylvia White			Hills 28		<input checked="" type="checkbox"/>
Nancy L Parsons	15 Mill Pd Lane Granton NH 03253				<input checked="" type="checkbox"/>
Randy MacArthur	125 Row St Manchester NH 03103			<input checked="" type="checkbox"/>	
Albert MacArthur	52 530 Sheffield Rd - Manchester			<input checked="" type="checkbox"/>	
Janet Groat	168 W. Bird St, Portsmouth NH 03801				<input checked="" type="checkbox"/>

# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # 609 Date 2-21-2013

Committee CJ & FS

\*\* Please Print All Information \*\*

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Hon Eileen Ehlers	03106		SELF		✓
					<del>Con</del>
Mary Bonner, Nottingham				✓	
RK Ehlers					✓
Jon EVANS	New Hampshire Firearmers Coalition				✓
Ralph Kelloway	11 Springfield Rd		NASHUA NH		✓
Rep. Tim Cooney		Rock. 33		✓	
SBT Jason Austin	Manchester, NH			✓	
Kon Knutson	Cherry, NH			✓	
Samantha Claiborn	Concord NH	229 4967		✓	
Dave Scott	Dover NH		SELF	✓	
STEVE SAVAGE	CONCORD NH		SELF	X	
Senator Breaugh			5017	X	
Candy Linn				X	
Rep Christy Burdett	Merrimack 19				X
Keith Corlsen	Keehe	997-1446	Self	✓	
JAMES GAFFNEY	WARNER NH		SELF.	X	
Joseph Hannon	Lee NH		Self	✓	
Rep Hoch			MERR 23	①	
① (Approves in concept, but language needs additional work)					
Rep Guy Comtois	BELLEVILLE 7			<del>Pro</del>	X

# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # 609 Date 2/20/2013  
 Committee CRIMINAL JUSTICE FPS

\*\* Please Print All Information \*\*

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Rep Dick Gordon				<input checked="" type="checkbox"/>	
Benjamin Shaffer	49 John Goffe Drive Bedford		Self	<input checked="" type="checkbox"/>	
Angela Joy	149 Portland Ave		Self	<input checked="" type="checkbox"/>	
Al Jones	496 Mountain Rd Concord NH		Sunset Mt FPO	<input checked="" type="checkbox"/>	
Sen Sam Catellets			DET	<input checked="" type="checkbox"/>	
Elizabeth Edwards	Manchester	703-6926	self	<input checked="" type="checkbox"/>	
Caitlin Appell	Manchester, NH		Self	<input checked="" type="checkbox"/>	
Karen Testerman	FRANKLIN NH		Self		<input checked="" type="checkbox"/>
Diane Bitter	Rye Beach NH		self	<input checked="" type="checkbox"/>	
Ralph Demicco	GONH		Support with wording change		
Jerry Bensen	245 MOA ST Northampton NH		Concept Good	<input checked="" type="checkbox"/>	
Mary Bensen	Nottingham, NH			<input checked="" type="checkbox"/>	
Keith DeSantis	8 Edmund Dr Merrimack, NH			<input checked="" type="checkbox"/>	
Pedro Aguiar	11 Country Club Dr #37, Manchester NH		Self 5085012548	<input checked="" type="checkbox"/>	
Keith Mistretta	375 Packers Falls Rd Durham			<input checked="" type="checkbox"/>	
Aaron Watson	373 South Willow St #206 Manchester NH		03103 SELF	<input checked="" type="checkbox"/>	
Eileen Landies	Manchester NH		NH Liberty Alliance	<input checked="" type="checkbox"/>	
Alfonso Sira	Merrimack, NH		Self	<input checked="" type="checkbox"/>	
David Burre	62 PLEASANT ST DASHMA NH		SELF	<input checked="" type="checkbox"/>	
DAVID P. CAHILL	SUNABEE NH		NH CHIEFS		<input checked="" type="checkbox"/>
William Kostic	Manchester Ward II			<input checked="" type="checkbox"/>	
<del>BARBARA COURCHANE</del>	<del>SANBORTON NH</del>		<del>SELF</del>		
<del>John Clark</del>	<del>57 Main St Nashua NH</del>			<input checked="" type="checkbox"/>	





# Hearing Minutes

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 609

**BILL TITLE:** relative to possession of a firearm on school property.

**DATE:** February 21, 2013

**LOB ROOM:** 204      **Time Public Hearing Called to Order:** 1:15 pm

**Time Adjourned:** 2:20 pm

(please circle if present)

**Committee Members:** Reps. Pantelakos, Cushing, Ginsburg, Berube, Boisvert, Robertson, Grady, Burridge, Harriott-Gathright, Hirsch, O'Hearne, Charron, Fields, Villeneuve, Gagne, Vaillancourt, Warden, Parsons, Fesh and Tasker.

**Bill Sponsors:** Rep. Itse, Rock 10; Rep. Comerford, Rock 33

**TESTIMONY**

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

**Rep. Daniel Itse, prime sponsor**

Introduced the bill to the committee and explained the intent of the bill.

**Dean Michener, New Hampshire School Boards Association - oppose**

**Rep. J.R. Hoell - support**

He supports the bill with changes.

**Laura Hainey, AFT-NH - oppose**

**Spec Bowers, Georges Mills, NH, representing self - support**

**Janet Groat, Portsmouth, NH, representing self - oppose**

Also representing Moms Demand Action.

**Mary Bonser, Nottingham, NH, representing, NH - support**

**\*Scott McGilvray, National Educators Association of New Hampshire (NEA-NH) - oppose**

Representing 16,000 teachers who do not support this bill. Submitted written testimony.

**Angela Joy, Dover NH, representing self - support**

**Nan Parsons, Grantham, NH - representing self**

Also representing NH ASP.

**Steven Stefanik, Manchester, NH, representing self - support**

**\*William G. Kingston, New Castle, NH, representing self - oppose**

**Al Jones, Concord, NH, Sunset Mountain Fish & Game - support**

**Rep. Timothy Horrigan, representing self - oppose**

**Brian Blackden, Concord, NH - representing self - support**

**Antonet Piper, Ashland, NH, representing self - support**  
Also representing family members David, Leona and Charles Piper.

**David Scott, Dover, NH, representing self - support**  
Former representative supports this bill.

**Steven Savage, Concord, NH, representing self - support**

**Craig Shaffer, Bedford, NH, representing self - support**

The following two people were not present when called to testify. Both were in **support** of the bill.

**Wayne A. Small, Grantham, NH**

**Rep. Dan McGuire**

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Gene P. Charron".

Rep. Gene P. Charron, Clerk

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

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**Bill Sponsors:** Rep. Itse, Rock 10; Rep. Comerford, Rock 33

**TESTIMONY**

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

Respectfully submitted,

Rep. Gene P. Charron, Clerk

HB 609.

- ① 1:15 Rep Wan Dose sponsor- explained the support intent of the bill.
- ② 1:20 MR. DEAN MICHENER- NEW HAMPSHIRE SCHOOL BOARDS ASSN - They oppose the bill.
- ③ 1:30 Rep HOELL. Supports the Bill w/ changes.
- ④ 1:32 LAURA HAINEY opposed represents AFT-NH. opposed.
- ⑤ 1:33 SPEC BOWERS representing self supports Bill.
- ⑥ 1:35 Janet GROAT. opposes bill representing self + Moms DEMAND ACTION
- ⑦ 1:40 MARY BOMBER supports the bill. supports.
- ⑧ 1:50 scott MCGILVERAY representing 16,000 Teachers - They do not support this bill. represents NEA-NH. written testimony
- ⑨ ~~SCOTT MCGILVERAY - NEA-NH~~
- ⑨ 1:55 Angela Joy representing self. supports Bill. supports  
Vle

HB-609

- 10 1:55 ANN PARSONS - representing self. opposes.  
opposes the bill. of NH. ASP
- ① 1:57 STEVEN STEFANIK - representing self.  
support supports the bill.
- ② 2:00 BILL KINGSTEN. represents self. opposes  
the bill Hand out and testimony provided
- 13-2:04 AL JONES SUNSET MOUNTAIN FISH-GAME.  
support supports.
- ④ 2:05 Rep TIM HERRICAN does not support  
supports
- ⑤ 2:10 BRIAN BLACKDEN - representing self.  
support supports.
- ⑥ 2:12 ANTOINET PIPER. supports. the Bill.
- ⑦ 2:15 DAVID SCOTT - former Rep. supports the  
bill.
- ⑧ 2:17 STEVEN SAVAGE supports the bill.
- ⑨ 2:18 CRAIG SHAFFER - representing self  
supports the Bill.

CLOSED 2:20

# Testimony



FILE 8

# Just the **FACTS:**

## An NEA-NH Factsheet

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McGivern

### **Universal Background Checks For Gun Purchases**

*Allowing dangerous people such as convicted felons and domestic abusers to buy guns from unlicensed sellers without a background check threatens the safety of our families and communities. Our national gun policy should be: no background check, no gun, no excuses.*

**Current law requires criminal background checks of gun buyers at federally licensed dealers, but there is a loophole at gun shows and other venues where unlicensed dealers operate.**

- In most states, convicted felons, domestic violence abusers, and those who are dangerously mentally ill can walk into any gun show, flea market, or even log on to the internet and buy weapons from unlicensed sellers, no questions asked.

**Allowing dangerous people such as convicted felons and domestic abusers to buy guns from unlicensed sellers without a criminal background check threatens the safety of our families and communities.**

- It is estimated that over forty percent of gun acquisitions occur in the secondary market. That means that they happen without a background check.

**Gun shows provide a huge market for gun sales completed without background checks.**

- Gun shows are a major trafficking channel according to the Bureau of Alcohol, Tobacco and Firearms, with an average of 130 guns trafficked per investigation, and over 25,000 firearms trafficked over one 17-month period alone.
- In Littleton, CO, Eric Harris and Dylan Klebold used two shotguns, an assault rifle and a TEC-9 assault pistol to shoot 26 students at Columbine High School, killing 13. All four guns came from gun show sales. Their friend, Robyn Anderson, bought three of the guns for them from unlicensed sellers. After the massacre, Ms. Anderson stated that had she been required to undergo a background check, she would not have purchased the guns.

**Background checks for every sale, no matter where it takes place, would make a difference.**

- California has strong gun laws that require all sales to go through retail dealers, including those at gun shows. Studies show an associated decreased incidences of anonymous, undocumented gun sales and illegal purchases. California's gun shows also had more attendees per vendor than shows in other states with weaker laws.
- Another study based on data from 54 cities found that requiring state background checks for private sales reduced gun trafficking within a state by 48 percent.

**Gun owners support background checks for all gun sales.**

- 67% of gun owners favor background checks for every sale, regardless of the location. 84% of people who live in a house with a gun (but are not the owner of the gun) favor background checks for every sale, and 80% of non-gun owners support this policy.

Source: Brady Campaign to Prevent Gun Violence, *Spotlight: Universal Background Checks*

Published by  
NEA-New Hampshire  
9 South Spring Street  
Concord, NH 03301  
(866)556-3264



# Just the **FACTS:**

## An NEA-NH Factsheet

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### **Preventing Gun Violence**

*Since 1979, when data were first collected, guns have taken the lives of nearly 120,000 American children and teenagers. Only a multi-pronged approach can end the slaughter.*

#### **Limit access to weapons of war**

- Assault weapons and high-capacity magazines should only be used by military and law enforcement personnel.
- Strengthen background checks and require them for guns bought in stores, online or at gun shows - anywhere.
- Make gun trafficking a federal crime.
- Use "amnesty" and "buy-back" days to encourage owners of banned weapons to give them up.

#### **Expand and improve mental health services**

- Close insurance loopholes - provide true parity in coverage for mental and physical illnesses.
- Increase funding for school-based health centers and their staffs.
- Use financial incentives such as forgiving student loans to encourage students to enter psychiatry, psychology, and other mental health professions.
- Encourage states to participate in Medicaid expansion under the Affordable Care Act - 4.4 million American under age 21 are eligible but not covered by the program.

#### **Enhance school safety**

- Allow Qualified Zone Academy Bonds (QZAB) to be used to make school entrances and exits more secure, access to classrooms more difficult, and strengthen security systems.
- Protect against inappropriate uses of the criminal justice system.

#### **Encourage professional development**

- Provide training for educators in cultural competence and conflict management.
- Develop and implement programs to prevent bullying.

Published by  
NEA-New Hampshire  
9 South Spring Street  
Concord, NH 03301  
(866)556-3264



**NEA New Hampshire**

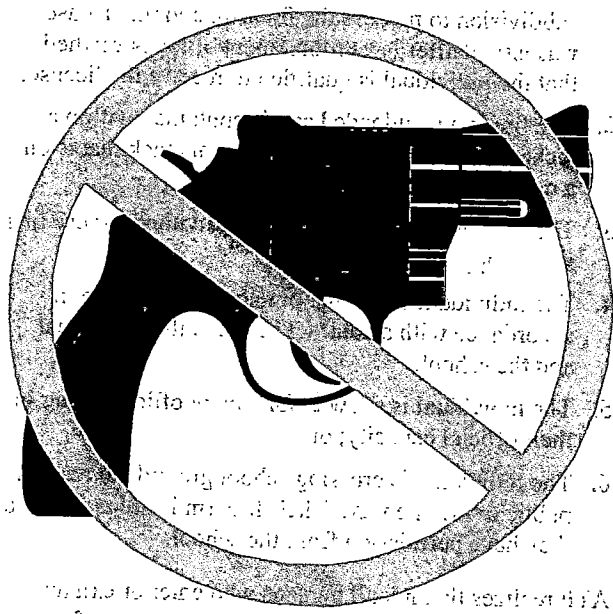
*Shaping the Future, One Student at a Time*

12

U.S. Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
Office of Enforcement Programs and Services  
Firearms Programs Division



# Gun Free School Zone Notice



ATF P 5310.1  
October 2006

## General Information

Generally, it is unlawful for any individual to knowingly possess a firearm within a school zone. A school zone is defined as being within a distance of 1,000 feet from the grounds of a public, parochial, or private school. This prohibition does not apply to the possession of a firearm on private property not part of school grounds such as an FFL's business premise (e.g., commercial storefront, residence, or driveway)

Once a customer leaves private property located within 1,000 feet of a school with a firearm, they may be in violation of Federal Law. However, in the following situations an individual would not be possessing a firearm in violation of 922(q)(A):

1. The individual is licensed by the State or political subdivision to possess the firearm, and the license was issued after law enforcement officials verified that the individual is qualified to receive the license;
2. The firearm is unloaded and is contained within a locked container or a locked firearms rack that is on a motor vehicle;
3. The firearm is possessed by an individual for use in a school-approved program;
4. The individual or his/her employer is doing so in accordance with a contract between the individual and the school;
5. The individual is a law enforcement officer acting in their official capacity; or
6. The individual is crossing school grounds to reach a public or private way. Their firearm is unloaded, and they have permission from the school.

ATF realizes that not all persons who enter or exit an FFL's premises in such case may fall under one of the above-described statutory exemptions. Therefore, ATF advises that in those States where a permit is not needed, the FFL should ensure that prior to a purchaser leaving the business premise with a firearm that it is unloaded and placed in a locked container.

## Federal Law

**The Gun Control Act of 1968, 18 U.S.C. Chapter 44, provides in pertinent parts as follows:**

### 18 U.S.C. 922(q)(1)

(q)(1) The Congress finds and declares that—

(A) crime, particularly crime involving drugs and guns, is a pervasive, nationwide problem;

(B) crime at the local level is exacerbated by the interstate movement of drugs, guns, and criminal gangs;

(C) firearms and ammunition move easily in interstate commerce and have been found in increasing numbers in and around schools; as documented in numerous hearings in both the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate;

(D) in fact, even before the sale of a firearm, the gun, its component parts, ammunition, and the raw materials from which they are made have considerably moved in interstate commerce;

(E) while criminals freely move from State to State, ordinary citizens and foreign visitors may fear to travel to or through certain parts of the country due to concern about violent crime and gun violence, and parents may decline to send their children to school for the same reason;

(F) the occurrence of violent crime in school zones has resulted in a decline in the quality of education in our country;

(G) this decline in the quality of education has an adverse impact on interstate commerce and the foreign commerce of the United States;

(H) States, localities, and school systems find it almost impossible to handle gun-related crime by themselves—even States, localities, and school systems that have made strong efforts to prevent, detect, and punish gun-related crime find their efforts unavailing due in part to the failure or inability of other States or localities to take strong measures; and

(I) the Congress has the power, under the interstate commerce clause and other provisions of the Constitution, to enact measures to ensure the integrity and safety of the Nation's schools by enactment of this subsection.

(2)(A) It shall be unlawful for any individual knowingly to possess a firearm that has moved in or that otherwise affects interstate or foreign commerce at a place that the individual knows, or has reasonable cause to believe, is a school zone.

(B) Subparagraph (A) does not apply to the possession of a firearm—

(i) on private property not part of school grounds;

(ii) if the individual possessing the firearm is licensed to do so by the State in which the school zone is located or a political subdivision of the State, and the law of the State or political subdivision requires that, before an individual obtains such a license, the law enforcement authorities of the State or political subdivision verify that the individual is qualified under law to receive the license;

(iii) that is—

(I) not loaded; and

(II) in a locked container, or a locked firearms rack that is on a motor vehicle;

(iv) by an individual for use in a program approved by a school in the school zone;

(v) by an individual in accordance with a contract entered into between a school in the school zone and the individual or an employer of the individual;

(vi) by a law enforcement officer acting in his or her official capacity; or

(vii) that is unloaded and is possessed by an individual while traversing school premises for the purpose of gaining access to public or private lands open to hunting, if the entry on school premises is authorized by school authorities.

(3)(A) Except as provided in subparagraph (B), it shall be unlawful for any person, knowingly or with reckless disregard for the safety of another, to discharge or attempt to discharge a firearm that has moved in or that otherwise affects interstate or foreign commerce at a place that the person knows is a school zone.

(B) Subparagraph (A) does not apply to the discharge of a firearm—

- (i) on private property not part of school grounds;
- (ii) as part of a program approved by a school in the school zone, by an individual who is participating in the program;
- (iii) by an individual in accordance with a contract entered into between a school in a school zone and the individual or an employer of the individual; or
- (iv) by a law enforcement officer acting in his or her official capacity.

(4) Nothing in this subsection shall be construed as preempting or preventing a State or local government from enacting a statute establishing gun free school zones as provided in this subsection.

**If you have any questions, contact:**  
**Bureau of Alcohol, Tobacco, Firearms  
and Explosives**  
**650 Massachusetts Ave., NW**  
**Washington, DC 20226**  
**(202) 927-7770**

or  
**Visit our web site at [www.atf.gov](http://www.atf.gov)**

(1a)

William G. Kingston  
PO Box 555  
81 Mainmast Circle  
New Castle, NH 03854  
603 431-7876  
DC9guy@comcast.net

February 21, 2013

My Testimony before the New Hampshire House Criminal Justice and Public Safety  
Committee on HB 609

*This bill weakens public gun safety by allowing school districts to force local school boards to vote on a policy that would permit school employees with a concealed weapon license to carry firearms on school property. It conflicts with current federal regulations establishing gun-free zones in and around public school buildings.*

*Guns in school is a bad idea. Schools already have security measures in place. Police have the necessary training to use firearms in a stressful situation. School employees do not have that training. Let the police do their job and the teachers teach.*

*I disagree with those who claim that the presence of a gun will automatically ensure a successful outcome. Nothing could be further from the truth.*

*My own combat experience as a Marine Corps Officer in Santo Domingo and Viet Nam is relevant here. In those days I was an excellent shot. I practiced a lot with my handgun. We were required to re-qualify with our weapons annually. At one time I set a record high score at my base during re-qualification.*

*After all that practice and training, in the confusion of combat I did poorly. I wasted a lot of ammunition.*

*Another officer, an outstanding officer, killed 6 other Marines in a friendly fire accident. The last I heard of him, he had a nasty drinking problem.*

*These things will happen to good people with the best of intentions.*

*I wish to remind the Committee that The Lone Ranger is the only guy who shoots straight every time. The rest of us miss – a lot.*

*Having a carry permit is no guarantee of public safety especially in the chaos of a school shooting.*

*I urge the Committee to vote against this bill.*

*W.G. Kingston*

## **Second Amendment Sisters, Inc.**

**Self-Defense is a basic human right**

<http://www.2asisters.org>

**(877) 271-6216**

February 22, 2013

Criminal Justice and Public Safety Committee

New Hampshire House of Representatives

Testimony regarding: HB609

Madam Chair and Honorable Members of the Committee:

Please accept this testimony on behalf of the New Hampshire Chapter of the Second Amendment Sisters, Inc. We write to **support** HB609 relative to Possession of a Firearm on School Property.

This bill respects local control by allowing individual school districts to make decisions regarding the protection for their own employees and students, by implementing policies for themselves. If school employees who carry a firearm and meet whatever standard each district wishes to have, they would be able to protect themselves and the children under their care. Armed school employees would be no longer mere victims, watching helplessly as children and other adults are threatened, injured or murdered. This bill will allow school employees a fighting chance and increase the number of innocents that survive a hostile situation.

Firearm possession is an equalizer against criminals who will never obey either the laws that are written by our legislature, nor moral codes that are understood by the general citizenry. No matter what mass murder event you choose to review, one thing is clear. All of them were "gun free zones" which in reality means "killing zones". Criminals know they can go to these locations and maximize the death toll because no one will be able to stop them. There is a very good reason Israel doesn't suffer the crimes we see in the United States inflicted on our children. Their teachers are armed and able to protect themselves and the children in their care. One thing a criminal doesn't want to have to face is armed resistance.

This bill will allow each community to make that informed choice for themselves. Please support the right to bear arms for those who are protecting our children.

Respectfully, this testimony is submitted on behalf of the Second Amendment Sisters' Membership.

Margot M. Keyes; Epsom, NH Area Coordinator

Kate Muller, New Hampshire State Coordinator  
Melissa Creem, New Hampshire Web Coordinator  
Hon. Jenn Coffey, National Director of Legislative Affairs  
Sandy Williams, Andover, NH Area Coordinator  
Michelle Levell, Windham, NH Area Coordinator  
Carlene Wheeler, Sullivan, NH Area Coordinator

**Second Amendment Sisters, Inc.**

# Voting Sheets



HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB 609

**BILL TITLE:** relative to possession of a firearm on school property.

**DATE:**

**LOB ROOM:** 204

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Retain (Please circle one.)

Moved by Rep. Hirsch

Seconded by Rep. O'Hearne

Vote: 18-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Retain (Please circle one.)

Moved by Rep.

Seconded by Rep.

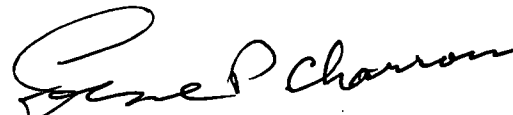
Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 18-0 YES

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,



Rep. Gene P. Charron, Clerk

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB 609

BILL TITLE: relative to possession of a firearm on school property.

DATE: 2.28.13

LOB ROOM: 204

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions: OTP, OTP/A, (ITL) Retain (Please circle one.)

Moved by Rep. AIRSCH. =

18-0

Seconded by Rep. OHEARU.

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Retain (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: {Type VOTE}

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Consent  
18-0

Rep. Gene P. Charron, Clerk



STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK

1/10/2013 11:54:23 AM  
Roll Call Committee Registers  
Report

2013 SESSION

CRIMINAL JUSTICE AND PUBLIC SAFETY

Bill #: 609 Title: \_\_\_\_\_

PH Date: 1/1/13 Exec Session Date: 2/28/13

Motion: ITL Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Pantelakos, Laura C, Chairman	✓	
Cushing, Robert R, V Chairman	✓	
Berube, Roger R	✓	
Robertson, Timothy N		
Burridge, Delmar D	✓	
Ginsburg, Philip E	✓	
Boisvert, Ronald R		
Grady, Brenda E	✓	
Harriott-Gathright, Linda	✓	
Hirsch, Geoffrey D	✓	
O'Hearne, Andrew S	✓	
Charron, Gene P, Clerk	✓	
Fields, Dennis H	✓	
Fesh, Robert M	✓	
Villeneuve, Moe	✓	
Gagne, Larry G	✓	
Parsons, Robbie L	✓	
Tasker, Kyle J	✓	
Warden, Mark		
Vaillancourt, Steve	✓	
TOTAL VOTE: <u>Gale</u>	✓	

18 - 0

# Committee Report

**CONSENT CALENDAR**

**March 1, 2013**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

The Committee on CRIMINAL JUSTICE AND PUBLIC SAFETY to which was referred HB 609,

AN ACT relative to possession of a firearm on school property. Having considered the same, report the same with the following Resolution: **RESOLVED**, That it is **INEXPEDIENT TO LEGISLATE**.

**Rep. Geoffrey D Hirsch**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>CRIMINAL JUSTICE AND PUBLIC SAFETY</b>
Bill Number:	<b>HB609</b>
Title:	<b>relative to possession of a firearm on school property.</b>
Date:	<b>March 1, 2013</b>
Consent Calendar:	<b>YES</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

### STATEMENT OF INTENT

This bill mandates that school districts submit warrant articles to their districts' legislative body regarding whether or not school employees carry concealed firearms while on school property. This mandate erodes local control as schools already have ways to institute protective measures without legislative mandates.

Police chiefs, school boards, principals and teacher associations are all opposed to this bill. The committee unanimously agrees with their concerns.

Vote 18-0.

Rep. Geoffrey D Hirsch  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

### CRIMINAL JUSTICE AND PUBLIC SAFETY

**HB 609**, relative to possession of a firearm on school property. **INEXPEDIENT TO LEGISLATE.** Rep. Geoffrey D Hirsch for CRIMINAL JUSTICE AND PUBLIC SAFETY. This bill mandates that school districts submit warrant articles to their districts' legislative body regarding whether or not school employees carry concealed firearms while on school property. This mandate erodes local control as schools already have ways to institute protective measures without legislative mandates. Police chiefs, school boards, principals and teacher associations are all opposed to this bill. The committee unanimously agrees with their concerns.

**Vote 18-0.**

Original: House Clerk

Cc: Committee Bill File

**CONSENT CALENDAR**

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

**MAJORITY REPORT**

**HB 609**, relative to possession of a firearm on school property.

**RECOMMENDATION: INEXPEDIENT TO LEGISLATE**

**VOTE: 18-0**

This bill mandates that school districts submit warrant articles to their districts' legislative body regarding whether or not school employees carry concealed firearms while on school property. This mandate erodes local control as schools already have ways to institute protective measures without legislative mandates.

Police chiefs, school boards, principals and teacher associations are all opposed to this bill. The committee unanimously agrees with their concerns.

**Rep. Geoffrey D. Hirsch**

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COMMITTEE REPORT

cc

COMMITTEE:

Criminal Justice

BILL NUMBER:

HB 609

TITLE:

\_\_\_\_\_

DATE:

2-28-13

CONSENT CALENDAR:

YES

NO

OUGHT TO PASS

OUGHT TO PASS W/ AMENDMENT

INEXPEDIENT TO LEGISLATE

INTERIM STUDY (Available only 2<sup>nd</sup> year of biennium)

Amendment No.  
\_\_\_\_\_

STATEMENT OF INTENT:

HB 609, relative to possession of a firearm on school property.

RECOMMENDATION: INEXPEDIENT TO LEGISLATE

VOTE: 18-0

This bill mandates that school districts submit warrant articles to their districts' legislative body regarding whether or not school employees carry concealed firearms while on school property. This mandate erodes local control as schools already have ways to institute protective measures without legislative mandates.

Police chiefs, school boards, principals and teacher associations are all opposed to this bill. The committee unanimously agrees with their concerns.

Rep. Geoffrey D. Hirsch

COMMITTEE VOTE:

18-0

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Geoffrey D. Hirsch  
For the Committee

cc  
Blurb on HB 609 (ITL) 18-0

This bill mandates that school districts submit warrant articles to their districts' legislative body regarding whether or not school employees carry concealed firearms while on school property.

This mandate erodes local control as schools already have ways to institute protective ~~safety~~ measures without legislative mandates.

Police chiefs, School Boards, Principals and teacher associations are all opposed to this bill. The committee unanimously agrees with their ~~concerns~~ concerns.

Geoffrey Hirsch

Rep Laura Pentelkos