

# Bill as Introduced

SB 319-FN - AS INTRODUCED

2014 SESSION

14-2812  
01/10

SENATE BILL        **319-FN**

AN ACT            relative to access to reproductive health care facilities.

SPONSORS:        Sen. Soucy, Dist 18; Sen. D'Allesandro, Dist 20; Sen. Odell, Dist 8; Sen. Stiles,  
Dist 24; Sen. Bradley, Dist 3; Rep. Long, Hills 42; Rep. Heath, Hills 14; Rep.  
Bouchard, Merr 18

COMMITTEE:      Judiciary

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ANALYSIS

This bill provides certain parameters for access to reproductive health care facilities. The bill establishes a civil fine and authorizes the attorney general or county attorney to seek injunctive relief in certain circumstances.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to access to reproductive health care facilities.

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

1 1 Statement of Findings and Purposes.

2 I. The New Hampshire general court hereby finds as follows:

3 (a) Access to reproductive health care facilities is important for residents and visitors to  
4 the state of New Hampshire and is a right that must be protected.

5 (b) The exercise of a person's right to protest or counsel against certain medical  
6 procedures is a First Amendment activity that must be protected.

7 (c) Public sidewalks adjacent to reproductive health care facilities in New Hampshire  
8 communities are often narrow, measuring between 6 and 8 feet wide. These sidewalks abut city streets.

9 (d) Under federal law 18 U.S.C. section 248 (2010) it is unlawful for any person to  
10 obstruct or interfere with another person's access to reproductive health care services.

11 (e) Recent demonstrations outside of reproductive health care facilities have resulted in  
12 the fear and intimidation of patients and employees of these facilities.

13 (f) Recent demonstrations outside of reproductive health care facilities have caused patients  
14 and employees of these facilities to believe that their safety and right to privacy are threatened.

15 (g) Recent demonstrations outside of reproductive health care facilities have resulted in  
16 the fear and intimidation of residents and patrons seeking to enter or leave their homes or other  
17 private businesses adjacent to the reproductive health care facilities.

18 II. The general court further finds that it is in the interest of public health, safety and  
19 welfare to regulate the use of public sidewalks and streets adjacent to reproductive health care  
20 facilities to promote the free flow of traffic on streets and sidewalks, reduce disputes and potentially  
21 violent confrontations requiring significant law enforcement services, protect property rights, protect  
22 First Amendment freedoms of speech and expression and secure a citizen's right to seek reproductive  
23 health care services.

24 III. The general court finds that establishing a limited buffer zone outside of some  
25 reproductive health care facilities located in the state of New Hampshire is necessary to ensure that  
26 patients and employees of reproductive health care facilities have unimpeded access to reproductive  
27 health care services while accommodating the First Amendment rights of people to communicate  
28 their message to their intended audience without undue burdens or restrictions.

29 IV. The general court hereby seeks to provide unobstructed access to reproductive health  
30 care facilities by setting clear guidelines for activity in the immediate vicinity of the reproductive  
31 health care facilities.

1 V. Therefore the general court hereby establishes the access to reproductive health care  
2 facilities law to recognize and seek to balance both the fundamental right to assemble peacefully and  
3 to demonstrate on matters of public concern, with the right to seek and obtain reproductive health  
4 care services in a safe and private manner. This law is intended to promote the full exercise of these  
5 rights and to strike an appropriate accommodation between them.

6 2 New Subdivision; Access to Reproductive Health Care Facilities. Amend RSA 132 by inserting  
7 after section 36 the following new subdivision:

8 Access to Reproductive Health Care Facilities

9 132:37 Definitions. In this subdivision:

10 I. "Reproductive health care facility" means a place, other than within or upon the grounds  
11 of a hospital, where abortions are offered or performed.

12 II. "Patient escort services" means the act of physically escorting patients through the buffer  
13 zone to the reproductive health care facility and does not include counseling or protesting of any sort  
14 during such escort service.

15 132:38 Prohibited Acts.

16 I. No person shall knowingly enter or remain on a public way or sidewalk adjacent to a  
17 reproductive health care facility within a radius of 25 feet of any portion of an entrance, exit, or  
18 driveway of a reproductive health care facility. This section shall not apply to the following:

19 (a) Persons entering or leaving such facility.

20 (b) Employees or agents of such facility acting within the scope of their employment for  
21 the purpose of providing patient escort services only.

22 (c) Law enforcement, ambulance, firefighting, construction, utilities, public works and  
23 other municipal agents acting within the scope of their employment.

24 (d) Persons using the public sidewalk or street right-of-way adjacent to such facility  
25 solely for the purpose of reaching a destination other than such facility.

26 II. Reproductive health care facilities shall clearly demarcate the zone established in  
27 paragraph one and post such zone with signage containing the following language:

28 *Reproductive Health Center*

29 *Patient Safety Zone*

30 *No Congregating, Patrolling, Picketing, or Demonstrating Between Signs*

31 *Pursuant to RSA 132:38*

32 III. The provisions of this section shall only be effective during the facility's business hours.

33 132:39 Enforcement; Civil Fine.

34 I. Prior to issuing a citation for a violation of this section, a police officer or any law  
35 enforcement or code enforcement officer shall issue one verbal warning to an individual. If the  
36 individual fails to comply after one warning, such individual shall be given a citation. Failure to  
37 comply after one warning shall be cause for citation whether or not the failure or subsequent failures  
38 are contemporaneous in time with the initial warning.

1           II. Any person who violates this subdivision shall be guilty of a violation and shall be  
2 charged a minimum fine of \$100. In addition, the attorney general or the appropriate county  
3 attorney may bring an action for injunctive relief to prevent further violations of this subdivision.

4           132:40 Severability. If any provision of this subdivision or the application thereof to any person  
5 or circumstances is held invalid, such invalidity shall not affect other provisions or applications of  
6 the subdivision which can be given effect without the invalid provision or application, and to this end  
7 the provisions of this subdivision are declared to be severable.

8           3 Effective Date. This act shall take effect January 1, 2015.

**SB 319-FN - FISCAL NOTE**

AN ACT                    relative to access to reproductive health care facilities.

**FISCAL IMPACT:**

The Judicial Branch, the Department of Justice, and the New Hampshire Association of Counties state this bill, as introduced, may increase state and county expenditures, and state revenue by indeterminable amounts in FY 2015 and in each year thereafter. There will be no fiscal impact on county or local revenue or local expenditures.

**METHODOLOGY:**

The Judicial Branch states this bill would add RSA 132:37 through 40 regarding access to reproductive healthcare facilities. The Branch indicates the potential fiscal impact is in the enforcement section, proposed RSA 132:39, which makes violations of the bill a violation level offense. In addition, it authorizes the attorney general or county attorney to bring an action for injunctive relief to prevent further violations. The Branch has no information on which to estimate how many additional violation level offenses will result from the proposed bill, but does have information the average cost of processing such cases in the trial court. The estimated cost to the Judicial Branch of an average violation level offense in the district division of the circuit court will be \$45.46 in FY 2015, and \$46.45 in FY 2016. These amounts do not consider the cost of any appeals that may be taken following trial. Regarding injunction actions, the Branch has no information on how many such actions would be filed in the superior court. The New Hampshire Judicial Needs Assessment done by the National Center for State Courts in 2005 classifies injunction actions as complex equity cases. The estimated cost to the Judicial Branch of a complex equity case in the superior court will be \$668.25 in FY 2015, and \$683.30 in FY 2016. These amounts do not consider the cost of potential appeals that may be taken following trial. The Branch indicates the cost estimates are based on studies of judicial and clerical weighted caseload times for processing average cases. These studies are more than eight years old for judicial time and clerical time in the district court and over six year old for clerical time in the superior court and, due to various changes since then, may not have current validity.

The Department of Justice states this bill would establish certain parameters for access to reproductive health care facilities by creating a buffer zone around reproductive health care facilities. The violation level offense created by the bill would typically be prosecuted by a county attorney's office; however there would be some impact to the Department of Justice in

instances when an appeal is taken to the New Hampshire Supreme Court. The Department is not able to estimate how many, if any, of the cases would be appealed to the Supreme Court. In addition, the Department states the bill would authorize the attorney general or a county attorney to bring action for injunctive relief to prevent further violations. The Department cannot determine how many, if any, actions for injunction would be filed by the Department of Justice.

The Association of Counties states this bill provides for certain access to reproductive health care facilities and authorizes the county attorney to bring action for injunctive relief. The Association states the law is enabling only and if exercised may increase county expenditures.

# Amendments

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Amendment to SB 319-FN

1 Amend RSA 132:38, I as inserted by section 2 of the bill by replacing it with the following:

2  
3 I. No person shall knowingly enter or remain on a public way or sidewalk adjacent to a  
4 reproductive health care facility within a radius up to 25 feet of any portion of an entrance, exit, or  
5 driveway of a reproductive health care facility. This section shall not apply to the following:  
6

7 Amend RSA 132:38, II and III as inserted by section 2 of the bill by replacing them with the  
8 following:

9  
10 II. Reproductive health care facilities shall clearly demarcate the zone authorized in  
11 paragraph I and post such zone with signage containing the following language:

12 *Reproductive Health Center*

13 *Patient Safety Zone*

14 *No Congregating, Patrolling, Picketing, or Demonstrating Between Signs*

15 *Pursuant to RSA 132:38*

16 III. Prior to posting the signage authorized under paragraph II, a reproductive health care  
17 facility shall consult with local law enforcement and public works officials to ensure a site plan that  
18 comports with municipal standards.

19 IV. The provisions of this section shall only be effective during the facility's business hours.  
20

21 Amend RSA 132:39 as inserted by section 2 of the bill by replacing it with the following:

22  
23 132:39 Enforcement; Civil Fine.

24  
25 I. Prior to issuing a citation for a violation of this section, a police officer or any law  
26 enforcement officer shall issue one written warning to an individual. If the individual fails to comply  
27 after one warning, such individual shall be given a citation. Failure to comply after one warning  
28 shall be cause for citation whether or not the failure or subsequent failures are contemporaneous in  
29 time with the initial warning.

30 II. Any person who violates this subdivision shall be guilty of a violation and shall be  
31 charged a minimum fine of \$100. In addition, the attorney general or the appropriate county  
32 attorney may bring an action for injunctive relief to prevent further violations of this subdivision.



1           III. This section shall not apply unless the signage authorized in RSA 132:38, II was in place  
2 at the time of the alleged violation.

3

4 Amend the bill by replacing section 3 with the following:

5

6           3 Effective Date. This act shall take effect 30 days after its passage.

RC  
8-12  
Amendment  
of 15

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18 facility shall consult with local law enforcement and public works officials to ensure a site plan that  
19 comports with municipal standards. For municipalities that have adopted RSA 674:43, the facility  
20 shall submit and the municipality shall conduct a site plan review for the submission. 7

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Amendment to SB 319-FN

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17 III. Prior to posting the signage authorized under paragraph II, a reproductive health care  
18 facility shall consult with local municipal officials to determine locations and size of the signs to  
19 ensure compliance with local ordinances.

20 IV. The provisions of this section shall only be effective during the facility's business hours.

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(127)

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# Speakers

# SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # SB 319 Date April 22, 2014

Committee Judiciary

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

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Rep. MARY Gorman		886-1652	WILLS 31	X	
<del>William J. Scery</del>					X
Annamela Perry					X
Warren J. Hayes					X
Christine Kingsley	Gilford	556-9049			X
Mary Maherty	Gilford, NH	524-0723			X
Dr. Christine Ojeda	Concord, NH		DIOCESE of THE NORTHEAST		X
Susan Clifton	12 Royal Range Rd		SANDOWN, NH		X
Jayward		224-1918	self	X	
James Conway	Barrington		NH		X
Bryan McCormack			NH Cornerstone		X
Juanita Dangel	Merrimack, NH	429-4302			X
Josephine Plant	Merrimack	424-2509	NH		X
Sister Mary Rose Reddy	19 Grant St	817-7542	Rochester, NH		X
Paula M. Ferris	75 WALKER RD		ATKINSON NH 09811		X
FRANCIS HYNES	WINDHAM, NH		SELF		X
COLLEEN MCCORMACK	MANCHESTER, NH		Self		X
Rachel Stuart	Deersfield		NH self	X	
Furlann Aspell	Concord, NH		SELF	X	
Jaime Chabot	Manchester, NH		SELF	X	
Abby Kendall	Holderness, NH		SELF	X	
Rep. Glenn Cordelli			Carroll 4		X
Chloe Marchand	Keene, NH		self	X	





# Hearing Minutes

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON SENATE BILL 319-FN

**BILL TITLE:** relative to access to reproductive health care facilities.  
**DATE:** April 22, 2014  
**LOB ROOM:** 208      **Time Public Hearing Called to Order:** 10:32 am  
**Time Adjourned:** 2:00 pm

(please circle if present)

**Committee Members:** Reps. Marjorie Smith, Wahl, P. Sullivan, Horrigan, Watrous, Hackel, Woodbury, Berch, Phillips, Gale, Heffron, Rowe, Luthe, Sylvia, Hopper, Peterson, Takesian, Kappler, Hagan, Notter and S. Palmer

**Bill Sponsors:** Sen. Soucy, Dist 18; Sen. D'Allesandro, Dist 20; Sen. Odell, Dist 8; Sen. Stiles, Dist 24; Sen. Bradley, Dist 3; Rep. Long, Hills 42; Rep. Heath, Hills 14; Rep. Bouchard, Merr 18

TESTIMONY

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

**\*Senator Donna Soucy, Dist. 18, prime sponsor**

Introduced the bill to the committee. Clarification as to signage that would be required to give notification of this restriction. Also amendment will also be offered to further clarify this amendment.

**\*Senator Nancy Stiles, District 24, co-sponsor - support**

This is a necessary measure to protect patient safety and privacy in accessing/seeking medical care and services. Cited example of violations of patient safety and privacy that formerly was routine at prior location of Feminist Health Center in downtown Portsmouth.

**Rep. C. Bouchard, co-sponsor - support**

Offered an amendment (2014-1459h) strikes the balance of privacy for patients without violating rights to free speech. This bill would provide uniform protections and notifications statewide.

**\*Greg Salts (with daughter Hannah Salts), Manchester, NH, representing self, abutters and neighbors - oppose**

Lives across the street from Planned Parenthood of Northern New England (PPNNE) in Manchester. Concerned that enactment of this legislation would place the picketers in front of his house. Represents himself and his family and neighbors. Assets that he has never seen anyone blocking access to the health center. Clinic entrance is on the side not facing Penacook Street. He measured sidewalk in front of PPNNE - 9 feet; sidewalk in front of his house is 4 feet. Asserts that no neighbors or abutters to PPNNE regarding this proposed buffer zone. Hannah concerned about her lack of access if buffer zone enacted.

In response to committee member **Rep. Sullivan**, Hannah recited for us the entire Preamble to the United States Constitution.



**Henry N. Monroe, New London, NH, representing self – oppose**

Feels it is solely intended to restrict freedom of speech; active “pro-life witness” for more than 25 years; has never witnessed any protestor acting in a violent or hostile manner. What is offered is perhaps the “woman in crisis” the only opportunity to hear an alternative to abortion.

**Tess Conroy, Barrington, NH, representing self – oppose**

Very emotional regarding this proposed violation of the First Amendment of the Constitution of both country and this state.

**Former Rep. Phyllis Woods, Dover, NH – oppose**

Speaking on her behalf feels a proposed buffer zone is an “assault on our First Amendment rights” and would be a freedom of speech violation.

**Howard Pearl, Loudon, NH, representing self – oppose**

Opposed to the bill.

**Mary Ann Cooper, Dover, NH, representing self – oppose**

Prays every Tuesday “in front of the abortuary” in Greenland. We pray for the women who are coming there and the staff at the Center. We are giving them a gift. While this bill would have no effect on those who pray, but we are aware that this could start a “slippery slope.”

**\*Laura Thibault, Executive Director, NARAL, Pro-Choice New Hampshire – support**

Will provide documentation of anti-choice violence while not all protesters act in a hostile or threatening manner, there have been documented instances of violence in New Hampshire. The everyday harassment of patients seeking services at reproductive health clinics is concerning enough that we are seeking this buffer zone as a necessary protection for their safety and privacy. It is unfortunate that the disruptive behavior of anti-choice protestors is not only impacting the patients but also the surrounding neighbors in the vicinity of the health center.

**Sr. Mary Rose Reddy, Rochester, NH, representing Daughters of Mary- oppose**

Is concerned about violations of freedom of speech and right to assembly. Asserts that initiatives such as 40 Days for Life “save” babies from being “killed.” Asserts her life to stand and party in front of center.

**\*Veronica Molloy, representing St. Catherine Parish, Manchester, NH - oppose**

Submitted one copy of written testimony.

**\*Beth Scaer, representing 40 Days for Life – oppose**

Submitted written testimony. This bill would violate freedom of speech, freedom of religion, right to assembly, all constitutionally protected rights for all Americans.

**\*Ellen Kolb, representing Cornerstone Action – oppose**

Submitted written testimony. Asserts that this bill would not create a uniform state law as all would be subject to local zoning ordinances.

**Kurt Wuelper, representing Right to Life – oppose**

Asserts that this bill is nothing more than corporate welfare to protect the business of abortion. That those who go there to pray may make patients uncomfortable; as well they should. This bill is an affront to everything rational, moral and constitutional. Abortion for a 14 year old victim of rape is an act of “covering up the crime.” “She shouldn’t be raped again by an abortionist.”

**\*Dalia Vidunas, Executive Director, Concord Feminist Health Center – support**

Submitted written testimony. Provided perspective that most patients are not there for abortions. "abortiondocs.com" website identifies practitioners and staff and increases the anti of targeted violence toward them. Recently, a Concord practitioner received a bomb threat. In addition, to abortion services all other reproductive health care services are provided to men and women.

**Stephen Fournier, Atkinson, NH, representing himself – oppose**

Prays at the Manchester Clinic; has never observed any violence, has only ever seen respectful prayerful presence and attitude with full respect for the private property of the clinics.

**Father Robert Smolley – representing Knights of Columbus – oppose**

This bill is really talking about 50 feet of restricted space. These clinics are businesses as they are not licensed by the state. They are not health centers, but they are businesses. Since they are not licensed, they are only businesses and therefore not entitled to public protections for private businesses.

**Jennifer Frizzell, Senior Policy Advisor, Planned Parenthood of Northern New England (PPNNE)**

**with Erin Sawicki, Site Manager for Manchester facility – support**

Written testimony provided and distributed. Over 60 patient complaints received regarding negative treatment they received en route to accessing health care services.

In response to Rep. Rowe's suggestion that this bill, if enacted, would subject "random loiterers" to unlawful violations. Asserts that this bill specifies that would only be applicable during the operational hours of these facilities and would also provide for a written warning (per suggestion of Police Chief from Manchester, N) for first offenses.

**Erin Sawicki:** Asserts that not all protesters present are engaging in silent prayer; frequently remarks are made that appear to be intended to provoke partners/husbands who are accompanying patients. Also has a concern that photos are being taken of patients and staff and their vehicles and some are being posted on anti-abortion websites.

**William Judd, Concord, NH – oppose**

Did not speak, had to leave.

**Colleen McCormick, Manchester, NH, representing self – oppose**

Is opposed on the ground that as a taxpayer who objects to taxes being expended for std/repro health education and other services that are being provided by Planned Parenthood. Believes this bill would disallow her from using a publicly funded sidewalk and also asserts that public funds are being used to support Planned Parenthood staff and building; and these facilities are not licensed.

**Francis Hynes, Windham, NH, representing self – oppose**

Offers "www.prayforlife center. org" as a source of information. Asserts that everyone going in and out of PPNNE is photographed in Manchester. "Maggie Hassan's First Amendment Bill" is the more appropriated title for this bill. The only violence at these abortions clinics is what takes place inside. Although he was reading from a document, he declined to offer his testimony to the Committee in writing.

**James Rock, Henniker, NH, representing self – oppose**

"The last thing PPNNE wants is an informed patient." This bill is about "silencing the other side."

**Walter Stapleton, Claremont, NH, representing Knight of Columbus PRO-Life, Chairman for Council 1820 – oppose**

We go there to witness to pray for the unborn and for the women as well. We also support the Crisis pregnancy Center. We respect the local ordinances and do not block sidewalks. This bill does not and will not stop bad behavior. Our group neither commits nor condones bad behavior. Not a member of 40 Days for Life ... yet... but have applied.

**Kate Corriveau, Manchester, NH – representing self – support**

Related her personal first hand account of negative encounters with anti-choice protester at PPNNE Manchester.

**\*Jen Robidoux, Windham, NH, representing self – oppose**

As a Prayer for Life Leader with the 40 Days for Life campaign, she provided written testimony.

**Jeane Szuk, representing self – oppose**

Prays regularly at the Manchester PPNNE. Is there to help them and redirect patients to the Crisis pregnancy Center. We are not violent, we do not threaten or harass. We offer help.

**Charlotte Autal, Bradford, NH, representing self and sidewalk counselors – oppose**

Speaking on behalf of other sidewalk counselors; we share our stories. This bill would silence the stories; many are former patients.

**David Ross, Hooksett, NH, representing self – oppose**

Silent prayer- not protests - bearing witness. We are not violent; we do not block access. PPNNE lies. First Amendment applies to us all. No regulations on what they do there. This bill is so they can operate in complete secrecy.

**Maria Hey, Hudson, NH, representing self – oppose**

Wife, adoptive mother and teacher at Holy Family Academy. Walks and prays at PPNNE in Manchester. Quietly and lawfully walk and prays. This bill would prohibit me from exercising my constitutional rights of speech, religion and assembly.

**Catherin Kelley, Auburn, NH, representing self – oppose**

Spends 8 to 10 hours weekly at PPNNE to help women prayerfully, quietly and respectfully.

**Elizabeth Breuder, Bedford, NH, representing New Hampshire Right to Life – oppose**

Feels that the bill is unconstitutional and unreasonable.

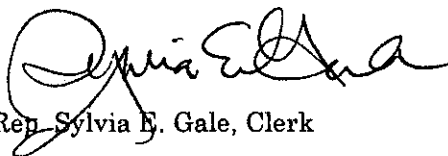
**Rep. Kathleen Sousa, Hills 43 – oppose**

She is at PPNNE clinic in Manchester as often as possible. There to help women and children; doesn't think it's fair that we should have to go across the street to do our work to give care and information about the nearby Crisis Pregnancy Center which we do t provide help and support. This would not be fair to the neighbors.

**Rep. John Burt, Hills 06 – oppose**

This bill would do nothing more than take away the First Amendment rights of New Hampshire citizens.

Respectfully submitted,



Rep. Sylvia E. Gale, Clerk

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON SENATE BILL 319-FN

BILL TITLE: relative to access to reproductive health care facilities.

DATE: 4-22-14

LOB ROOM: 208

Time Public Hearing Called to Order: 10:32

Time Adjourned: 2PM

(please circle if present)

Committee Members: Reps. Marjorie Smith, Wall, P. Sullivan, Horrigan, Watrous, Hackel, Woodbury, Berch, Phillips, Gale, Heffron, Rowe, Luther, Sylvia, Hopper, Peterson, Takesian, Kappler and Hagan. (Notter) (S. Palmer for Hopper)

Bill Sponsors: Sen. Soucy, Dist 18; Sen. D'Allesandro, Dist 20; Sen. Odell, Dist 8; Sen. Stiles, Dist 24; Sen. Bradley, Dist 3; Rep. Long, Hills 42; Rep. Heath, Hills 14; Rep. Bouchard, Merr 18

TESTIMONY

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

- ① ~~+~~ Sen. Donna Soucy Bill Sponsor to introduce bill to Comm. See (only one copy of written testimony) - clarification as to signage that would be required to give notice of this restriction. Also amendment will be offered to further clarify this issue.
- ② + Sen. Nancy Stiles - co-sponsor and in support of this bill. - This is a necessary measure to protect patient safety and privacy in accessing/seeking medical care and services. Cited example of violations of patient safety and privacy that formerly was routine at prior location of Feminist Health Center in downtown Portsmouth.
- ③ + Rep C. Bouchard - co-sponsor also offered an amendment and speaks to that amendment (2014-1459(h)) that strikes the balance of privacy for patients without violating rights to free speech.

② Bouchard (cont) This bill would provide uniform protections and modifications nationwide.

④ Greg Salts w/ daughter Hannah Salts opposed to bill - lives across the street from PPNNE in Manchester. Concerned that enactment of this bill would place the picketers in front of his house. Represents himself and his family and neighbors. Asserts that he has never seen anyone blocking access to the health center. Clinic entrance is on the side - not facing Penacook St - measured sidewalk in front of PPNNE - 9 feet - sidewalk in front of his house is 4 feet. Asserts that no neighbors or abutters to PPNNE regarding this proposed buffer zone. Hannah concerned about her lack of access to sidewalk if buffer zone enacted. In response to question from Committee member Sullivan Hannah recited for us the entire Preamble to the US Constitution

⑤ Henry Monroe - representing himself in opposition to bill. feels it is solely intended to restrict freedom of speech - active "pro-life witness" for more than 25 years. - has never witnessed any protester acting in a violent or hostile manner. - what is offered is perhaps the "woman in crisis" the only opportunity to hear an alternative to abortion

⑥ Jess Caroy very emotional regarding this proposed violation of the First Amendment of Constitution

③

4-22-14

SB 319

⑥ Conroy (cont)

of both the country and this state.

⑦ (former) Rep. Phyllis Woods - speaking

⊖

on her own behalf in opposition - feels a proposed buffer zone is an "assault on our first amendment rights" - would be a freedom of speech violation

⑧ Howard Pearl - representing

⊖

himself in opposition to bill

⑨ Mary Ann Cooper representing herself

⊖

- prays every Tuesday "in front of the abortuary" in Greenland. We pray for the women who are coming there and the staff at the center - we are giving them a gift. - While this bill would have no effect on those who pray, but we are aware that this could start a "slippery slope"

+ ⑩

Laura Thibault - NARAL ProChoice

\* ⊕

Dr H; Executive Director - will provide documentation of anti-choice violence

(4)

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Thibault (cont)

While not all protesters act in a hostile or threatening manner there have been documented instances of violence in NH.

- The everyday harassment of patients seeking services at reproductive health clinics is concerning enough that we are seeking this buffer zone as a necessary protection for their safety and privacy. Unfortunately that the disruptive behavior of anti-choice protestors is not only impacting the patients but also the surrounding neighbors in the vicinity of the health center

(11) Sr. Mary Rose Reddy - concerned

- about violations of freedom of speech, right to assembly - asserts that initiatives such as "40 Days for Life 'Save' babies from being killed" - asserts her life to stand and pray in front of center

(12) Veronica Molloy - representing St. Catherine Parish in Manchester

⑤ 4/22/14  
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Molloy (cont)

left one copy of written testimony.

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⑬ Beth Scaer representing 40 Days for Life - has submitted written testimony - this bill would violate freedom of speech, freedom of religion, right to assembly all constitutionally protected rights for all Americans

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⑭ Ellen Kolb - Cornerstone Action - opposed to bill has submitted written testimony - asserts that this bill would not create a uniform state law as all would be subject to local zoning ordinances

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⑮ Kurt Wuepfer NAR Right to Life - asserts that this bill is nothing more than corporate welfare to protect the business of abortion. Asserts that those who go there to pray may make patients uncomfortable, as well they should - this bill is an affront to everything ~~rational~~



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## Woolper (cont)

rational, moral, and constitutional  
- abortion for a 14 year old victim of rape is an act of "covering up the crime."

⑩ - "She shouldn't be raped again by an abortionist."

## ⑩ Dalia Vidunas - Concord

+

\*

submitted written testimony  
- provided perspective that most patients are not there for abortions -  
- "abortiondocs.com" web-site identifies practitioners and staff and increases the ante of targeted violence toward them. Recently a Concord practitioner received a bomb threat. In addition to abortion services all other reproductive health care services are provided to men and women.

③ ⑩ Stephen Fournier - representing himself in opposition to this bill.  
- plays at the Manchester Clinic - has never observed any violence - has only ever seen ~~see~~ respectful prayerful presence and attitude with full respect for the

Fournier - (cont) - private property of the clinics

⑮ Father Smalley - This bill is really talking about 50 feet of restricted space - these clinics are businesses as they are not licensed by the state they are not health centers, but they are businesses - Represents Knights of Columbus - Since they are not licensed, they are only businesses and therefore not entitled to public protections for private businesses.

⑯ Jennifer Frizzell Planned Parenthood of Northern New England - with Erin Sawicki site mgr for Manchester facility - written testimony provided and distributed.

- Over 60 patient complaints received regarding negative treatment they received enroute to accessing health care services

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### Frizzell (cont)

- in response to Rep Rowe's suggestion that this bill, if enacted, would subject "random loiterers" to unlawful violations - asserts that this bill specifies that would only be applicable during the operational hours of these facilities and would also provide for a written warning (per suggestion of Police Chief from Manchester) for first offense.

Erin asserts that not all protesters present are engaging in silent prayer - frequently remarks are made that appear to be intended to provoke partners/husbands who are accompanying patients.

- Also concerns that photos are being taken of patients and staff and their vehicles and some are being posted on anti-abortion web-sites.

(20) William Judd - had to leave

21 Colleen McCormick

①

opposed to bill on the grounds that as a taxpayer who objects to taxes being expended for STD/repro health education i. other services that are being provided by Planned Parenthood.

- believes this bill would disallow her from using a publicly funded sidewalk and also asserts that public funds are being used to support PP staff and buildings
- also these facilities are not licensed

22

22 Francis Hynes - offers

②

[www.prayforlifecenter.org](http://www.prayforlifecenter.org) as a source of information - asserts that everyone going in & out of PP MYE is photographed in March - "Maggie Hassan's First Amendment Bill" is the more appropriate title for this bill - ~~this bill~~ the only violence at these abortion clinics is what takes place inside. Although he ~~was~~ was reading from a document, he declined to

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Offer his testimony to the Committee  
in writing.

① ②③ James Rock representing himself  
- in opposition to the bill  
- "the last thing PP wants is  
an informed patient" This  
bill is about "silencing the  
other side".

① ②④ Walter Stapleton - representing  
Knights of Columbus - Pro Life  
Chairman for Council 1820  
- we go there to witness  
to pray for the unborn  
and for the women as  
well - We also support  
the Crisis Pregnancy Center.  
- We respect the local  
ordinances and do not  
block sidewalks. This  
bill does not & will not  
stop bad behavior - our  
group neither commits  
nor condones bad behavior.  
- Not a member of 40 Days  
for Life ... yet ... but have  
applied

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~~Maple (cost)~~

(+) (25) Kate Corriveau - personal first hand account of negative encounters with anti-choice protesters at PP in Manchester

(-) (26) Jan Robidoux - representing herself and as a Prayer for life leader; provided written testimony

(-) (27) Jeanne Szuk - prays regularly at March PP - there to help them and redirect patients to the Crisis Pregnancy Center - we are not violent, we do not threaten or harass - we offer help.

(-) (28) Charlatte Aulul - speaking on her own behalf & on behalf of other sidewalk counselors - we share our stories - this bill would silence the stories - many are former patients

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① 29) David Ross - representing himself -  
silent prayer ~~not~~ protest  
- bearing witness - we are  
not violent we do not block  
access - PP lies - 1st  
amendment applies to  
us all - no regulations on  
what they do there - This bill  
is so they can operate in  
complete secrecy

① 30) Maria Hey - wife & adoptive  
mother & teacher at Holy  
Family Academy - walk & pray  
at PP in Manchester - quietly  
& lawfully walk and pray -  
This bill would prohibit me  
from exercising my constitutional  
rights of speech, religion, &  
assembly

① 31) Cathrine Kelley - spends 8-10  
hours weekly at PP to  
help women prayerfully,  
quietly, respectfully.

① 32) Elizabeth Breuder - NH Right  
to Life - feels that bill

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Brenda (cont)

is unconstitutional & unreasonable.

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③ Rep Kathy Sousa - is at  
PP Clinic in Manchester  
as often as possible -  
There to help women and  
children - doesn't think  
it's fair that we should  
have to go across the street  
to do our work to give  
care and information about  
the nearby Crisis Pregnancy  
Center which we do to  
provide help and support.  
This would not be fair  
to the neighbors.

①  
②  
③ Rep. John Bart - This bill  
would do nothing more  
than take away the  
1<sup>st</sup> Amendment rights of  
NH citizens.



# Testimony

## **SB 319 Access to Reproductive Health Care Facilities**

### **Testimony of Sen. Donna Soucy**

Good morning Madame Chairman and members of the Judiciary Committee. I am Senator Donna Soucy representing Dist. 18 which is made up of Wards 5 through 9 in the City of Manchester and the Town of Litchfield.

This legislation is about two things – public safety and balance.

I introduced this legislation at the request of several Manchester residents who have had challenging, unpleasant and most importantly – frightening and threatening experiences while trying to access services at our local reproductive healthcare facility. I also have concern for the health care professionals whom I believe should be able to come and go from work without harassment or intimidation.

The bill establishes reasonable parameters by which patients can access the health care facility while at the same time balancing and respecting

the 1<sup>st</sup> amendment rights of those individuals wishing to express their opinions on the public sidewalk adjacent to that facility.

The buffer zone as proposed in Senate Bill 319 walks the fine line between public safety, privacy rights and free speech. However this statute is directed at behavior and location, not speech. Twenty-five feet is about the distance of 1 and ½ city parking spaces. It is a narrowly tailored corridor that ensures the entrance and the area immediately surrounding it-- will be clear for both vehicles and pedestrian traffic.

Outside the buffer, no limit is placed on what protestors say or how they say it. In fact, their voices can still be heard and their signs can still be read.

In preparation for this hearing I met with the Chief of Police David Mara of the City of Manchester, who reviewed the legislation and provided me with some very thoughtful and constructive comments relative to the enforcement of the bill. Chief Mara recommended that all warnings and violations of this proposed legislation should result in written citations.

An amendment will be offered to the committee to incorporate the

Chief's recommendation and in addition will require consultation with local law enforcement and public works officials prior to the placement of signage.

When I met with Chief Mara he was aware of some of the ongoing issues that patients face when they try to gain access this facility. He was also aware that the Manchester Planned Parenthood facility intermittently retains the services of off-duty police officers to maintain safe access for its patients. In fact, Chief Mara ran a report from the police log for me indicating that there had been 10 calls for police assistance at that health center in 2013 and 8 of them involved the behavior of picketers or protestors.

In addition to the comments of those who would enforce this legislation, you will hear and later be able to read firsthand accounts of the difficulties and in some cases downright scary experiences that patients have had trying to access the facility.

Some of you may be aware that the US Supreme Court is currently considering constitutional questions regarding this type of legislation in

Massachusetts. This bill was tailored to address many of the concerns raised in that case. It does not favor one side of the abortion issue over the other; it simply establishes a corridor for safe passage.

There is plenty of precedent in New Hampshire for balancing competing state interests. Our laws already create a minimum of 10-foot buffers around the entrance to polling places and we prohibit any picketing or protest within 150 feet of funerals and memorial services. And it is worth noting that the Supreme Court itself has even enacted a 250 foot buffer zone on the plaza outside its building.

I don't think we need to wait for permission from the Supreme Court to ensure safety for our constituents. If the Court were to issue a decision that offers us guidance, then this legislation can simply be amended.

However, the problem this legislation addresses is current and is ongoing – therefore we need to act now to put protections in place for our constituents who access reproductive health care facilities.



Greg Salts and his wife, Febie, and daughter, Hannah, 9, of Manchester, are concerned with the possibility of a new law requiring protesters, seen in the background, to gather at least 25 feet from the Planned Parenthood located across the street from his Pennacook Street home.

JOSH GIBNEY/UNION LEADER

# Too close for comfort

## Clinic neighbor worries about expanding buffer zone

**I**T'S GOTTA BE TOUGH to be in the abortion business.

Right-leaning politicians and lawyers are always cooking up ways to shut you down. And every day you go to work, you can expect to see people out there with signs, rosary beads, pamphlets, even bullhorns.

You might say it comes with the territory.

But that territory may soon be moving to the front of the house of Greg Salts, who has nothing to do with abortions.

Salts lives on the densely populated Pennacook Street, across from the Planned



### City Matters

Mark Hayward

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Parenthood clinic where abortions take place. He bought the house 10 years

ago, and he said the protests and confrontations, while not far away, were at least across the street.

But legislation has already passed the New Hampshire Senate to create a 25-foot buffer zone that would essentially push protesters to the sidewalk in front of his house.

"What I am concerned about is pro-life picketers with graphic signs standing on the sidewalk directly in front of my house and leaving the impression that I am an abortion doctor whom they're protesting," Salts said. "Planned Parenthood

▷ See City Matters, Page A8

has bullet-proof windows. I don't."

Another resident of Pennacook Street, who would not give his name, said he favors abortion rights, but doesn't want protesters on his side of the street, praying Hail Marys outside his bedroom window.

"If they're here, I'm going to be running out screaming at these people," he said outside his apartment.

Salts and his neighbor find themselves on a narrow sidewalk, one that straddles two opposite forces that frequently collide head-on.

On one side, Planned Parenthood insists its patients have the right to harassment-free health care, which includes a wide range of services, not just abortion. Planned Parenthood said patients are accosted while entering the clinic. At best, they're handed pamphlets and urged "don't do it," according to accounts compiled by Planned Parenthood of Northern New England.

At worst, they're called baby killers and have their pictures taken, according to the accounts.

On the other side are pro-lifers, who say they have a constitutional, First Amendment right to be outside the clinic. They say most of the people pray quietly, while a few "concolor" approach patients and ask them to take material or reconsider.

Last week, a daily prayer vigil — Forty Days of Life — started and will continue through mid-April. The pro-lifers, who object to being called protesters, said they received their share of taunts. In 2004, police arrested a neighbor for pointing a shotgun at them.

If forced, they will move across the street.

"I don't think we should be across the street. We should be in front of this place," Jeanne Szulc said last week.

Salts said he's worried about the safety of his family.

"I've seen people get out of their cars and scream at (the protesters). But that's all happened across the street. There's a degree of separation," Salts said.

(Salts is a former Repub-

lican state representative, who served a term in the early 2000s. Pictures on the wall of his house portray his Christian faith, but he said abortion was never his issue. Most recently, he pressed Second District Congresswoman Annie Kuster about Benghazi during a public forum, and she was criticized for saying Libya isn't in the Middle East.)

Planned Parenthood policy advisor Jennifer Frizzell said the buffer zone is an effort to balance a patient's access to legally protected health services with public safety and an individual's right to privacy.

She said she can't speak about where protesters position themselves.

Asked about the neighbors, she said they should be concerned about the Pray for Life Center, which opened in a first-floor apartment next door to Salts about year ago. It's a gathering space for protesters, she said, and their numbers have increased since it opened, Frizzell said.

"They should work to

protect their residential space in the neighborhood from the Pray for Life Center," Frizzell said.

What it comes down to is that the 20-block of Pennacook Street — a residential zone — was never meant for a Planned Parenthood clinic.

In 2001, city regulators nixed the Planned Parenthood clinic for the neighborhood, in part because of objections from pro-lifers, but also because neighbors objected. A court case followed, and the clinic eventually opened in a former auto-parts store.

So now there may be buffer zones, and legally mandated signs delineating "reproductive health center patient safety zone."

Frizzell said the location is great. It's visible, accessible, and close to other medical facilities.

"We really value the location," she said, "and think it's a critical location for access."

Mark Hayward's City Matters appears Thursdays in the New Hampshire Union Leader and on UnionLeader.com. He can be reached at [mhayward@unionleader.com](mailto:mhayward@unionleader.com).



**NARAL**  
Pro-Choice New Hampshire

To: House Judiciary Committee  
From: Laura Thibault, NARAL Pro-Choice New Hampshire  
Date: April 22, 2014  
Re: S.B. 319

---

Thank you Chairwoman Smith and Committee members for your time. My name is Laura Thibault and I am here on behalf of NARAL Pro-Choice New Hampshire's statewide membership in strong support of Senate Bill 319.

No one should face violence, harassment, or intimidation while attempting to access safe, legal health services, and no one should face threats of violence on their way to work. Unfortunately, this is the reality for many reproductive health care workers and the women seeking their care in New Hampshire.

We recognize that not all protesters contribute to the intimidating and sometimes dangerous environment outside health centers. However, we cannot afford even one act of violence toward a New Hampshire woman or health provider and we should not tolerate the current harassment and intimidation happening outside reproductive health facilities in our state. The Patient Safety Zone to be established by SB 319 strikes the right balance between protecting free speech and protecting citizen access to abortion care, free from harassment.

Since 1977, opponents of abortion have directed more than 6,400 reported acts of violence against abortion providers including bombings, arsons, death threats, kidnappings, and assaults, as well as more than 175,000 reported acts of disruption, including bomb threats and harassing calls. In New Hampshire, health centers, providers, and patients have been victims of verbal harassment, physical obstruction, death threats, anthrax scares, and arson. We need to send a strong message that this behavior will not be tolerated in our state.

Regardless of your individual perspective on abortion, ensuring patients can access legally protected health care services serves the state interests of advancing public safety and the right to privacy. It's time for New Hampshire to join the sixteen states, the District of Columbia, and the federal government in establishing a law that protects patients and providers at reproductive health care facilities.

Thank you again for your time and the opportunity to register our strong support.





**NARAL**  
Pro-Choice New Hampshire

To: Senate Judiciary Committee  
From: Laura Thibault, NARAL Pro-Choice New Hampshire  
Date: April 22, 2014  
Re: S.B. 319 Frequently Asked Questions

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**Shouldn't we wait to act on SB 319 until the Supreme Court rules on the Massachusetts Buffer Zone law?**

We value free speech AND the right to privacy in New Hampshire—we support this law because it is narrowly tailored to ensure that both rights are protected.

Should the Supreme Court establish new guidelines for buffer zones then this bill can be amended to reflect the latest landscape. In the meantime, we should act without delay to put protections into place to keep patients, providers, and the public safe.

**Don't current New Hampshire laws already provide protection against violence and intimidation?**

Women and abortion providers' painful, real-world experiences have shown that general laws prohibiting violence and intimidation do not provide sufficient protection against the unlawful and often violent tactics used by some abortion opponents to harass the patients and staff at health centers.

**Do law enforcement officials support the concept of a Patient Safety Zone?**

This legislation was developed with input from law enforcement and municipal officials who need better tools to proactively maintain public order and protect patient safety.

Having clarity about boundaries will help law enforcement and health center security balance everyone's rights.

**Isn't a buffer zone just a means to shut down protesters you don't agree with?**

No. Regardless of personal views on abortion, ensuring patients can access legally protected health care serves the state interests of advancing public safety and the right to privacy.

**Doesn't the Federal Freedom of Access to Clinic Entrances Act (FACE) already protect women?**

While the FACE Act makes it unlawful for any person to obstruct or interfere with another's access to reproductive health services, there is no corresponding state or local protection.

## **SB 319: Relative to Access to Reproductive Health Care Facilities**

**Statement: Veronica Molloy, 95 Joe English Lane, Manchester NH 03104**

**Public Hearing of April 22, 2014:**

**NH House of Representatives Judiciary Committee**

### **Planned Parenthood Zoning History in Manchester:**

Planned Parenthood remodeled an auto repair shop located at 24 Pennacook Street in Manchester in 1999 through a variance to permit "office space" at that location. Subsequently, Pennacook Street neighbors learned that the remodel included "bullet proof" glass and that their neighborhood medical office occupant would be abortion provider Planned Parenthood. Neighbors took legal action. An extremely contentious battle engaged the Manchester community well beyond the immediate neighborhood in an effort to overturn the variance decision. Planned Parenthood prevailed due to untimeliness, rather than the substance of the objections raised.

### **Remodeled Structure Accommodates Specific Needs & Concerns:**

Planned Parenthood modified the existing structure at 24 Pennacook to meet specific needs of their business as they prepared to occupy the property. Business entrances on the east and west sides of the building are set back well within the 24 vehicle parking areas almost exclusively situated within fenced property perimeters with exception of access driveways. No egress exists at the front of the building where there is convenient access to the street and sidewalk. Instead, narrow horizontal windows fitted with bullet proof glass are located high on the structural face to prevent visibility of the interior building.

"No Trespassing" reads a sign on the fenced parking lot of 24 Pennacook Street. An orange line clearly delineates the property line of the business where the property is not fenced across the driveways. Planned Parenthood employs a private security guard on every Thursday, "abortion day" at the clinic. The guard is posted at the client driveway entrance and regularly inspects the staff parking area. An escort service for clients is provided by Planned Parenthood on an

Veronica Molloy Testimony to House Judiciary Committee SB 319,  
April 22, 2014, page 2

intermittent basis on “abortion day”. Not all clients are escorted from their vehicle within the fenced parking lot to the business entrance door, or to their vehicle when exiting the building following an abortion procedure. Therefore, escort services do not appear to be based upon a general or pervasive concern for the “safety and privacy” of abortion services clients or staff. Escort services may be simply an attempt by Planned Parenthood to retain abortion service clients inclined to accept a sidewalk counselors alternative crisis pregnancy information or post abortion counseling.

Manchester Police personnel are occasional hired for duty at the Planned Parenthood facility on Pennacook Street. Uniformed, private contract detail Manchester Police personnel assisted the usual paid security person recently on at least two “abortion days” just prior to the NH Senate hearings and vote on SB 319 . A show of uniformed Manchester Police orchestrated by Planned Parenthood *staged the perception of need for consistent assistance* from Manchester law enforcement just when interested legislators might be expected to drive by the Planned Parenthood location to observe the situation in person.

All of this costs Planned Parenthood money. Planned Parenthood is free to cease to provide “abortion on demand” if abortion service is a fiscal drain on profits. For example, Planned Parenthood outsources clients seeking instruction in the use of natural planning methods due to costs associated with client education contacts.

**What is “Sidewalk Counseling” and “Prayer Support”:**

Sidewalk counselors make themselves available at the Pennacook Street Planned Parenthood location to distribute information about abortion alternatives to women and their partners in crisis pregnancy situations. Prayer volunteers present in the general area generally do not interact with Planned Parenthood clients or staff and stand apart from any counselor attempting to speak with persons entering Planned Parenthood. The intention to offer information about alternatives to abortion sets the sidewalk counselor’s standard for behavior. Sidewalk counselors encourage

women and their partners to approach in order to learn about crisis pregnancy and post abortive services. Though Planned Parenthood insists otherwise, intimidation of potential clients who are making a decision to engage about crisis pregnancy with sidewalk counselors is actively avoided as counterproductive to our endeavor.

### **SB 319: Business Buffer Zone vs Rights of Citizen Activists**

In 1999, Planned Parenthood anticipated impact from strong alternative sentiments about “reproductive choice” as the remodeled building designed to protect against threat, safety and privacy issues associated with the abortion industry opened.

If fifteen years later, Citizen Activists on the sidewalk in front of Planned Parenthood operations in NH are denied the right to distribute information about alternatives to abortion, then all Citizen Activists must be zoned away from all businesses under public scrutiny or subject to “demonstrations”. Consider that:

Monsanto, as the leading maker of “GMO Round Up Ready Corn”, is regularly opposed by citizen activist coalitions like “Occupy Monsanto” demonstrating for “GMO” labels. Vermont is just one step away from a “GMO” Label Law. “GMO” demonstrators may be outside NH Food Stores talking with the public soon.

Gun control activists could turn up outside Riley’s Gun Shop in Hooksett, downtown in Concord or within 25 feet of any gun manufacturing business in NH.

Office supply store “Staples” may rightfully request that the State of NH impose a 25 foot buffer zone law at Staples locations because the APWU pickets Staples to inform the public that the US Postal Service is outsourcing Union jobs to Staples.

ALL these business could request a 25 foot buffer zone to censor opposing voice.

**In conclusion, The Right to be a NH Citizen Activist operating within existing law governing demonstrations, pickets and the distribution of information to the public is vital to our state and nation. This right belongs to the citizens of NH.**

**Please vote “NO” on SB319.**

Comments for House Judiciary Committee Hearing on SB 319

Beth Scaer  
Nashua, NH  
[bscaer@gmail.com](mailto:bscaer@gmail.com)

April 22, 2014

My name is Beth Scaer, I live in Nashua, and I am on the leadership for 40 Days for Life. As part of 40 Days for Life we pray in front of abortion clinics. We pray for the end of abortion, for the well-being of the moms and their babies and for the conversion of the abortion clinic workers. Everyone who participates in 40 Days for Life signs a statement of peace. We forswear any kind of conflict, harassment, or violence.

When I found out that there was a bill that would take away our right to peacefully pray in front of Planned Parenthood I was stunned. The Bill of Rights guarantees our freedom of speech and freedom of religion, even the public expression of religion. I never imagined that I, as a peaceful and law-abiding citizen, would have my freedom of speech and religion taken away. It is scary to me to realize that, if this bill passes, that I could be arrested for standing and praying on a public sidewalk. And if I can be arrested for peacefully praying whose speech is safe? What new restriction on speech will be next? This hits at the heart of our liberty. Without freedom of speech, all our other rights are at risk.

Planned Parenthood in Manchester leases a building with 3 feet of land between the building and the public sidewalk. I can understand that they would like more space but they have the option of leasing a building with more space in front instead of restricting access to the public sidewalk in front of their building. They are, in essence, taking control of the public space without having to pay for it. It is a great deal, financially, for them, but at what cost for the rest of us?

The issue here is not abortion and how one feels about abortion but about our fundamental rights of freedom of speech and religion. Please protect these precious freedoms and vote NO on SB 319.

Thank you.



Contact: Ellen Kolb \* 603-321-2703 \* [ekolb@nhcornerstone.org](mailto:ekolb@nhcornerstone.org)

To: House Judiciary Committee

Date: 4/22/14

**Cornerstone opposes Senate Bill 319**, regarding access to "reproductive health care facilities."

We have heard from New Hampshire residents who want to know what this bill means for people who pray outside abortion facilities. All we can do is refer them to the text of SB 319, which seems to make prayer within 25 feet of an abortion facility illegal. There is no exemption in the law for people who bear silent witness against abortion without interacting with women entering the abortion facility.

We are aware of the *McCullen v. Coakley* case from Massachusetts, now pending before the Supreme Court. We know the First Circuit has let Massachusetts's 35-foot "buffer zone" stand. As we await the Supreme Court's ruling, we ask that you not be in a hurry to silence your New Hampshire neighbors.

The bill seeks to regulate the behavior of anyone expressing opposition to abortion within 25 feet of where abortions take place, no matter how peaceful and nonconfrontational that opposition may be. That's a very wide net to cast in an attempt to protect access to abortion. This bill draws no distinction between a person who physically accosts a patient seeking abortion and a person who prays nearby without making contact with a patient.

Violence towards people and property is already illegal, and rightly so. There is already a federal "clinic access" law on the books, cited in the text of the bill. Trespassing and disorderly conduct are already against the law. Cities may impose permit requirements for assembly. Yet the sponsors of SB 319 would have us believe that the bill is necessary to reduce the chance of "disputes and potentially violent confrontations."

We fail to see how a new law banning silent prayer will reduce anything aside from First Amendment rights. SB 319 goes beyond forbidding interaction between demonstrators and patients, which in itself raises free-speech questions. It would forbid a pro-life witnesses's mere presence in a specified area for no reason other than that an observer might feel "fear and intimidation" at the sight of such a person. That's hardly a balance of rights, and it's reason enough to reject SB 319.

***Cornerstone Action is the legislative and issue advocacy arm of Cornerstone Policy Research.  
Cornerstone Policy Research is a New Hampshire non-partisan, non-profit pro-family  
education and research organization.***



**Concord Feminist Health Center**  
*Quality~Compassion~Respect - Since 1974*

April 22, 2014  
House Judiciary Committee  
Testimony on SB 319

Thank you for reading the following testimony. My name is Dalia Vidunas. I am the Executive Director of the Concord Feminist Health Center. I am here to let you know that I am in support of SB319, relative to establishing a buffer zone for reproductive health care facilities.

Several times a week, protesters mobilize in front of the Concord Feminist Health Center (CFHC) harassing people, both patients and staff, as they enter into the facility. Protesters assume that every person who enters into the Health Center is there seeking an abortion. The fact is that majority of patients that come to CFCH are seeking routine medical services such as annual exams, cancer screenings, GYN care, etc. Yet the protesters will do not discriminate and will bully all try to enter the Health Center. Several weeks ago, during the latest 40 Days for Life Campaign that targeted CFHC, over 400 protesters came to intimidate our patients.

Most protesters appear to be sympathetic figures, which then makes it appear as though buffer zones prevent harmless protesters, mainly good-natured grandmothers and grandfathers, from peacefully striking up conversations outside of clinics. But this is a gross mischaracterization of what actually goes on in front of CFHC. It is true that most protesters at CFHC do not scream and shout at patients. Instead, they play a type of cat and mouse game, in terms of what they can get away with. They know trespassing on CFHC property is illegal and that it is illegal to physically impede access to a facility. So instead, protesters will often completely surround a patient walking on the sidewalk as they pray for her, making it difficult for her to walk without walking into one of them. Repeatedly, protesters will stand directly in front of the parking meters at CFHC, blocking access to put money into the meters. When I have asked protesters to please move and not block the City's parking meters or to not invade a patient's space and allow her to walk unimpeded, I have been met with comments such as "Go ahead and call the cops. I dare you." The times I do call the police or the city of Concord's Code Enforcement Department, the protesters quickly get into their cars and leave as soon as they see officials arriving.

The following is a list of common harassment and intimidation tactics often utilized by anti-choice protesters at CFHC:

- Approaching and/or blocking the cars of clients
- Blocking access to parking meters
- Videotaping and photographing of clients
- Posting pictures of clients on the internet
- Recording license plate numbers of clients

- Calling clients derogatory names and/or accusing them of murder
- Passing out pamphlets and leaflets containing inaccurate statements/information
- Posting pictures of doctors and staff on the internet (an example of this is <http://abortiondocs.org/> which has pictures of New Hampshire medical providers and staff, accusing them of being part of an "abortion cartel").

I ask you to not underestimate the impact of these actions and the hateful things that get shouted and screamed. A woman and her husband, who came to CFHC to obtain miscarriage management services for a very wanted pregnancy, had to face protesters who yelled "Don't kill me mommy!" This patient was devastated by the loss of her pregnancy only to have her grief grow exponentially because of the protesters. The husband was just as distraught and angry, feeling helpless that he couldn't protect his family from this verbal assault. When he entered the Health Center he wanted to punch the person who had said those things to his wife. We were able to calm him down and provide the medical care his wife desperately needed. Just imagine if this woman was you, or your wife, or daughter, or sister, or niece, or aunt?

As a result of this kind of bullying and intimidation, CFHC has trained volunteer escorts to assist patients in entering the Health Clinic. Their primary duty is to ensure that patients can safely and comfortably access CFHC when anti-choice protesters are present. When escorts are not available and patients have indicated that they are afraid of the protestors, I personally escort them to and from their cars. I do it myself because I don't want to ask my staff to put themselves in possible danger and harassment by the protestors.

Every person in this state has the right to access legal health care without fear of intimidation and repercussions. Patients who come to the Concord Feminist Health Center are simply exercising their right to legal medical care. They deserve the same right as everyone else, to obtain legal health care without fear.

I ask you to please pass SB319. Thank you for your attention.

Dalia Vidunas, MSW

Executive Director

Concord Feminist Health Center

603-225-2739

[dalia@feministhealth.org](mailto:dalia@feministhealth.org)



**SB 319**            **Relative to Access to Reproductive Health Facilities**  
**Committee:**    **House Judiciary**  
**Date:**            **April 22, 2014**  
**Position:**       **SUPPORT**

**Planned Parenthood of Northern New England (PPNNE) is the largest provider of reproductive and sexual health care for women, men and teens across the State of New Hampshire. We serve New Hampshire residents through 6 health centers in Claremont, Derry, Exeter, Keene, Manchester and West Lebanon. Last year we saw nearly 16,000 patients at these sites. We offer surgical and/or medication abortion at 3 of our NH locations.**

#### **BACKGROUND**

Reproductive health centers in New Hampshire have never been free of picketing and protest activity. However, in the past two years the volume and frequency of protests has increased and the escalating type of tactics that some protestors are willing to use has resulted in increased patient harassment and increased need for on-site security. Obstructing the driveway entrance, blocking on-street parking spaces, photographing patients and staff and verbal assaults have become routine complaints from our patients and their family members. Protestors gather in front of the entrance and create barriers for patients seeking to access health center and they invade the privacy of those who do not want to engage in dialogue entering or exiting. The escalation in activity over the past year corresponds with the acquisition of a residential property immediately across the street which is used as a headquarters for protest activity. We also had two separate 40 day protest marathons in 2013 where group protest activity occurs in the neighborhood for 40 consecutive days at a time.

#### **PUBLIC SAFETY IS AT RISK**

There are currently no legal protections or restrictions preventing a protestor from getting right in the immediate physical space of a patient walking on a sidewalk or trying to access an entrance to a health center. The federal Freedom of Access to Clinic Entrances Act F.A.C.E. makes it unlawful for any person to obstruct or interfere with another's access to reproductive health care services but there is no corresponding state or local protection.

In Manchester in the past year Planned Parenthood has had to increase our health center security and call the police on multiple occasions to protect patient access and safety or address traffic / congestion problems. In 2013 we had 10 documented incidents where the police were called including incidents of disorderly conduct, picketers obstructing patient access and traffic and trespassing on the health center premises.

Health center security cost PPNNE more than \$45,000 in 2013 alone.

#### **PUT AN END TO PATIENT AND STAFF INTIMIDATION AND PHYSICAL OBSTRUCTION**

For certain, not all protestors utilize objectionable tactics or create an environment of intimidation and obstruction. However, the disruptive and intrusive conduct of some has led to more than 60 patient complaints logged in the past year. We have been working more closely with the Manchester Police Department and state and federal authorities recently based on threats that have been made toward our staff and photographs that have been taken of them and posted on opposition websites.

We are striving to create an environment that allows patients to obtain all reproductive health care, including abortion, in a manner that is safe and private and respectful. And we're asking for your help.

Having clarity about boundaries will help law enforcement and health center security balance everyone's rights.

**A 25-FOOT BUFFER ZONE WILL PROVIDE A SAFE SPACE FOR UNOBSTRUCTED PATIENT ACCESS WHILE PRESERVING THE RIGHT TO PROTEST OR PROVIDE SIDEWALK COUNSELING CONSISTENT WITH THE FIRST AMENDMENT**

For more information contact: Jennifer Frizzell, Senior Policy Advisor [jennifer.frizzell@ppnne.org](mailto:jennifer.frizzell@ppnne.org) 603.513.5334

## IN THEIR OWN WORDS

### Patients Speak in Favor of a Buffer Zone at New Hampshire Reproductive Health Facilities

When I arrived they were in front of the driveway preventing me from driving in. I had to rev my engine to make them move. It was intimidating as they surrounded my car before I could get through. Walking from the car they started yelling at me and my client. I work with rape victims and this behavior and harassment only re-traumatizes them. I will come and speak for a law that would keep them away from the entrance.

*Joanne, Jaffrey, 2013*

As I was walking from my car I had 3 people ask me to take the reading material they wanted to give me. When I said no thank you they turned mean and yelled things at me such as "baby killer" and "you'll never be forgiven for this decision". They took out a camera and I don't know if they actually took my picture. This is a very private matter and they should not be able to inflict such pain and suffering during an already stressful time in women's lives.

*Katherine, Manchester, 2013*

I came for my appointment. The driveway was blocked by protestors so I could not pull in so I parked next door at the pharmacy. As I walked back to the health center I had 2 women follow me yelling "Don't Do It". They don't know me or my business. I talked with the front desk and they sent a security guard out to the parking lot to walk me to my car. Please consider a buffer zone for patients. The signs are one thing, but to follow, harass, yell at and take pictures of patients gives a sense of fear for one's safety.

*Sincerely, A grateful client of Planned Parenthood, 2013*

Walking in was absolutely ridiculous. I was yelled at and called a "murderer" by multiple people who surrounded me. It was difficult to get to the entrance since they were in the way. It is so different on the inside of PP where they are caring and non-judgmental. When I was done with my appointment I didn't want to leave and encounter them again.

*Anonymous, 2013*

Initially I could not turn in to park because a crowd of protestors was blocking the entrance, yelling at me to open the car window to take their pamphlets. Another PP patient was in a verbal altercation with 2 male protestors and she was upset and crying. I am here to support a family member today but I have used and benefited from these health services in the past. I find these protestors intimidating and upsetting. They shouldn't be able to interact with people trying to go in or out!

*Alison, Manchester, 2013*

I went into PP to pick up some birth control and there were several people standing outside with large signs. They didn't bother me much coming in but when I was driving out, one woman came up to my window and pestered me about taking a pamphlet despite my polite refusal. There were big signs held up everywhere around the entrance, as a new driver I became flustered because I couldn't focus properly or see to make a left hand turn.

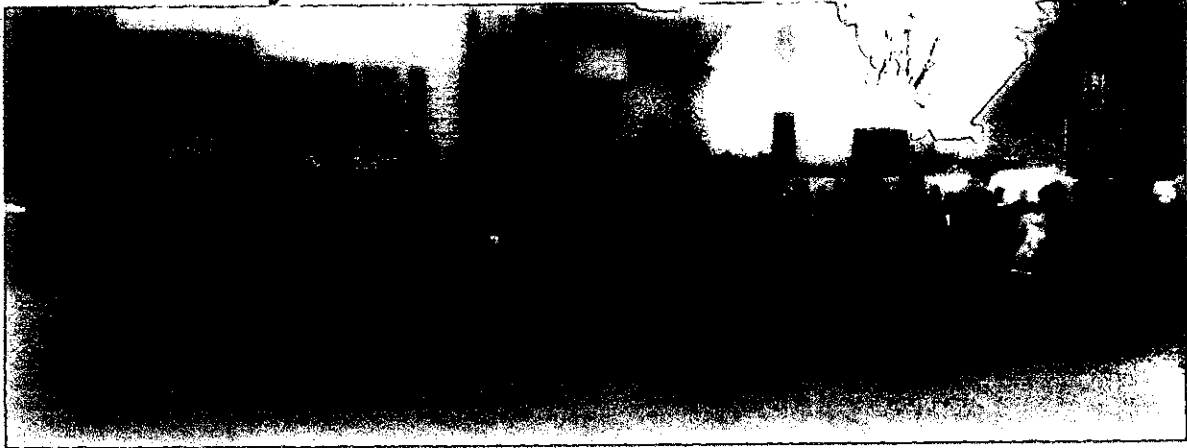
*Grace, Manchester, 2013*

I'm already upset to the point where I feel sick about this very difficult decision I have made. But I know it is the right decision for me and my family. I don't need old ladies waving Jesus and Mary and yelling harsh things at me. I believe in God too but never would I throw him in someone's face and wish them a lifetime of guilt and misery. I feel violated, harassed and intimidated that they were right at the entrance when I came to this health center. I deserve some space.

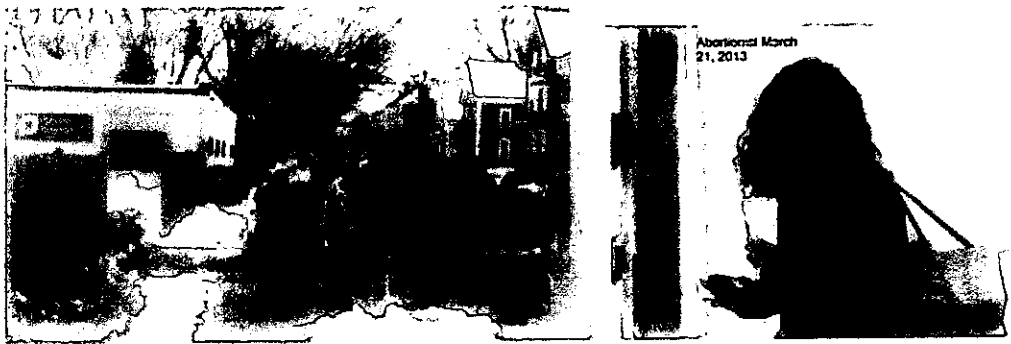
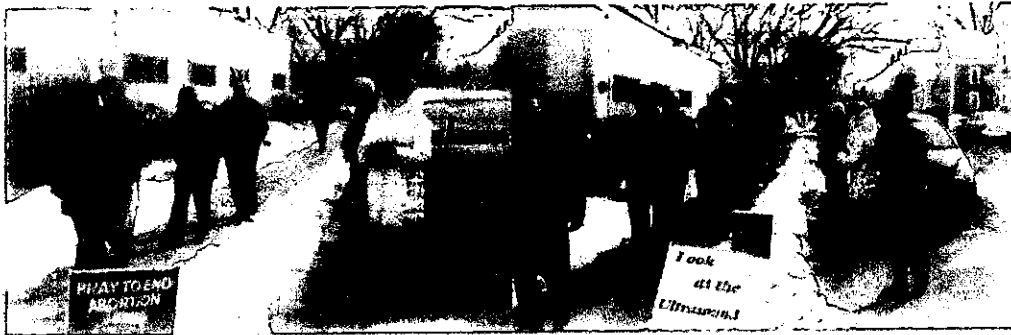
*Ashley, Manchester, 2014*

CASE_ID	ACTDATE	STREETNBR	STREET	NATURECODE	CSDISPOSIT
	03/14/2013 00:00:00	24	PENNACOOK ST	CKAREA	SAS
	03/28/2013 00:00:00	24	PENNACOOK ST	DOC	SAS
	04/18/2013 00:00:00	24	PENNACOOK ST	DOC	SAS
	05/02/2013 00:00:00	24	PENNACOOK ST	PICKET	SAS
	06/21/2013 00:00:00	24	PENNACOOK ST	ANIMAL	SAS
	07/18/2013 00:00:00	24	PENNACOOK ST	HANGUP	CAN
13012541	08/16/2013 00:00:00	24	PENNACOOK ST	FIRE	102
	10/07/2013 00:00:00	24	PENNACOOK ST	CKVEH	GOA
	10/10/2013 00:00:00	24	PENNACOOK ST	UNWTD	SAS
	10/17/2013 00:00:00	24	PENNACOOK ST	PICKET	SAS

## Some Protester Activity Constitutes Obstruction, Intimidation and Harassment



During the "40 Days for Life" marathons, held 2 or 3 times per year, as many as 100 protesters line the streets and block patient traffic and access.



Top: Protesters in Manchester regularly take all the public parking spaces on Pennacook Street and gather in a crowd to obstruct vehicles from turning in to the parking lot.

Bottom: Protesters take photos of Planned Parenthood staff and post them on websites with their names and credentials.



Some protesters bring small children and stand and obstruct the entrance when patients try to enter the lot.



Map

Traffic

20 ft

10 m

25

PARKWOOD ST

# **TITLE LXII CRIMINAL CODE**

## **CHAPTER 644 BREACHES OF THE PEACE AND RELATED OFFENSES**

### **Section 644:2-b**

#### **644:2-b Prohibition on Funeral Protests. –**

I. In this section, "funeral" means the ceremonies, processions, and memorial services held in connection with the burial or cremation of the dead.

II. It shall be unlawful for any person to engage in picketing or other protest activities at any location at which a funeral is held, within one hour prior to the commencement of any funeral, and until one hour following the cessation of any funeral, if such picketing or other protest activities:

(a) Take place within 150 feet of a road, pathway, or other route of ingress to or egress from cemetery property and include, as part of such activities, any individual willfully making or assisting in the making of any noise or diversion that disturbs or tends to disturb the peace or good order of the funeral, memorial service, or ceremony; or

(b) Are within 300 feet of such cemetery and impede the access to or egress from such cemetery.

III. Each day on which a violation of this section occurs shall constitute a separate offense. Violation of this section is a class B misdemeanor, unless committed by a person who has previously pled guilty to or been found guilty of a violation of this section, in which case the violation is a class A misdemeanor.

**Source.** 2007, 370:2, eff. Sept. 15, 2007.

# TITLE LXIII ELECTIONS

## CHAPTER 659 ELECTION PROCEDURE

### Prohibited Acts

#### Section 659:43

##### **659:43 Distributing Campaign Materials at Polling Place. –**

I. No person who is a candidate for office or who is representing or working for a candidate shall distribute or post at a polling place any campaign material in the form of a poster, card, handbill, placard, picture, or circular which is intended to influence the action of the voter within the building where the election is being held.

II. No person who is a candidate for office or who is representing or working for a candidate shall distribute any campaign materials or perform any electioneering activities or any activity which affects the safety, welfare and rights of voters within a corridor 10 feet wide and extending a distance from the entrance door of the building as determined by the moderator where the election is being held.

III. Whoever violates any of the provisions of this section shall be guilty of a violation.

IV. (a) Whoever violates any of the provisions of this section shall be subject to a civil penalty not to exceed \$1,000.

(b) The court, upon petition of the attorney general, may levy upon any person who violates the provisions of RSA 659:43 a civil penalty in an amount not to exceed \$1,000 per violation. All penalties assessed under this paragraph shall be paid to the secretary of state for deposit into the general fund.

(c) The attorney general shall have authority to notify suspected violators of this section of the state's intention to seek a civil penalty, to negotiate, and to settle with such suspected violators without court action, provided any civil penalty paid as settlement shall be paid to the secretary of state for deposit into the general fund.

**Source.** 1979, 436:1. 1987, 354:1. 2004, 50:1, eff. June 1, 2004. 2009, 144:223, eff. July 1, 2009.

WWW.PRAYFORLIFECENTER.ORG

provided by  
Francis Aynes



Good Morning! My name is Jennifer Robidoux. I have taken a day off from work to speak to you because this topic is very important to me. I am here to ask you to vote against Senate Bill 319.

I am a sidewalk councilor and a local leader of the 40 Days for Life campaign. For those of you who are unfamiliar with 40 Days for Life, it is an international peaceful and prayerful campaign aimed at bringing an end to abortion through prayer and community outreach. Participants are asked to sign a Statement of Peace declaring that they will be respectful, prayerful and nonviolent.

All I do when I am involved in 40 Days for Life is walk up and down the public sidewalk in front of the Planned Parenthood in Manchester and pray. Occasionally I will engage in friendly conversation with people as they walk into, out of or past the abortion clinic. The other person usually begins this dialogue and I make it clear that I am there to pray.

As a sidewalk councilor my job is to inform women of their other options. Most women go into a clinic thinking that abortion is there ONLY option. They want to return to their life of "yesterday." Some feel pressured by their spouse, boyfriend or family member. Choosing abortion is a hard decision and I want women to make an informed choice and know all of their options. When I council women, I invite them into a conversation. I don't yell at them. I don't judge them. I simply want to speak with them, just like I am speaking with you now. I provide them with resources about what abortion is, the development of the baby, and other alternatives. If they don't want to talk with me I simply inform them that I am here and will be praying for them.

At the Manchester Planned Parenthood a fence surrounds the parking lot and the entrance to the clinic is inside that fence. If I want to speak with someone walking into that clinic I need to raise my voice to be heard. It may appear that I am shouting but that's only because I am not allowed any closer.

A 25-foot zone around the clinic would make it impossible to speak with the women, to change hearts and minds, and to save the life of the unborn. Women deserve to have options. And I have the first amendment right to speech and to peacefully assemble in public places.

Let me conclude by paraphrasing Shawn Carney, campaign director of 40 Days for Life.

"[My] presence on the sidewalks is powerful in two critical ways – [I am] the last sign of hope for the mother and baby when they arrive, but also the first sign of mercy to the women as they leave."

Hope that there are other options and mercy that there is forgiveness and healing.

Thank you for your time this morning. And please vote against Senate Bill 319.

Jennifer Robidoux  
18 Washington Rd.  
Windham, NH 03087

# St. Hedwig Church

Masses + Confession + Services

SATURDAY VIGIL MASS	4:00 P.M.	HOLY DAY MASSES	<i>As Announced in Bulletin</i>
SUNDAY MASSES	9:00 & 10:30 A.M.	CONFESSION	SATURDAY 3:00 P.M.

Join Us for Doughnuts, Danish, and Coffee after the 9:00 A.M. Mass on Easter Sunday!

*Christ Is Risen Alleluia!*



*Corner of Beech and Orange Streets*

**Rev. Alfred A. Daniszewski, Pastor**

**PARISH OFFICE:** Entrance On 180 Orange Street, Manchester, NH 03104

**MAILING ADDRESS:** 147 Walnut Street, Manchester, NH 03104 ♦ 623-4835 (RECTORY)

**CONVENT:** 151 Walnut Street, Manchester, NH 03104 ♦ 232-3115 (CONVENT)

**ST. CASIMIR SCHOOL:** 456 Union Street, Manchester, NH 03104 ♦ 623-6411 (SCHOOL)

### SACRAMENTAL INFORMATION

**CONFESSION:** Saturdays at 3:00 P.M. and as announced in Bulletin, or by appointment.

**BAPTISM:** Sundays. Please make arrangements one (1) month in advance.

**MARRIAGE:** Please make arrangements at least six (6) months in advance.

**NEW PARISHIONERS:** Please register at the Rectory or in the Sacristy after Mass.





# Easter Sunday

April 20, 2014



## This Week in the Catholic Church

**Monday ✘ April 21**

Monday within the  
Octave of Easter

**Tuesday ✘ April 22**

Tuesday within the  
Octave of Easter

**Wednesday ✘ April 23**

Wednesday within the  
Octave of Easter

**Thursday ✘ April 24**

Thursday within the  
Octave of Easter

**Friday ✘ April 25**

Friday within the  
Octave of Easter

**Saturday ✘ April 26**

Saturday within the  
Octave of Easter

## St. Hedwig Mass & Confession Schedule

**Saturday Mass 4:00 P.M. (VIGIL)**

**Sunday Masses 9:00 A.M. & 10:30 A.M.**

**Saturday Confession 3:00 P.M.**

## Masses & Intentions

*Please Pray for . . .*

† **Holy Saturday • April 19 • 7:00 P.M. Easter Vigil**

For **St. Hedwig Parishioners**, Living and Deceased

† **Easter Sunday • April 20 • 9:00 A.M. Mass**

Sp. **Anne Betley Armstrong** from Peter & Eileen Kelley

† **Easter Sunday • April 20 • 10:30 A.M. Mass**

Anniversary sp. **Ella Farmer** from Farmer Family

† **Saturday • April 26 • 7:00 P.M. Vigil Mass**

6<sup>th</sup> Anniversary sp. **Karen Kalisz** from Joe Kalisz and Family

† **Sunday • April 27 • 9:00 A.M. Mass**

Sp. **Norman & Margarite Caron** int. Family

† **Sunday • April 27 • 10:30 A.M. Mass**

Sp. **Motor Rodzina** from Jadwiga & Josef Motor

## Parish Calendar

### JOIN US FOR COFFEE EASTER SUNDAY



The St. Joseph Society invites you to Doughnuts, Danish, and Coffee after the 9:00 A.M. Mass on Easter Sunday, **APRIL 20**. Please join us!

### RELIGIOUS EDUCATION CLASSES

CCD Classes, Grade 1 through Grade 6, will be held this Tuesday, **APRIL 22**, at Saint Casimir School, from 4:00 to 5:00 P.M.



## Financial Support

*Thank You For Your Continued Generosity Towards Our Parish Needs ~ Bog Zaplac*



*Wishing You All A Very Joyous & Blessed Easter!*

Thank You to our Felician Sisters for decorating; to the Saint Joseph Society; to our altar boys, lectors, collectors, parents, and all the families for their generosity and Easter wishes. **A Very Special Thank You To All!**

## Prayer for Vocations

WEEK OF APRIL 20

**T**HAT MORE MEN AND WOMEN will joyfully answer the call of the Lord to proclaim His life, death and resurrection as priests, deacons and in the consecrated life, we pray to the Lord.

*"The Lord is risen, it is true!"*

Through our baptism He calls us to proclaim new life to the world. Pray for those who herald the Good News as priests, brothers and sisters. If you think God may be inviting you to such a vocation, please call Father Jason Jalbert at **663-0132**; or you may E-Mail him at [jjalbert@rcbm.org](mailto:jjalbert@rcbm.org).

## Bishop Invites All To Attend Mass for Syria on May 1

Bishop Peter A. Libasci invites all of the faithful to attend a *Mass for Syria* on Thursday, **May 1, 6:30 P.M.**, St. Joseph Cathedral. A special collection will be taken up at this Mass to provide humanitarian assistance in Syria and Lebanon. *"After more than two years of ongoing violence in Syria, our brothers and sisters there and in the broader Middle East are in dire need of both our prayers and our charity. I am asking that Catholics of all Rites and Churches join us at this special Mass on May 1, and to give as generously as they can to help respond to the refugee crisis."*

~ BISHOP PETER LIBASCI

## Weekend Retreat Offered

Our Lady of Hope House of Prayer, 400 Temple Road, New Ipswich, is offering a weekend retreat, *Mary's Canticle*, on **May 2-4**, with Sister Kelly Connors, P.M., JCD. During this retreat, we will reflect, ponder, and pray with the Song of Mary, the Magnificat line by line, taking into consideration the text, context, and relevance for our world and our lives today. Cost is \$140. For more information, please call **878-2346**.

## White Mass / Medical Exhibit


The Cathedral Library is hosting a Catholic Medical Professionals Exhibit, *Caring for God's Children for a*



*Century*, from Monday, **April 21** to Wednesday, **April 23**, 10:00 A.M. to 2:00 P.M. On display will

be photographs, uniforms, awards, and diplomas. The *White Mass* will be held at St. Joseph Cathedral on **April 24**, 6:00 P.M., followed by a reception in the Cathedral Library. For more information, contact Barbara Miles at **232-3980**; or E-Mail [catholicarchivesnh@gmail.com](mailto:catholicarchivesnh@gmail.com).

## VNA Offers Mother's Luncheon

VNA Hospice of Manchester invites you to attend the *Annual Memories of Mother Tea and Luncheon*. • Learn about the *Gifts of Memory and Life Legacy* • Invitation  to share photos and memories of your mother • Opportunity to create a special keepsake honoring your mother • Raffle • Prizes • Saturday, **May 10**, 11:30 A.M. to 4:00 P.M., VNA, 1070 Holt Avenue. A suggested donation of \$10 would be appreciated. Seating is limited. To register, and for a detailed event program, contact Linda Krisch Coordinator of Volunteer Resources, **663-4008**; or E-Mail [lkrisch@elliott-hs.org](mailto:lkrisch@elliott-hs.org).

## St. Catherine Offers Program

St. Catherine of Siena Parish is offering the program, *Catholicism: The New Evangelization*. This program is based on a documentary by Father Robert Barron which calls for evangelization that is new in ardor, expressions, and methods. Sessions will take place on Thursdays. You may attend either the morning [9:45 A.M.] or evening session [7:00 P.M.], or both, if you would like! We will be meeting for 7 consecutive Thursdays, from **May 1** to **June 12**. If you have any questions regarding this great opportunity, please contact Derek McDonald, Parish Evangelist, at **622-4160**.

## Thursdays

### on Pennacook Street

A young woman and her 3-year-old daughter arrived to accompany a friend having an abortion. She spoke to the volunteers and asked for their handouts. She said, "I'm pro-choice. I had an abortion when I was sixteen and I'm good with it. I was too young and it was the right thing to do." But as she continued talking she said, "My daughter's father wanted me to have an abortion and I said no. I will never have another abortion. The pain hurt so much. It was the worst thing I have ever done. I will never have another one." The volunteers believed it was the first time she admitted how much pain and regret she felt. They gave her information on post-abortive healing.

**PRO-LIFE**

**BACKGROUND INFO** — Prayer volunteers from this parish and parishes from all over our Diocese pray outside the Planned Parenthood clinic in Manchester and offer assistance to women unsure about their decision to abort. These stories are their eyewitness accounts. *There are 20 to 30 surgical abortions performed every Thursday.* For more information about how you can help save women and babies from abortion via the newly opened Pennacook Pregnancy Center, contact Cathy Kelley at **483-5177**; or E-Mail her at [catkelley@comcast.net](mailto:catkelley@comcast.net). To learn more about being a prayer volunteer and witness for Life:

E-Mail: [prayforlifecenter@gmail.com](mailto:prayforlifecenter@gmail.com)

Website: [www.prayforlifecenter.org](http://www.prayforlifecenter.org)

## College of St. Mary Magdalen Announces Summer Program

The College of St. Mary Magdalen is pleased to announce its *Collegiate Summer Program*. The program will run from **July 27** through **August 9**. Cost is \$795. Register and pay in full by **May 1** and pay only \$700. Scholarship funds and financial aid are available. For more information, call **456-2656**; or visit the website at [admissions@magdalen.edu](mailto:admissions@magdalen.edu).

## Humor

### Definitions only Parents Understand!

**EAT:** What kids do between meals, but not at them.

**"EXCUSE ME":** One of Mom's favorite phrases, reportedly used in past times by children.

**GRANDPARENTS:** The people who think your children are wonderful even though they're sure you're not raising them right.

**HAMPER:** A wicker container with a lid, usually surrounded by, but not containing, dirty clothing.

**HANDI-WIPES:** Pants, shirt-sleeves, drapes, etc.

**INSIDE:** That place that will suddenly look attractive to kids once Mom has spent a minimum of half an hour getting them ready to go outside.

### Catholic Relief Services Seeks Volunteers for F2F Program

Catholic Relief Services' (CRS) Farmer-to-Farmer (F2F) program is seeking U.S. volunteers with agricultural expertise to share skills and provide short-term training and technical assistance to farmers within Ethiopia, Kenya, Tanzania, and Uganda. Volunteers may be individuals, farmers, and industry leaders with a range of expertise in agriculture, including grains and animal husbandry, agri-business, nutrition, and food supply. The duration of a volunteer assignment is normally 2-3 weeks with travel, lodging, and basic expenses covered by F2F. For more information, go to the CRS Farmer-to-Farmer website at <http://farmertofarmer.crs.org>.



For more information, go to the CRS Farmer-to-Farmer website at <http://farmertofarmer.crs.org>.

### Monthly Mass for Deceased

Celebrated in Saint Augustin Cemetery Chapel, South Beech Street, next Saturday, **April 26**, at 9:00 A.M.

### St. Catherine/Francis Parishes Offering Tour to Italy This Fall

The parishes of St. Catherine of Siena and St. Francis of Assisi are excited to offer a beautiful tour of Italy,



Discover Tuscany, this Fall, **October 6 to 17!**

• 12 Days • 15 Meals: 10 Breakfasts, 5 Dinners • Double \$3,729 • Single \$4,299 • Triple \$3,679 • Included in Price: Round Trip Air from Logan Airport • Air Taxes and Fees/Surcharges, Hotel Transfers • For more info, or for a brochure, please call Father Paul Montminy at **622-4966**; or E-Mail [pauldmontminy@comcast.net](mailto:pauldmontminy@comcast.net).

### Visiting Nurse Association Offers Hospice Training Course

Hospice of Visiting Nurse Association of Manchester & Southern NH will offer a free *Hospice Volunteer Training Course*. The training will start Thursday, **May 1**,



from 1:00 to 3:30 P.M., and continue every Thursday through **June 19** at the Villa Crest Nursing and Retirement Center, 1276 Hanover Street. *Pre-registration is required and class size is limited.* Please contact Linda Krisch, at **663-4008**; or E-Mail [lkrisch@elliott-hs.org](mailto:lkrisch@elliott-hs.org).

### Russian Treasures Exhibit

This exhibit, *Windows Into Heaven: Russian Icons & Treasures*, is being shown at the Knights of Columbus Museum, 1 State Street, New Haven CT 06511, until April 27. Admission is free. More info: **203-865-0400**.

### Divine Mercy Pilgrimage

La Salette Shrine, 410 NH Route 4-A, Enfield, NH will host a special event for Divine Mercy Sunday, **April 27**. A priest will be available for Confession from 12:30 to 2:00 P.M. The Eucharist will be celebrated at 2:00 P.M.. The Divine Mercy chaplet will follow at 3:00 P.M. The event concludes with the veneration of the relic of St. Faustina. All are welcome!

**HOSPITALITY**  
*Adoration of the Eucharist*

Can you spare an hour  
each month for some  
quiet time with the Lord?

SAINT JOSEPH CATHEDRAL CHAPEL

**Eucharistic Adoration**

EACH FIRST FRIDAY  
7:30 A.M. - NOON

Adorers are greatly needed to offer  
reverent prayer for the intention of  
Life. All are welcome — please ask  
a friend or a relative to join you!

*The next first Friday is May 2*

### NH Catholic Youthfest 2014 To Be Held at Saint Anselm

Please plan on joining us for this year's *NH Catholic Youthfest 2014*, a day-long event held in the beginning of each May designed to reach all young people in grades 6-12 with the



gospel of Jesus Christ, and the beauty of the Catholic faith. Youthfest will be held on Saturday, **May 3**, Sullivan Arena, Saint Anselm College, 9:00 A.M. to 8:30 P.M. This is not is your ordinary CCD class. We bring in the highest quality speakers and musicians from all over the country to present a day that is dynamic, engaging and fun. Whether you are a young person who is excited about their faith, or a young person who has more questions than answers, this day is for you. We even have a great break-out for youth ministers as well. *Deadline to register is April 19.* Fee is \$30; \$45 after deadline. For more information, call Chris Conard at **799-4500**, E-Mail [conard50@gmail.com](mailto:conard50@gmail.com); or visit our website at [www.nhyouthfest.com](http://www.nhyouthfest.com).

### Coming Back to the Faith . . .

If you know someone, or if you yourself have an interest in coming into or back to the Catholic Church, contact Eileen Smith in the Office of the Catechumenate at **663-0174**; or you may E-Mail [esmith@rcbm.org](mailto:esmith@rcbm.org).

Thank you MADAM CHAIR AND REPRESENTATIVES

my name is FRANCIS HYNES, I've Resided in WINDHAM NH For over 40 years  
Like to submit The web site URL AS TESTIMONY.

In the 60's I was in ROTC at UMass Lowell. The Vietnam War was ongoing. When we marched in formation out the school on Thursday afternoon the flower children, the anti-war protestors would jeer at us, yell and scream at us, spit at us and call us baby killers.

There was no buffer zone. It was called free speech and it was tolerated as a right in a free society called America.

I served 4 years. When I returned home, baby killing - also known as abortion - had been legalized. The flower children were its biggest supporters. When free love, casual sex produces babies the flower children needed a way to get rid of it. Planned Parenthood was born and the babies died.

Fast forward 45 years and here I sit at the NH statehouse hearing on free speech.

It's called "Access to reproductive health care facilities."

It's a <sup>MISLEADING</sup> ~~misleading~~ title. ~~It should be called:~~ A NEWSPAPER EDITOR WOULD SENSATIONALLY CALL IT'S

Maggie Hassan's First Amendment Termination Bill.

Or

Planned Parenthood Aborts Free Speech in New Hampshire.

PHOTOGRAPHS - A PP STAFFER & PP SECURITY GUARD PHOTOGRAPHED ME.

PP CONSTANTLY PHOTOGRAPHS EVERY ONE USING THE public sidewalk including PATIENTS THE GENERAL PUBLIC WITH THEIR MOBILE CAMERA SYSTEM

In section 1b. the bill says first amendment activity must be protected but this bill takes it away.

In section 1E the bill says demonstrations have resulted in fear and intimidation - well - you can't control what people think. We only want to talk to people - Planned Parenthood is in side ~~killings~~. **ABORTING BABIES.**

In Section 2 the bill wants to reduce potentially violent confrontations requiring significant law enforcement. When a newspaper reporter asked the chiefs of polices in Concord and Greenland and Manchester to describe the types of problems they were having at Planned Parenthood - all three replied "what problems?" This bill is a solution for a non-existent problem. The only violence occurs inside Planned Parenthood.

In Section 2 the bill wants to promote unimpeded access. Planned Parenthood <sup>in testimony HAS</sup> talked about blocked sidewalks and blocked driveways and congested streets. |

First - most mothers seeking abortions drive into PP parking lot which PP paid to have plowed all winter.

Blocked streets - well last week PP started parking 3 employee cars on the street next to the sidewalk while leaving their employee parking lot half empty. - you can't make this stuff up - we have photos.

Blocked sidewalks - all winter PP paid to have the mothers parking lot and employee parking lot plowed They never cleared the sidewalks in front of PP. We have elder men and women with shovels clearing the snow and a grandmother even brought a small snow blower and cleared the sidewalk after a big storm - please see the photos on prayforlifecenter.org. **PP COULD CARE LESS ABOUT SIDEWALK ACCESS.**

~~In a letter to~~ ~~Democracy~~ - **THIS BILL IS NOT ABOUT ACCESS, IT IS NOT ABOUT BLOCKED SIDEWALKS OR BLOCKED DRIVEWAYS, THAT IS NOT HAPPENING. IT IS ABOUT FREE SPEECH. THE LAST ARREST IN NH FOR BLOCKING CLINIC WAS OVER 20 YEARS AGO.**

**IN MANCHESTER 25 FEET PLACES US IN THE MIDDLE OF THE STREET -**

**IT FORCES PRO-LIFERS ONTO THE OPPOSITE SIDE 42 FEET AWAY BEHIND 2 ROWS OF PARKED CARS WITH NOISY TRAFFIC. THAT DISTANCE NEGATES CONVERSATIONS - NEGATES SPEECH. AS THE HEAD OF PP (CONCERN) ADMITTED. 25 FEET MEANS PEOPLE MAY NOT STAND ON SIDEWALK OUTSIDE ON A 6' SIDE, A 7' BUFFER ZONE PUSHES US ONTO THE STREET, THAT 42 FEET AWAY.**

**IN OUR ARGUMENTS BEFORE THE SUPREME COURT IN Mc Cullen VS COAKLEY #12-1168 THE 9th CIRCUIT COURT CONCERN WAS CITED THAT IT WAS CONTENT BASED SPEECH PROHIBITED**

- o good mornings - may I help you into the clinic - OK FOR ESCORT
- o good mornings - may I offer you an alternative - gets you ARRESTED

**IF 2 PEOPLE WILLINGLY CONVERSE ABOUT ALTERNATIVES TO ABORTION - THIS CONVERSATION MUST STOP AS THE FREE SPEECH BLACKOUT ZONE IS APPROACHED.**

**THIS IS ABOUT STOPPING SPEECH P.P. DOESN'T LIKE.**

**PLEASE VOTE THIS BILL DOWN**

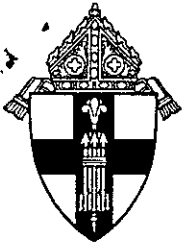
- move from 9' to 4' sidewalk
  - P.P. windows are bullet proof - mine are not - 5 HOTGUN STORY
  - PFLC Best Neighbors I ever had. Better than drug dealers there before
  - NO ONE BLOCKS SIDEWALKS - THEY PRAY
- 

NOT A HEALTH FACILITY OR WOULD BE REGULATED BY STATE  
THEY ARE NOT.

ERIN SAWICKI - MANCHESTER P.P. SITE MGR

I PAY TAXES TO SUPPORT P.P. YET CAN'T STAND ON THE  
PUBLIC SIDEWALK OUTSIDE P.P.

A HOTDOG STAND IS



DIOCESE OF MANCHESTER  
*Secretariat for Administration*

April 22, 2014

The Honorable Marjorie Smith, Chair  
House Judiciary Committee  
Legislative Office Building, Room 208  
Concord, New Hampshire 03301

**Re: SB 319 (Relative to Access to Reproductive Health Care Facilities)**

Dear Representative Smith and Members of the Judiciary Committee:

As the Director of the Office of Public Policy of the Roman Catholic Diocese of Manchester, and on behalf of Bishop Peter Libasci, I write to **oppose SB 319**, a bill calling into question the free speech rights of New Hampshire citizens.

SB 319 would create a buffer zone around abortion clinics, only allowing certain individuals to be present within the designated area. The plain language of the bill is intended to silence the speech of those who oppose abortion. The First Amendment of the United States Constitution and Part I, Article 22 of the New Hampshire Constitution, however, prohibit our state and federal governments from creating laws that restrict speech based upon its content. In *Hill v. Colorado*, the United States Supreme Court recognized, "The right to free speech, of course, includes the right to attempt to persuade others to change their views, and may not be curtailed simply because the speaker's message may be offensive to his audience." 530 U.S. 703 at 716 (2000). The *Hill* decision affirmed that it is "constitutionally repugnant" to ban particular topics from being discussed, while others are allowed. *Id.* At 722-23.

The constitutionality of a Massachusetts abortion clinic buffer zone law currently is under review by the United States Supreme Court in the case of *McCullen v. Coakley*. The Court heard oral arguments in the case earlier this month. It would be premature for the New Hampshire Legislature to take action to enact an abortion clinic buffer zone law when the Supreme Court likely will soon declare the law unconstitutional.

We urge the committee to report SB 319 as inexpedient to legislate because this bill suppresses the speech of individuals based upon the content of their speech, a direction inconsistent with the basic right of free speech. Thank you for your consideration of our testimony and for your service to the people of the State of New Hampshire.

Sincerely,

Meredith P. Cook, Esq.  
Director, Office of Public Policy

MPC/



# Voting Sheets

HOUSE COMMITTEE ON JUDICIARY  
EXECUTIVE SESSION on SENATE BILL 319-FN

**\*\*Executive session recessed; to be reconvened on Tuesday, May 6, 2014 at 10:00 am**

**BILL TITLE:** relative to access to reproductive health care facilities.

**DATE:** April 30, 2014

**LOB ROOM:** 208

**Amendments:**

Sponsor: Rep. Bouchard OLS Document #: 2014 1459h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:**

**Amendment only**


**OTP** (amendment #1459h), OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Takesian

Seconded by Rep. Gale

Vote: 12-8 (Please attach record of roll call vote.)

Respectfully submitted,

  
Rep. Sylvia E. Gale, Clerk



HOUSE COMMITTEE ON JUDICIARY  
EXECUTIVE SESSION on SENATE BILL 319-FN

BILL TITLE: relative to access to reproductive health care facilities.

DATE: April 30, 2014

Received  
Reconvene May 6, 2014  
Tuesday @ 10:00am

LOB ROOM: 208

Amendments:

- #1 Sponsor: Rep. Talvesian / Gale OLS Document #: 2014-1459
- Sponsor: Rep. OLS Document #:
- Sponsor: Rep. OLS Document #:

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

Amendment  
Only

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.) 12-8

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

Moved by Rep.

Seconded by Rep.

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

CONSENT CALENDAR VOTE: YES NO

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Sylvia E. Gale, Clerk



STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK

1/30/2014 12:30:23 PM  
Roll Call Committee Registers  
Report

2014 SESSION

JUDICIARY

Bill #: SB 319 Title: relative to access to reproductive health care facilities.  
PH Date: 4 122 14 Exec Session Date: 4 130 14  
Motion: OTP Amendment #: 1459h

(amendment only)

MEMBER

YEAS

NAYS

Smith, Marjorie K, Chairman	12	
Wall, Janet G, V Chairman	1	
Hackel, Paul L	2	
Watrous, Rick H	3	
Sullivan, Peter M	4	
Horrigan, Timothy O	5	
Berch, Paul S	6	
Gale, Sylvia E, Clerk	7	
Heffron, Frank H	8	
Phillips, Larry R	9	
Woodbury, David	10	
Rowe, Robert H,		1
Hagan, Joseph M		2
Peterson, Lenette M, Souza Kathleen		3
Hopper, Gary S		4
Kappler, Lawrence M		5
Luther, Robert A		6
Sylvia, Michael J		7
Takesian, Charlene F	11	
TOTAL VOTE: <u>Notter, Jeanine</u>		8

12

8

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on SENATE BILL 319-FN

**\*\*Executive session reconvened from April 30<sup>th</sup> session**

**BILL TITLE:** relative to access to reproductive health care facilities.

**DATE:** May 06, 2014

**LOB ROOM:** 208

**Amendments:**

Sponsor: Rep. Bouchard

**(Amendment adopted 4-30-2014 12-8)**  
OLS Document #: 2014 1459h

Sponsor: Rep. Rowe

**(Amendment failed 5-06-14 8-12)**  
OLS Document #: 2014 1675h

**Motion:** OTP (amendment #1675h), OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Rowe

Seconded by Rep. Souza

Vote: 8-12 Amendment failed (Please attach record of roll call vote.)

Sponsor: Rep. Wall

**(Amendment adopted 5-06-14 11-9)**  
OLS Document #: 2014 1695h

**Motion:** OTP (amendment 1695h, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Hagan

Seconded by Rep. Kappler

Vote: 12-7 Amendment adopted (Please attach record of roll call vote.)

Sponsor: Rep. Gale

**(Amendment adopted 5-06-14 12-7)**  
OLS Document #: 2014 1720h

**Motion:** OTP (amendment 1720h), OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Gale

Seconded by Rep. Takesian

Vote: 12-7 Amendment adopted (Please attach record of roll call vote.)

**Motions:**     OTP, OTP/A (Amendment 1720h), ITL, Interim Study (Please circle one.)

Moved by Rep. Takesian

Seconded by Rep. Sullivan

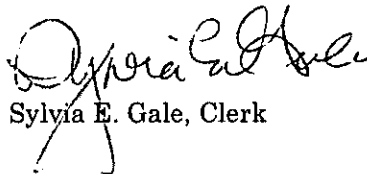
Vote: 12-7 (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE: NO**

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

**Statement of Intent:**     Refer to Committee Report

Respectfully submitted,



Rep. Sylvia E. Gale, Clerk

✓

HOUSE COMMITTEE ON JUDICIARY  
EXECUTIVE SESSION on SENATE BILL 319-FN

**\*\*Executive session reconvened from April 30<sup>th</sup> session**

**BILL TITLE:** relative to access to reproductive health care facilities.

**DATE:** May 06, 2014

**LOB ROOM:** 208

Amendments:

Sponsor: Rep. <i>Wace</i>	OLS Document #: 2014	1459r
<i>Hagan / Kappler</i>		
Sponsor: Rep. <i>Gale</i>	OLS Document #: 1720	11695h (11-9)
<i>Tallesian</i>		(12-7)
Sponsor: Rep.	OLS Document #:	<del>11-9</del>

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

Moved by Rep. *Tallesian*

Seconded by Rep. *Sullivan*

Vote: (Please attach record of roll call vote.) 12-7

passed

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

Moved by Rep.

Seconded by Rep.

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

CONSENT CALENDAR VOTE: YES  NO

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Sylvia E. Gale, Clerk

**HOUSE COMMITTEE ON JUDICIARY**  
**EXECUTIVE SESSION on SENATE BILL 319-FN**

\*\*Executive session reconvened from April 30<sup>th</sup> session

**BILL TITLE:** relative to access to reproductive health care facilities.

**DATE:** May 06, 2014

**LOB ROOM:** 208

**Amendments:**

4130 Sponsor: Rep. *Rowe* OLS Document #: 2014 1459h ✓

\* Sponsor: Rep. *Rowel Souza* OLS Document #: 1675 ✓

Sponsor: Rep. OLS Document #:

**Motions:** Amendment 1675 (OTP, OTP/A, ITL, Interim Study (Please circle one.))

Moved by Rep. *Rowe*

Seconded by Rep. *Souza*

Vote: (Please attach record of roll call vote.) *8-12*

*Amendment fails*

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

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

**CONSENT CALENDAR VOTE: YES NO**

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

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. Sylvia E. Gale, Clerk





2014 SESSION

JUDICIARY

Bill #: SB 319

Title: relation to access to reproductive health care facilities

PH Date: 1/1/1

Exec Session Date: 05/06/14

Motion: OT P

Amendment #: 2014-1645h

(Amendment only)

MEMBER	YEAS	NAYS
Smith, Marjorie K, Chairman		12
Wall, Janet G, V Chairman		1
Hackel, Paul L		2
Watrous, Rick H		3
Sullivan, Peter M		4
Horrigan, Timothy O		5
Berch, Paul S		6
Gale, Sylvia E, Clerk		7
Heffron, Frank H		8
Phillips, Larry R		9
Woodbury, David		10
Rowe, Robert H,	1	
Hagan, Joseph M	2	
Peterson, Lenette M, <u>Souza Kathleen</u>	3	
Hopper, Gary S	4	
Kappler, Lawrence M	5	
Luther, Robert A	6	
Sylvia, Michael J	7	
Takesian, Charlene F		11
TOTAL VOTE: <u>Notter Jeanine</u>	8	

8-12  
Amendment fails



STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK

1/30/2014 12:30:23 PM  
Roll Call Committee Registers  
Report

2014 SESSION

JUDICIARY

Bill #: SB 319

Title: relative to access to repro health

PH Date: 1/1

Exec Session Date: 5, 6, 14

Motion: 09P

Amendment #: 1695h

MEMBER	YEAS	NAYS
Smith, Marjorie K, Chairman	10	
Wall, Janet G, V Chairman	1	
Hackel, Paul L		1
Watrous, Rick H		2
Sullivan, Peter M		3
Horrigan, Timothy O	2	1
Berch, Paul S	3	
Gale, Sylvia E, Clerk		4
Heffron, Frank H		5
Phillips, Larry R	4	
Woodbury, David	5	
Rowe, Robert H,		6
Hagan, Joseph M	10	4
Peterson, Lenette M, Souza, Kathleen		7
Hopper, Gary S		8
Kappler, Lawrence M	6	
Luther, Robert A	7	
Sylvia, Michael J	8	
Takesian, Charlene F	9	
TOTAL VOTE: <u>Notter, Jeanine</u>		9

11

9

11-9 Amendment Passes



STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK

1/30/2014 12:30:23 PM  
Roll Call Committee Registers  
Report

2014 SESSION

JUDICIARY

Bill #: SB 319 Title: relative to access

PH Date: 1/1 Exec Session Date: 5/6/14

Motion: 04 P (100) Amendment #: ~~2014-1720h~~ 2014-1720h  
(amendment only)

MEMBER	YEAS	NAYS
Smith, Marjorie K, Chairman	12	
Wall, Janet G, V Chairman	1	
Hackel, Paul L	2	
Watrous, Rick H	3	
Sullivan, Peter M	4	
Horrigan, Timothy O	5	
Berch, Paul S	6	
Gale, Sylvia E, Clerk	7	
Heffron, Frank H	8	
Phillips, Larry R	9	
Woodbury, David	10	
Rowe, Robert H,		1
Hagan, Joseph M		2
Peterson, Lenette M; Souza, Kathleen		3
Hopper, Gary S		4
Kappler, Lawrence M		5
Luther, Robert A		6
Sylvia, Michael J		
Takesian, Charlene F	11	
TOTAL VOTE: <u>Gatter, Jeanine</u>		7
	12	7



STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK

1/30/2014 12:30:23 PM  
Roll Call Committee Registers  
Report

2014 SESSION

JUDICIARY

Bill #: SB 319

Title: relative to access to reproductive health

PH Date: 1/1

Exec Session Date: 5.6.14

Motion: OT P-A

Amendment #: 2014-1720h

MEMBER	YEAS	NAYS
Smith, Marjorie K, Chairman	12	
Wall, Janet G, V Chairman	1	
Hackel, Paul L	2	
Watrous, Rick H	3	
Sullivan, Peter M	4	
Horrigan, Timothy O	5	
Berch, Paul S	6	
Gale, Sylvia E, Clerk	7	
Heffron, Frank H	8	
Phillips, Larry R	9	
Woodbury, David	10	
Rowe, Robert H,		1
Hagan, Joseph M		2
Peterson, Lenette M, - <u>Scorza, Kathlea</u>		3
Hopper, Gary S		4
Kappler, Lawrence M		5
Luther, Robert A		6
Sylvia, Michael J		
Takesian, Charlene F	11	
TOTAL VOTE: <u>Author, Jeamine</u>		7
	12	7

# Committee Report

**REGULAR CALENDAR**

**May 7, 2014**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Majority of the Committee on JUDICIARY to which  
was referred SB 319-FN,**

**AN ACT relative to access to reproductive health care  
facilities. Having considered the same, report the same  
with the following amendment, and the  
recommendation that the bill OUGHT TO PASS WITH  
AMENDMENT.**

**Rep. Charlene F. Takesian**

**FOR THE MAJORITY OF THE COMMITTEE**

## MAJORITY COMMITTEE REPORT

Committee: **JUDICIARY**  
Bill Number: **SB 319-FN**  
Title: **relative to access to reproductive health care facilities.**  
Date: **May 7, 2014**  
Consent Calendar: **NO**  
Recommendation: **OUGHT TO PASS WITH AMENDMENT**

### STATEMENT OF INTENT

The Majority of the Judiciary Committee believes that this legislation supports the privacy and dignity of patients, promotes public safety in communities where reproductive health facilities that provide abortion are located, and protects the rights of free speech for those who oppose abortion. The bill balances the right to seek and obtain health care in a safe and private manner with the right to assemble and demonstrate with opposing views or offer "sidewalk counseling" on public property.

As amended, reproductive health care facilities will consult with the relevant local officials to craft protective buffers zones of up to 25 feet appropriate for the particular site and develop the signage necessary to enforce such a zone tailored to the specific requirements of each site.

The Committee heard nearly four hours of testimony indicating that while not all protestors use objectionable tactics, the sidewalks surrounding reproductive health centers are often contentious and present threats to the safety of patients, their family members, the protestors and the general public. Citizens use the services of these reproductive health care facilities for many reasons, while the protestors assume that those entering the facility are entering for one reason – to undergo a legal procedure that is objectionable to the protestor.

There are currently no legal protections or restrictions that prevent a protestor from getting right in the physical space of a patient walking on a sidewalk or trying to access an entrance to a health center. There is constitutional precedent where the US Supreme Court has recognized the right to be left alone, specifically when entering or exiting a reproductive health facility.

The Committee was sensitive to the first amendment rights of all citizens in its deliberations on this bill. We tried to honor both free speech rights of the protestors and the right to privacy of those using the services. This bill is narrowly tailored to ensure that competing rights are protected.

This legislation was developed with input from law enforcement and municipal officials in Manchester and Concord who currently have no tools to proactively

Original: House Clerk  
Cc: Committee Bill File

maintain public order. Having clarity about boundaries will help law enforcement balance everyone's rights.

Vote 12-7

Rep. Charlene F. Takesian  
FOR THE MAJORITY

Original: House Clerk  
Cc: Committee Bill File



## REGULAR CALENDAR

### JUDICIARY

**SB819-FN**, relative to access to reproductive health care facilities. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Charlene F Takesian for the **Majority** of JUDICIARY. The Majority of the Judiciary Committee believes that this legislation supports the privacy and dignity of patients, promotes public safety in communities where reproductive health facilities that provide abortion are located, and protects the rights of free speech for those who oppose abortion. The bill balances the right to seek and obtain health care in a safe and private manner with the right to assemble and demonstrate with opposing views or offer "sidewalk counseling" on public property.

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This legislation was developed with input from law enforcement and municipal officials in Manchester and Concord who currently have no tools to proactively maintain public order. Having clarity about boundaries will help law enforcement balance everyone's rights. **Vote 12-7.**

Original: House Clerk

Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE:

*Judiciary*

BILL NUMBER:

*SB 319*

TITLE:

*relative to access to reproductive health care facilities*

DATE:

*5-06-14*

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.

*1720h*

STATEMENT OF INTENT:

*see attached*

COMMITTEE VOTE:

*12-7*

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

RESPECTFULLY SUBMITTED,

Rep.

*Charlene J. Pakesian*

For the Committee

**MAJORITY REPORT**

**JUDICIARY**

OK  
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**SB 319, relative to access to reproductive health care facilities.**

**OUGHT TO PASS WITH AMENDMENT**

**VOTE: 12-7**

**REP. CHARLENE F. TAKESIAN**

The majority of the Judiciary Committee believes that this legislation supports the privacy and dignity of patients, promotes public safety in communities where reproductive health facilities that provide abortion are located, and protects the rights of free speech for those who oppose abortion. The bill balances the right to seek and obtain health care in a safe and private manner with the right to assemble and demonstrate with opposing views or offer "sidewalk counseling" on public property.

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This legislation was developed with input from law enforcement and municipal officials in Manchester and Concord who currently have no tools to proactively maintain public order. Having clarity about boundaries will help law enforcement balance everyone's rights.

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OK  
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**REGULAR CALENDAR**

**May 7, 2014**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Minority of the Committee on JUDICIARY to which  
was referred SB 319-FN,**

**AN ACT relative to access to reproductive health care  
facilities. Having considered the same, and being  
unable to agree with the Majority, report with the  
following Resolution: RESOLVED, That it is  
INEXPEDIENT TO LEGISLATE.**

**Rep. Robert H. Rowe**

**FOR THE MINORITY OF THE COMMITTEE**

## MINORITY COMMITTEE REPORT

Committee: JUDICIARY  
Bill Number: SB 319-FN  
Title: relative to access to reproductive health care facilities.  
Date: May 7, 2014  
Consent Calendar: NO  
Recommendation: INEXPEDIENT TO LEGISLATE

### STATEMENT OF INTENT

WE MUST PROTECT THE RIGHTS OF ALL. This bill will be state wide and apply to all abortion clinics and abutting properties in communities throughout the state. The bill prohibits a person from knowingly entering or remaining on a public way or sidewalk adjacent to a reproductive health facility that conducts abortions within a radius of up to 25 feet of the entrance, exit, or driveway of the clinic. This bill affects the legal rights of citizens desiring an abortion, those in opposition, the clinic, the property abutters, the municipalities and the general traveling public. In an urban or residential area, the up to 25 foot prohibited public area would very likely include signage that could be placed in front of abutting property and interfere with abutting property owners' full use of the property. The amended bill allows the clinic the right to set the distance up to 25 feet with signage that may be placed in front of abutter land or public property after consulting with local authorities. Prior to the zone being set the clinic is required to prepare a plan and then submit it to municipal authorities. The amended bill does not require that the municipality give notice to abutters and the public then hold a public hearing. Notice and hearings are important as the plan may affect the abutter's reasonable use of their property. The bill protects private for-profit and not-for-profit professional reproductive health care facilities that conduct abortions, except hospitals. It makes no difference what the citizen's intention is in entering or remaining in the restricted area; it is prohibited, unless you are a public official or an invitee or employee or just passing through the area to another destination. While the Minority is sympathetic to the wants of both citizens seeking abortions and those that find that abortions are contrary to their religious or personal beliefs, the bill goes too far in relationship to property and personal rights. It is an all-sweeping prohibition. It doesn't reflect the real property location of the facilities – rural or urban, the size of the facility such as one small building or a large multi tenant building, the surrounding properties, the needs of residential and commercial abutters, or the intent of the pedestrian. If the clinic is open and you linger, you are in violation. The prohibition exists even on days when abortions are not being conducted.

Original: House Clerk  
Cc: Committee Bill File

The Minority does not see this as an abortion bill but rather the need to carefully balance the rights for all. Both sides of this issue must recognize that there are citizen rights involved. Abortions are legal. A woman has a right to obtain one; to have freedom from intimidation, harassment, being threatened and violent confrontations. On the other side, citizens have the right to assemble, free speech, and religious freedom. All of these, and others, are current law. This bill must balance these and other rights that both sides of this issue have.

The Judiciary Committee heard less than four hours of testimony; passionate and sincere, but none addressed facts such as: How many clinics are there? Where are they located? How many complaints have been made to the local authorities? What are the neighborhoods like? How will the up-to 25 foot no-linger zone affect abutters? One witness, who lives across from the Manchester clinic, stated that this bill would push any protesters to the sidewalk at his house where his daughter rides her bike. Before a no linger zone is imposed at the request of a private organization we should insure notice is given to abutters and a hearing held.

The Minority believes that all this law will do is move protesters further back, in front of homes and businesses, and sing, and pray louder and hold larger signs, or just walk back and forth through the restricted area to another location, or park cars in front of the center with signs in their cars – this is allowed.

We are legislators and there is clearly an issue here. We should ignore partisan pressure and lobby groups on both sides and craft a well-drafted law that is moderately acceptable to both sides and in keeping with the statutory and constitutional rights of all.

Currently the United States Supreme court is hearing an appeal from Massachusetts on the same subject.

Lastly, what about other commercial establishments that may be protested, can the owners use this as a precedent to establish a no access zone on public sidewalks and rights of way. It is unfortunate that no time was given for a legal analysis. There is case law on this subject relating to protest groups such as union picket lines being allowed to utilize the public way in front of the public and private buildings of the organization being picketed. The court has declared that union picketers have a right to use public property in picketing so long as the picketers do not impede access to the business they are protesting.

Rep. Robert H. Rowe  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

### JUDICIARY

#### **SB319-FN, relative to access to reproductive health care facilities. INEXPEDIENT TO LEGISLATE.**

Rep. Robert H. Rowe for the **Minority** of JUDICIARY. **WE MUST PROTECT THE RIGHTS OF ALL.** This bill will be state wide and apply to all abortion clinics and abutting properties in communities throughout the state.

The bill prohibits a person from knowingly entering or remaining on a public way or sidewalk adjacent to a reproductive health facility that conducts abortions within a radius of up to 25 feet of the entrance, exit, or driveway of the clinic. This bill affects the legal rights of citizens desiring an abortion, those in opposition, the clinic, the property abutters, the municipalities and the general traveling public. In an urban or residential area, the up to 25 foot prohibited public area would very likely include signage that could be placed in front of abutting property and interfere with abutting property owners' full use of the property. The amended bill allows the clinic the right to set the distance up to 25 feet with signage that may be placed in front of abutter land or public property after consulting with local authorities. Prior to the zone being set the clinic is required to prepare a plan and then submit it to municipal authorities. The amended bill does not require that the municipality give notice to abutters and the public then hold a public hearing. Notice and hearings are important as the plan may affect the abutter's reasonable use of their property.

The bill protects private for-profit and not-for-profit professional reproductive health care facilities that conduct abortions, except hospitals. It makes no difference what the citizen's intention is in entering or remaining in the restricted area; it is prohibited, unless you are a public official or an invitee or employee or just passing through the area to another destination. While the Minority is sympathetic to the wants of both citizens seeking abortions and those that find that abortions are contrary to their religious or personal beliefs, the bill goes too far in relationship to property and personal rights. It is an all-sweeping prohibition. It doesn't reflect the real property location of the facilities – rural or urban, the size of the facility such as one small building or a large multi tenant building, the surrounding properties, the needs of residential and commercial abutters, or the intent of the pedestrian. If the clinic is open and you linger, you are in violation. The prohibition exists even on days when abortions are not being conducted.

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We are legislators and there is clearly an issue here. We should ignore partisan pressure and lobby groups on both sides and craft a well-drafted law that is moderately acceptable to both sides and in keeping with the statutory and constitutional rights of all.

Currently the United States Supreme court is hearing an appeal from Massachusetts on the same subject.

Lastly, what about other commercial establishments that may be protested, can the owners use this as a precedent to establish a no access zone on public sidewalks and rights of way. It is unfortunate

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Original: House Clerk  
Cc: Committee Bill File

MINORITY REPORT

COMMITTEE: Subcommittee

BILL NUMBER: HB 319

TITLE: relative to access to reproductive health care facilities.

DATE: 5-15-14 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. <u>None</u>
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STATEMENT OF INTENT:

See attached

Minority recommends 1 TL

COMMITTEE VOTE: Unanimous

• Copy to Committee Bill File
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RESPECTFULLY SUBMITTED,

Rep. [Signature]

For the Minority

Robert H. Rowe

**MINORITY REPORT**

**JUDICIARY**

**SB 319, relative to access to reproductive health care facilities.**

OK  
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**INEXPEDIENT TO LEGISLATE**

**REP. ROBERT H. ROWE**

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that there are citizen rights involved. Abortions are legal. A woman has a right to obtain one; to have freedom from intimidation, harassment, being threatened and violent confrontations. On the other side, citizens have the right to assemble, free speech, and religious freedom. All of these, and others, are current law. This bill must balance these and other rights that both sides of this issue have.

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We are legislators and there is clearly an issue here. We should ignore partisan pressure and lobby groups on both sides and craft a well-drafted law that is moderately acceptable to both sides and in keeping with the statutory and constitutional rights of all.

Currently the United States Supreme court is hearing an appeal from Massachusetts on the same subject.

Lastly, what about other commercial establishments that may be protested, can the owners use this as a precedent to establish a no access zone on public sidewalks and rights of way. It is unfortunate that no time was given for a legal analysis. There is case law on this subject relating to protest groups such as union picket lines being allowed to utilize the public way in front of the public and private buildings of the organization being picketed. The court has declared that union picketers have a right to use public property in picketing so long as the picketers do not impede access to the business they are protesting.

Changes made 1/11

Thank you for your careful reading of my submitted blurb. I Think the following will cover all issues. The minority recommends ITL.

Bob R.

Robert Rowe for the minority of the Judiciary Committee.

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OVER

prohibition exists ~~even when~~ <sup>even</sup> on days when abortions are not being conducted.

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We are legislators and there is clearly an issue here. We should ignore partisan pressure and lobbying groups on both sides and craft a well drafted law that is moderately acceptable to both sides and in keeping with the statutory and constitutional rights of all. ~~The answer is interim study if we are to craft a law based on facts rather than emotion.~~

Currently the US Supreme court is hearing an appeal from Massachusetts on the same subject.

Lastly, what about other commercial establishments that may be protested, can the owners use this as a precedent to establish a no access zone on public sidewalks and rights of way. It is unfortunate that no time was given for a legal analysis. There is case law on this subject relating to protest groups such as union picket lines being allowed to utilize the public way in front of the public and private buildings of the organization being picketed. The court has declared that union picketers have a right to use public property in picketing so long as the picketers do not impede access to the business they are protesting. .

Robert H. Rowe

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