

Bill as  
Introduced

HB 514-FN - AS AMENDED BY THE HOUSE

19Mar2019... 0421h

2019 SESSION

19-0220

04/06

HOUSE BILL            **514-FN**

AN ACT                imposing a waiting period between the purchase and delivery of a firearm.

SPONSORS:            Rep. Rogers, Merr. 28; Rep. Abbott, Ches. 1; Rep. Josephson, Graf. 11; Rep. Muscatel, Graf. 12; Rep. Chretien, Hills. 42; Rep. Mombourquette, Hills. 5; Rep. Bunker, Rock. 18; Rep. Conley, Straf. 13

COMMITTEE:           Criminal Justice and Public Safety

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AMENDED ANALYSIS

This bill establishes a waiting period for the delivery of a firearm.

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Explanation:           Matter added to current law appears in *bold italics*.  
Matter removed from current law appears [~~in brackets and struck through~~].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nineteen*

AN ACT imposing a waiting period between the purchase and delivery of a firearm.

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

1 1 New Chapter; Purchase and Delivery of a Firearm. Amend RSA by inserting after chapter  
2 159-D the following new chapter:

3 CHAPTER 159-E

4 PURCHASE AND DELIVERY OF A FIREARM

5 159-E:1 Purchase and Delivery of a Firearm.

6 I. No licensed importer, licensed manufacturer, licensed dealer, or licensed collector shall  
7 transfer, sell, trade, give, transport, or deliver a firearm to any person, other than a licensed  
8 importer, licensed manufacturer, licensed dealer, or licensed collector until a waiting period of 7  
9 days, excluding weekends and legal holidays, has expired. "Licensed importer," "licensed  
10 manufacturer," "licensed dealer," "licensed collector," and "firearm" shall have the same meaning as  
11 in 18 U.S.C. section 921.

12 II. A licensed importer, licensed manufacturer, licensed dealer, or licensed collector shall  
13 make available records of firearm sales for inspection by any state, county, or municipal law  
14 enforcement agency, during normal business hours.

15 III. The waiting period shall not apply in the following circumstances:

16 (a) To the trade-in of a firearm to a licensed importer, licensed manufacturer, licensed  
17 dealer, or licensed collector.

18 (b) To the purchase of a rifle or shotgun, upon a person's successfully completing a  
19 minimum of a 16-hour hunter safety course offered by the department of fish and game. A person  
20 who is exempt from the hunter safety course offered by the fish and game department and holds a  
21 valid New Hampshire hunting license shall be exempt from the waiting period under this section for  
22 the purchase of a rifle or shotgun.

23 (c) When a rifle or shotgun is being purchased by a state, county, or municipal law  
24 enforcement officer, state or county correctional officer, or an active duty member of the armed forces  
25 as defined in RSA 21:50, III.

26 159-E:2 Penalty. Any person who violates any provision of this chapter shall be guilty of a class  
27 B felony.

28 2 Effective Date. This act shall take effect January 1, 2020.

**HB 514-FN- FISCAL NOTE**  
 AS AMENDED BY THE HOUSE (AMENDMENT #2019-0421h)

AN ACT imposing a waiting period between the purchase and delivery of a firearm.

**FISCAL IMPACT:**     State             County             Local             None

STATE:	Estimated Increase / (Decrease)			
	FY 2020	FY 2021	FY 2022	FY 2023
<b>Appropriation</b>	\$0	\$0	\$0	\$0
<b>Revenue</b>	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<b>Expenditures</b>	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
<b>Funding Source:</b>	<input checked="" type="checkbox"/> General and Game Fund	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input checked="" type="checkbox"/> Other - Fish

**COUNTY:**

<b>Revenue</b>	\$0	\$0	\$0	\$0
<b>Expenditures</b>	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

**METHODOLOGY:**

This bill establishes a waiting period of seven days for the purchase and delivery of firearms. The Fish and Game Department reports this bill may increase the likelihood of students enrolling into hunter education classes by an indeterminable amount. However, Fish and Game reports the hunter education course typically takes multiple days to schedule and complete both the class and required field time, so any increase in hunter education class enrollment to avoid the waiting period would mostly benefit someone participating in multiple firearm transactions overtime. The Department of Safety states this bill will have no impact on current background check processes or expenditures, since the current process strives to perform a background check within three days, which is within the waiting period time frame required in this bill.

This bill contains penalties that may have an impact of the New Hampshire judicial and correctional system. There is no method to determine how many charges may be brought as a result of changes contained in this bill to determine the fiscal impact on expenditures. However, entities impacted have provided the potential costs associated with these penalties below:

Judicial Branch	FY 2020	FY 2021
Routine Criminal Felony Case	\$481	\$486
Appeals	Varies	Varies

It should be noted that average case cost estimates for FY 2020 and FY 2021 are based on data that is more than ten years old and does not reflect changes to the courts over that same period of time or the impact these changes may have on processing the various case types. An unspecified misdemeanor can be either class A or class B, with the presumption being a class B misdemeanor.		
Judicial Council		
Public Defender Program	Has contract with State to provide services.	Has contract with State to provide services.
Contract Attorney – Felony	\$825/Case	\$825/Case
Assigned Counsel – Felony	\$60/Hour up to \$4,100	\$60/Hour up to \$4,100
It should be noted that a person needs to be found indigent and have the potential of being incarcerated to be eligible for indigent defense services. The majority of indigent cases (approximately 85%) are handled by the public defender program, with the remaining cases going to contract attorneys (14%) or assigned counsel (1%).		
Department of Corrections		
FY 2018 Average Cost of Incarcerating an Individual	\$40,615	\$40,615
FY 2018 Annual Marginal Cost of a General Population Inmate	\$4,620	\$4,620
FY 2018 Average Cost of Supervising an Individual on Parole/Probation	\$571	\$571
NH Association of Counties		
County Prosecution Costs	Indeterminable	Indeterminable
Estimated Average Daily Cost of Incarcerating an Individual	\$105 to \$120	\$105 to \$120

Many offenses are prosecuted by local and county prosecutors. When the Department of Justice has investigative and prosecutorial responsibility or is involved in an appeal, the Department would likely absorb the cost within its existing budget. If the Department needs to prosecute significantly more cases or handle more appeals, then costs may increase by an indeterminable amount.

**AGENCIES CONTACTED:**

Fish and Game Department, Department of Safety, Judicial Branch, Departments of Corrections and Justice, Judicial Council, and New Hampshire Association of Counties

HB 514-FN - AS AMENDED BY THE SENATE

19Mar2019... 0421h  
05/23/2019 1959s

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04/06

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19Mar2019... 0421h  
05/23/2019 1959s

19-0220  
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**METHODOLOGY:**

This bill establishes a waiting period of seven days for the purchase and delivery of firearms. The Fish and Game Department reports this bill may increase the likelihood of students enrolling into hunter education classes by an indeterminable amount. However, Fish and Game reports the hunter education course typically takes multiple days to schedule and complete both the class and required field time, so any increase in hunter education class enrollment to avoid the waiting period would mostly benefit someone participating in multiple firearm transactions overtime. The Department of Safety states this bill will have no impact on current background check processes or expenditures, since the current process strives to perform a background check within three days, which is within the waiting period time frame required in this bill.

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Judicial Council		
Public Defender Program	Has contract with State to provide services.	Has contract with State to provide services.
Contract Attorney – Felony	\$825/Case	\$825/Case
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It should be noted that a person needs to be found indigent and have the potential of being incarcerated to be eligible for indigent defense services. The majority of indigent cases (approximately 85%) are handled by the public defender program, with the remaining cases going to contract attorneys (14%) or assigned counsel (1%).		
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AS AMENDED BY THE SENATE (AMENDMENT #2019-1959s)**

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**METHODOLOGY:**

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HB 514-FN - FINAL VERSION

19Mar2019... 0421h  
05/23/2019 1959s

2019 SESSION

19-0220  
04/06

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26 159-E:2 Penalty. Any person who violates any provision of this chapter shall be guilty of a class  
27 B felony.

28 2 Effective Date. This act shall take effect January 1, 2020.

29

30 VETOED August 9, 2019

1 Veto Sustained September 18, 2019

2



**HB 514-FN- FISCAL NOTE**  
AS AMENDED BY THE HOUSE (AMENDMENT #2019-0421h)

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# Amendments

e-mailed

Sen. Levesque, Dist 12  
May 14, 2019  
2019-1943s  
04/08

Amendment to HB 514-FN

1 Amend RSA 159-E:1, I as inserted by section 1 of the bill by replacing it with the following:

2

3 I. No licensed importer, licensed manufacturer, licensed dealer, or licensed collector shall  
4 transfer, sell, trade, give, transport, or deliver a firearm to any person, other than a licensed  
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12 (b) To the purchase of a rifle or shotgun, upon a person's successfully completing a  
13 minimum of a 16-hour hunter education course offered by the department of fish and game. A  
14 person who is exempt from the hunter education course offered by the fish and game department  
15 and holds a valid New Hampshire hunting license shall be exempt from the waiting period under  
16 this section for the purchase of a rifle or shotgun.

1943

Levesque → Chandley

3-2

OTPA

Levesque → Chandley  
3-2 (Carson/French)

Levesque

Senate Judiciary  
May 14, 2019  
2019-1959s  
04/08

Amendment to HB 514-FN

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# Committee Minutes

**SENATE CALENDAR NOTICE**  
**Judiciary**

Sen Martha Hennessey, Chair  
Sen Shannon Chandley, Vice Chair  
Sen Melanie Levesque, Member  
Sen Sharon Carson, Member  
Sen Harold French, Member

Date: April 24, 2019

**HEARINGS**

Tuesday	04/30/2019	
(Day)	(Date)	
Judiciary	SH 100	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m.	<b>HB 109-FN</b>	requiring background checks for commercial firearms sales.
10:00 a.m.	<b>HB 514-FN</b>	imposing a waiting period between the purchase and delivery of a firearm.
11:00 a.m.	<b>HB 564</b>	relative to possession of firearms on school property.

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**HB 109-FN**

Rep. Rogers  
Rep. Mulligan  
Rep. M. Smith

Rep. Huot  
Rep. Heath  
Rep. Oxenham

Rep. Butler  
Rep. Wallner  
Sen. Hennessey

Rep. Berch  
Rep. Berrien

**HB 514-FN**

Rep. Rogers  
Rep. Chretien

Rep. Abbott  
Rep. Mombourquette

Rep. Josephson  
Rep. Bunker

Rep. Muscatel  
Rep. Conley

**HB 564**

Rep. Heath  
Rep. Eisner

Rep. Doherty  
Rep. Rodd

Rep. Cornell

Rep. Mulligan

Jennifer Horgan 271-2609

Martha S. Hennessey  
Chairman

# Senate Judiciary Committee

*Jennifer Horgan 271-2609*

**HB 514-FN**, imposing a waiting period between the purchase and delivery of a firearm.

**Hearing Date:** April 30, 2019

**Time Opened:** 11:25 a.m.

**Time Closed:** 12:56 a.m.

**Members of the Committee Present:** Senators Hennessey, Chandley, Levesque and French

**Members of the Committee Absent :** Senator Carson

**Bill Analysis:** This bill establishes a waiting period for the delivery of a firearm.

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## **Sponsors:**

Rep. Rogers

Rep. Abbott

Rep. Josephson

Rep. Muscatel

Rep. Chretien

Rep. Mombourquette

Rep. Bunker

Rep. Conley

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**Who supports the bill:** Please See Sign-In Sheets

**Who opposes the bill:** Please See Sign-In Sheets

## **Summary of testimony presented in support:**

### **Representative Rogers (provided written testimony)**

- The presence of a gun dangerously compounds the risk of compulsive violence.
- Waiting periods create a period of time for a gun purchaser to reconsider their actions and allow for the completion of a thorough background check.
- This bill will require 7 days to pass from the purchase to when the buyer may actually take possession of the firearm.
- There is no federal waiting period.
- Federal law allows a dealer to give a firearm to a purchaser as soon as a background check is completed or after three business days, even if the background check has not been completed.
- That three-day loophole is known as the default proceed or the Charleston Loophole.
- Dylann Roof was able to obtain a firearm and kill nine people at the Emmanuel Church in Charlestown because of this loophole.
- Each year over 3,000 ineligible persons receive firearms due to this default provision.
- Worldwide suicide rates have fallen, but in the US they have risen over 22%.

- NH is the sixth largest state in terms of the rise of suicide rates.
- Suicides constitute 2/3 of all gun deaths in the US with more than 21,000 suicides per firearm each year.
- Firearms are an extremely common means of suicide and a more effective and immediate form of suicide with around a 90% fatality rate.
- Suicide is a compulsive act. Suicide survivors often contemplated their attempt for 24 hours or less.
- Some states have 3-day, 5-day, or even 24-hour waiting periods.
- South Dakota had a 3-day period. They repealed that in 2009 and in the year after that their rate of suicide by guns went up 7.6%.
- Senator French asked if she is aware that there several auction houses sell firearms in NH and people come from all around the world to buy them, and that this bill would make that business impossible.
  - Does not think anything is impossible. Our suicide rates are increasing, and we need to address that.

**Dr. Lenard Korn (NH Medical Society)**

- This is a crucial piece of legislation to interrupt the purchase of a firearm by an individual that is thinking about committing suicide.
- Suicide is an impulsive act and people can be helped if that impulse is interrupted.
- The NH Medical Society has adopted the policy position of supporting waiting periods.
- Senator French asked how many suicides occur in NH a year.
  - About 130 by firearms. Not sure of the overall number.

**Tracey Han-Burkett**

- In his Inaugural Address Governor Sununu talked about addressing suicide in NH.
- Suicide is the second leading cause of death in NH.
- Nearly half of all suicides involve firearms.
- States with a waiting period have a 27% lower rate of suicide than states without.
- Waiting periods check impulsivity in suicides and homicides.
- A seven-day waiting period is an inconvenience but ensures public health and safety.
- The purpose of a gun is to kill, unlike other inanimate objects.
- Under this bill, law abiding citizens would still be able to buy and receive guns, so this will not infringe on constitutional rights.
- Waiting periods have a proven track record of success.
- Senator French asked about suicide being the second leading cause of death in NH.
  - Will provide the source of that to the Committee.

**Cindy White (provided written testimony)**

- No single law can end gun violence, but this will help to reduce it.
- Suicide is a serious public health problem. Suicide rates have increased by almost 50% between 1999 and 2016 in NH.
- Between the ages 15-34 suicide is the second leading cause of death in NH.



- Waiting periods in other states are linked to reduced rates of both firearm suicide and firearm homicide.
- This will also close the Charleston Loophole by providing additional time for background checks to be completed.
- It is risky to allow felons, domestic abusers, and other prohibited persons to obtain guns.
- In 34% of mass shootings, the shooter was legally prohibited from processing firearms at the time of the shooting.
- The loophole allows a licensed dealer to proceed with a transaction after three days even if a background check has not been completed.
- Dylann Roof was prohibited by law from buying a gun but was allowed to buy one because the background check was not completed in three days.
- Most background checks are completed quickly but in 11% of cases NICS needs to obtain more information from other agencies to determine things like the final disposition of a criminal case or its classification.
- Of the cases in 2017 when NICS delayed it found more than 6,000 of those people were prohibited from buying a firearm.
- In almost 5,000 of those cases the seller allowed a prohibited person to buy a weapon because the check was not completed in three days.
- 75% of the American public in a 2017 and 83% in a more recent poll support waiting periods.
- There is an exemption for licensed hunters, law enforcement, and members of the armed services.

**Scott McGuffin (NAMI-NH)**

- Is a gun collector, sport shooter, and owns about eight guns.
- As an attorney believes this waiting period would be acceptable to the court.
- Is concerned about suicides.
- If someone is being stalked and they get a restraining order that situation has been going on for a long time.

**Barbara McKusick Liscord**

- Knows of two cases where young people have shot themselves in a moment of despair which often happens for people in their late teens, early 20s.
- 67% of gun owners support this waiting period.

**Lizarda Lorena**

- This bill can save people's lives.
- Has mental health issues, including bipolar and PTSD.
- Went to a gun show last year; if she had given her license and they had done her background check she would have been able to purchase a gun. She was on medication at that time and did not recognize her own son in her home.
- Sometime mistakes are made with medication and that can result in serious problems.

**Martha Korkus (Moms Demand Action) (provided written testimony)**

- Speaking for Robin Skudlarek.
- Everyday 100 people are killed with guns and hundreds more are shot and injured.
- Mass shootings are on the rise.

- Nationally 22,000 people die annually through suicide by gun.
- A NH resident dies by suicide by gun every four days.
- Most people that attempt suicide do not die except for those that use a gun.
- A reduction in suicide by gun would reduce suicide rates overall.
- In delaying immediate access, waiting periods create a buffer between impulse and action.

**Zandra Rice Hawkins (Gunsense NH)**

- It is important to have longer than a three-day waiting period if we want to close the Charleston Loophole.
- In comparison to the 90% fatality rate for suicides with guns, there is only a 34% fatality rate with jumping and a 2% fatality rate with drugs.
- Almost all people that survive a suicide attempt go on to live their lives normally and do not die by suicide.
- This is a piece of legislation that has been identified by suicide prevention advocates.
- Gun store owners need to look at the Gun Shot Project, which is meant to help gun store owners recognize individuals at risk.
- A domestic violence victim is five times more likely to die if their abuser has a firearm and 12 times more likely to die if a firearm is involved in the incident. The number one way to help, is to keep guns out of the hands of prohibited persons.
- Senator Levesque asked if even at a gun show someone may have to wait the three days to take their firearm home.
  - There could be a three-day delay now. Most background checks only take a few minutes, but those delays do happen now.

**Summary of testimony presented in opposition:**

**Representative Love**

- All of these gun bills are anti-constitutional.
- There are a lot of women in the state who get restraining orders and all they would have to protect themselves is simply a piece of paper under this law.
- 10 days is a very long time.
- NH has been claimed by the FBI to be one of the safest states in the nation.
- Why mess with something that works?
- Why take the one thing a law-abiding citizen can use to protect themselves?
- Poor mental health care is the issue and that is what we should be looking at.

**Susan Olsen (Women's Defense League) (provided written testimony)**

- The Brady Act of 1993 included an amendment that created NICS and a federal five-day waiting period to accommodate gun dealers that did not have a point of contact for firearm sales.
- The year prior to that waiting period going into effect, 1998, the Supreme Court struck down the waiting period.
- This is trying to blame firearms for people's mental illness.
- Carolyn Brown was worried for her safety due to a relationship that went south. She got a restraining order and approached her local police department to ask to for help when he continued to harass her. She even applied for permission to

buy a firearm for protection. While waiting as a law-abiding citizen to be allowed to defend herself, she was murdered in her own driveway.

- If we impose a waiting period on firearms, we should also be imposing them on various other inanimate objects.
- We should actually address mental health rather than impose a waiting period.

### **Kimberly Morin**

- Has been writing about and researching second amendment issues for many years, especially as they pertain to women and women's rights.
- Has listened to horrifying 911 calls from women who are being attacked.
- One woman had a stalker that was getting increasingly violent. She had a restraining order and secured her house. The day she got a firearm was the day he decided to come and kill her. If this law was in place, she would be dead right now.
- Law abiding citizens would have to follow this draconian law, waiting the 10 or 11 days, and would be dead.
- You cannot legislate emotions.
- If suicide prevention is the main issue, why is this only targeting half of the people that commit suicide?
- Japan has a much higher rate of suicide than the US and they have no firearms.
- If you want to deal with suicide it needs to be in mental health and not gun control legislation.
- This legislation will only create more victims, especially women victims.

### **Lauren LePage (NRA) (provided written testimony)**

- Under this legislation a law-abiding citizen can visit a federal firearm license holder, fill out the required forms, pass a background check, and pay, but unless they fit into the narrow exceptions they would have to wait to obtain possession of their firearm.
- Waiting periods were intended to give law enforcement the ability to conduct background checks prior to the NICS system becoming active.
- Once background checks could be done instantly, it prompted the federal waiting period to be eliminated.
- This has the biggest affect on first time buyers who are potentially left defenseless when they go to purchase their firearm and have to wait.
- You can already have additional investigations in the background check process if there are issues.

### **Representative Green**

- This is unconstitutional
- There are more people committing suicide with needles in NH than firearms.
- Israel and Switzerland are the safest places in the world because everyone has firearms.
- Firearms are no more than a tool.
- If a hunter's firearm breaks, he is not going to be happy to have to wait to get a new one.
- Some gun owners go to auctions and purchase high value firearms. They are not going to be happy to wait.

- Why not put a waiting periods on hammers? The FBI says more people are killed with hammers than firearms.
- The State Police say more people are killed with cellphones texting on the road than by firearms.
- Statistics are not always rights.
- Senator French asked what a license collector is.
  - It is someone that has a large interest in firearms, and they may not shoot the firearms because of the value.

#### **Larry Melanson**

- This serves no legitimate purpose.
- The suicide argument is used only when it fits the narrative, but they do not mention it when relating it to all firearm deaths.
- Recognizes suicides are an issue, but under this abused domestic partners will have to wait almost two weeks to get a firearm to protect themselves.
- This is looking to create a gun registry in mandating the federally licensed dealers to make their records available to local municipalities and law enforcement agencies. They are currently only required to do that for federal agencies.
- The NRA was instrumental in working with Congress.
- Their side is always willing to work if it is constitutional and not restrictive on law abiding citizens.
- Senator French asked if he is aware that there are 265 suicides in the state and less than half of them were done by firearms.
  - Was not aware of that.

#### **Alan Rice (Gun Owners of America)**

- This bill does not require any additional background checks.
- It does require a gun purchaser to wait seven business days that could end up being 12 calendar days with weekends and Monday holidays, in order to lawfully bring a firearm home.
- There is a pattern that whatever is done with gun restriction is not good enough and advocates want more.
- This bill also adds a mandatory training requirement to purchase a firearm with rifle and shotgun purchasers being the only exemptions.
- Handguns are what is commonly purchased for self-defense.
- Someone that needs immediate use and access to a handgun for self defense would not be exempted.
- Japan has a very high suicide rate and is a gun free nation.
- Someone that wants to kill themselves will find a way.
- Forcing everyone else to give up their constitutional right to immediate access to firearms will not reduce suicides, it will just drive people to a different means.
- The bill also requires records of sale to be open to inspection by law enforcement without any requirement for a warrant or probable cause.
- The NH Fish and Game Department has engaged in huge abuses of civil liberties. They should not be given the ability to go in and inspect records without probable cause.

- Senator French asked if the bill says all law enforcement officers, correctional officers, and active duty will have to wait the seven days to purchase a handgun.
  - That is correct. No one should have to wait. If we are going to have it then everyone should have to wait.

**Honorable JR Hoell (NH Firearms Coalition)**

- This is actually a 9 to 11 day waiting period with weekends and holidays.
- The biggest issue is that this will shut down all gun shows and auctions in NH.
- No gun show is going to be around the following weekend for someone to take receipt of a firearm.
- The exemptions have numerous technical flaws, but does not know if this matters.
- This is a clear infringement of a person's constitutional rights.

**Honorable Joe Hannon (Gun Owners of NH)**

- A right delayed is a right denied.
- If a person drives an hour or two to a firearms show and passes a background check there is no reason why they should not be able to legally bring that gun home, then and there.
- His wife was a victim of a violent crime and that fear is real. If a person is not able to access those rights in a timely matter that it a travesty of justice.
- Under this bill a person can trade in a firearm without a background check, but they cannot get a new one in trade even though they already have a functional firearm.
- The hunter safety course does not teach a non-murder course or a suicide prevention training course. This only makes an exemption for one shooting sport.
- The exemption creates a separate class of citizens for rifles and shotguns for a population that may be at a higher risk of suicide than other populations.
- Haynes v. US determined that criminals would have to self-incriminate in order to pass a background check.
- Originally this bill was implementing a waiting period for firearms and ammunition. Ammunition was removed.
- Senator French asked when the seven-day period begins.
  - The bill does not say at what point it starts. Would imagine it is from the point of purchase but does not know.
- Senator Levesque asked how many guns on average an average gun owner owns.
  - About 2/3 of firearm purchasers already own at least one firearm.

**James Gaffney**

- California passed laws 30 years ago similar to this bill.
- The population of CA is currently 40 million people, which is a huge data set.
- Johns Hopkins and Bloomberg analyzed over 25 years of data and found that this law as well as universal background checks had zero impact of suicide or homicide rates.
- When they compared that data to 32 control states that did not have those laws, they found that it had not effect.
- We already have laws against suicide, homicide, and assault.

- This will infringe on the rights of a lot of people for no effect.
- The UK has a similar suicide rate to the US, but they do not have firearms.
- Restricting one inanimate object is not going to stop someone from doing something.
- If you want to address suicide, address suicide.
- The UK's number one suicide method is hanging. Even the Brits have not proposed restricting the purchase of rope.
- People commit suicide for a lot of reasons including those in pain and facing terminal illness, and people should have the right to choose what they want to do with their body.

### **Tim Mulverhill**

- Is a federal firearms licensee and conducts the background checks and evaluates people looking to purchase guns from him.
- Has to evaluate at his own peril if he is conducting a straw purchase or not.
- Conducts his business out of his house so this bill would allow law enforcement to enter his house at will to inspect his records.
- No one has sought the input of the federal firearms licensees.
- Has anyone discussed these issues with ATF?
- Most people in NH own a firearm already. Is there an exception for those that already own a firearm if the intent is to stop impulsive behavior?
- Would it be legitimate to have someone wait 10 days for an abortion?
- ATF and State Police can already extend the length of background checks.
- Has been contacted by the FBI saying the case is being referred to another agency for further investigation and has been told not to conduct the transfer.
- This is an issue that should be taken up with the agencies conducting these checks if there is a delay in getting information.
- Passing this law is not going to achieve the aims claimed.
- Senator Chandley asked for those that deal in firearms do sellers make a decision not to sell firearms because they suspect a person.
  - Has denied transactions because he has smelled alcohol on someone's breath or their clothes smell like marijuana or because of concerns for straw purchases. Has substantial liability for how he conducts himself and the outcome of the transfer. There are reams of state and federal regulations sellers must follow or risk losing their license or even freedom.

### **Penny Dean**

- The legislature is presumed to say what it means and mean what it says.
- Lines 18-20 state that in order to purchase a handgun a person must pass a 'hunter safety course' to purchase a shotgun. Right now, Fish and Game teaches a 'hunter education course'.
- How many years is it going to take Fish and Game to put this together this new course and allow people to purchase guns?
- Represents many people in domestic violence situations and many of them have had a spouse turn overnight.
- In every court they have court rules that indicate how time is calculated. That it not outlined here.

- In Maine, ATF was going into gun stores and looking at certain rifle and handgun purchases of women in particular who are purchasing high caliber firearms and copying them on their cellphones.
- ATF was then showing up at those women's homes and demanding they show them the guns and prove they are theirs and not for a boyfriend.
- This is going to shut down gun sales in the state.

#### **Stephen Stephanik**

- In 1993 when the Brady Act passed and the NICS system was implemented the Supreme Court ruled that the five day waiting period was unconstitutional and that it could only be three days max.
- A licensed firearm dealer does not have to sell a gun to anyone they don't want to.
- Most gun owners have many guns so if they want to commit suicide they already can.

#### **Honorable Robert Clegg**

- Doctors have high suicide rates, but this bill will not help them.
- If you want to help doctors with their suicide rates, deal with the frivolous lawsuits.
- It was 13 days before a schizophrenic with a record came back to the gun store and the Gun Line had not completed the check. The store owner sold him the gun and that night he shot two officers in Manchester.
- It does not matter if it is 10 days or 13 days if it is not done right.
- Gun store owners have a keen sense.
- Last year, someone threatened his children. His daughter is a teacher and did not have a gun. If you put a ten-day waiting period for her, that is ten days for some bully to come upon her and she would not have anything to protect her.
- If a person does not clear, it does not take 10 days to realize that.
- Why are we going to make people suffer and not be able to protect themselves?

jch

Date Hearing Report completed: May 13, 2019

# Speakers



# SPEAKING

## Senate Judiciary Committee

### SIGN-IN SHEET

Date: 04/30/2019 Time: 10:00 a.m.

HB 514-FN AN ACT imposing a waiting period between the purchase and delivery of a firearm.

Name/Representing (please print neatly)

	Support	Oppose
✓ SUSAN OLSEN WINDY #	<input type="checkbox"/>	<input checked="" type="checkbox"/>
✓ CAMBERG MORIN SELF	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<del>XXXXXXXXXX</del>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO Charles A. Hall	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO William Smith	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
✓ Lauren LePage - NRA	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO Aaron Penkacik Hollis	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO Richard Sheppard	<input type="checkbox"/>	<input checked="" type="checkbox"/>
✓ Rep Katherine Rogers - Sponsor, H. 20	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓ LEONARD KORN MD NH Med Soc	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓ Tracy Hahn-Burkett	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓ Larry Melanson	<input type="checkbox"/>	<input checked="" type="checkbox"/>
✓ Cindy White	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓ Alan Rice Gun Owners of America	<input type="checkbox"/>	<input checked="" type="checkbox"/>
✓ Steven Stefanik ALL FREEMEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO GREGORY MONTGOMERY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO K B Hatch Nashua	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓ JR Hoell New Hampshire Firearms Institute	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO Don Avery W. Lebanon, NH	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Renny Dean on next pg

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Name/Representing (please print neatly)

		Support	Oppose
NO	<del>Patricia</del> Jon Bresler - self	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	Marcella Dube	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	<del>Rep. Dora Altschuler</del>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓	Hon Joe Harmon / Gun Owners of New Hampshire	<input type="checkbox"/>	<input checked="" type="checkbox"/>
✓	SCOTT MCGUPPIN NAM I	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	Sara Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓	Barbara McFusick Liscord	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓	LIZARDA CIRENA (MOM)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	Mike Padmore NH Medical Society	<input checked="" type="checkbox"/>	<input type="checkbox"/>
✓	ROBIN SLUDLAREK Londonderry Moms Demand Action (another woman spoke for her)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	<del>Walter A Stapleton</del> Rep. Sullivan #5	<input type="checkbox"/>	<input checked="" type="checkbox"/>
✓	JAMES GAFFNEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<del>Walter A Stapleton</del>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	<del>Walter A Stapleton</del>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Jim Mulveehill	<input type="checkbox"/>	<input checked="" type="checkbox"/>
✓	<del>Walter A Stapleton</del>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
not here	<del>Walter A Stapleton</del> Renny Cushing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Rep Clegg	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

# SPEAKING

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	Support	Oppose
✓ <del>REP THOMAS GREEN</del>	<del><input checked="" type="checkbox"/></del>	<input checked="" type="checkbox"/>
✓ <del>REP DANIELA</del>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
✓ Penny Dean	<input type="checkbox"/>	<input checked="" type="checkbox"/>
✓ Zandra Rice Hawkins / Granite State Progress	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
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# NOT SPEAKING

## Senate Judiciary Committee

### SIGN-IN SHEET

Date: 04/30/2019 Time: 10:00 a.m.

HB 514-FN AN ACT imposing a waiting period between the purchase and delivery of a firearm.

Name/Representing (please print neatly)

	Support	Oppose
Linda Mattridge Concord	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rick Castellano	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Elise Castellano	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hon. Pette Lasley	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Clegg Frogan NH	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep. Sue Newman - Ashua Ward 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
City Daney Nashua	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nancy Fortin Hollis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Faye O'Neil Amherst	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cheri Falk W. Han	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sarah Zuech Salisbury	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A. R. LINDNER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
TIM O'HEARNE Charlestown	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DAVID CAWLEY Concord	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Elizabeth Coell Concord	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Peter Furchild Concord	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Louise Spencer Concord	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wyndie R. Matt-Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Christopher Carr Newmarket	<input type="checkbox"/>	<input checked="" type="checkbox"/>

# NOT SPEAKING

## Senate Judiciary Committee

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Date: 04/30/2019 Time: 10:00 a.m.

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Name/Representing (please print neatly)

Rep Lee Overman	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Liz-Anne Platt Concord Self	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Maureen Clark	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Garner Cruz	Support <input type="checkbox"/>	Oppose <input checked="" type="checkbox"/>
Jon Bresler self	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
DAVID STARR DIST. 1	Support <input type="checkbox"/>	Oppose <input checked="" type="checkbox"/>
Allen Ferry	Support <input type="checkbox"/>	Oppose <input type="checkbox"/>
Jocelyn Dartnell	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Rep Samantha Fox	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Martha Korkuc	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Jeanne Lutt	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Rep Liz McConnell Brentwood 11	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Rep Donna Mombourquette Hills 5	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Julia Freeman-Wedget/self (unpaid).	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
REP BRAD BERRIEN ROCK-18	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Rep. Mary Jane Mulligan Graf #12	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
	Support <input type="checkbox"/>	Oppose <input type="checkbox"/>
	Support <input type="checkbox"/>	Oppose <input type="checkbox"/>
	Support <input type="checkbox"/>	Oppose <input type="checkbox"/>

# NOT SPEAKING

## Senate Judiciary Committee

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Name/Representing (please print neatly)

	Support	Oppose
Sen Bob Giuda	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Joanne P. DeBold, Hopkinton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<del>SPROUDON</del>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Edna Burnier	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<del>Letta weath</del>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jim McConnell	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep Dawn Doretti Merrimack 20	<input checked="" type="checkbox"/>	<input type="checkbox"/>
REP JOHN POTUCKER Rock 6	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep 2d Butler Carroll 7	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Barbara Treri	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alvin Sen Loudon	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ruth Keenevich	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jeanne Torrey Concord	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Suzanne Sonneborn	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Luey Crichton Concord	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep moty Horgan Stratford	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
BOB ANDERSON Hill	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SUSAN COVERT CONTOOCOOK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lindsey Franck Greenland	<input checked="" type="checkbox"/>	<input type="checkbox"/>



# NOT SPEAKING

## Senate Judiciary Committee

### SIGN-IN SHEET

Date: 04/30/2019 Time: 10:00 a.m.

HB 514-FN AN ACT imposing a waiting period between the purchase and delivery of a firearm.

Name/Representing (please print neatly)

Claudia C. Damon Concord	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Rev Jason Dells NH Council of Churches	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
RICHARD ADAMS GILMANTON	Support <input type="checkbox"/>	Oppose <input checked="" type="checkbox"/>
REP. DAVID MEUSE	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Rick Notkin	Support <input type="checkbox"/>	Oppose <input checked="" type="checkbox"/>
J.J. Smith, MD, MPH NH Public Health Ass'n	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Rep. Timothy Horvath Stratford	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
STEPHEN RASCHAE	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
PATRICE RASCHAE	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Randey (Francis) Hayer MD	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
David DeVest - Gilmanston	Support <input type="checkbox"/>	Oppose <input checked="" type="checkbox"/>
JON LEBRON LOUDON	Support <input type="checkbox"/>	Oppose <input checked="" type="checkbox"/>
Russell Bartholomew Manchester	Support <input type="checkbox"/>	Oppose <input checked="" type="checkbox"/>
PHOEBE BARTHLOMEW	Support <input type="checkbox"/>	Oppose <input checked="" type="checkbox"/>
Rep John O'Way	Support <input type="checkbox"/>	Oppose <input checked="" type="checkbox"/>
GALE BAILEY SELF	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Kevin Pratt	Support <input type="checkbox"/>	Oppose <input checked="" type="checkbox"/>
Deborah Bruss self Concord	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>
Maura Willey Concord self	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>



# NOT SPEAKING

## Senate Judiciary Committee

### SIGN-IN SHEET

Date: 04/30/2019 Time: 10:00 a.m.

HB 514-FN AN ACT imposing a waiting period between the purchase and delivery of a firearm.

Name/Representing (please print neatly)

	Support	Oppose
NANCY GYNN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Douglas R Southard	<input type="checkbox"/>	<input checked="" type="checkbox"/>
William A. Smith	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Taryn Flynn	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Fard	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep John Port Hills 39 Goffstown weare, Deering	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep. Jacqueline Chretien (Manchester)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep Terry Ray	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep. Michael Nakubovich	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep. Steve Bouchard	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep. Judy Aro	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep Howard Pearce MER 26	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep Jack Flanagan	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1SG John G. Lamberson US Army (Ret)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep Carey Conley (Dover)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep Deb Hobson	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

# NOT SPEAKING

## Senate Judiciary Committee

### SIGN-IN SHEET

Date: 04/30/2019 Time: 10:00 a.m.

HB 514-FN AN ACT imposing a waiting period between the purchase and delivery of a firearm.

Name/Representing (please print neatly)

	Support	Oppose
REP. DENNIS GREEN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
GEORGE KORMANOS	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NICK PERTYCAPILLI, MD	<input type="checkbox"/>	<input type="checkbox"/>
Catherine Goldwater	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Cannarota	<input type="checkbox"/>	<input checked="" type="checkbox"/>
AK	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Nina Ann Marchese	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kathleen Slover - Portsmouth	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Heath Hills 14	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leah (Chase) Cushman Weave, NH	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Deirdre Reynolds - Nashua, NH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michelle Levell	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cheryl Dean	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Michael Hammond Dunbarton	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jillling Hoiska	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Don Auzry W. Lebanon, NH	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kathleen Tereshko	<input checked="" type="checkbox"/>	<input type="checkbox"/>
JAMES WILSON	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Cole Wilson	<input type="checkbox"/>	<input checked="" type="checkbox"/>

# Testimony



**NATIONAL RIFLE ASSOCIATION OF AMERICA**  
**INSTITUTE FOR LEGISLATIVE ACTION**  
**11250 WAPLES MILL ROAD**  
**FAIRFAX, VIRGINIA 22030-7400**

Lauren LePage  
State Director

**Memorandum of Opposition**

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**Date:** April 30, 2019  
**To:** Honorable Members of the Senate Judiciary Committee  
**From:** Lauren LePage  
**RE:** House Bill 514-FN

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Honorable members of the committee, on behalf of the National Rifle Association, I would like to express our opposition to House Bill 514-FN (Rogers-D); an act imposing a waiting period between the purchase and delivery of a firearm.

Under this proposed legislation, a law abiding state citizen can visit a Federal Firearms License Holder (FFL) in New Hampshire, fill out a 4473 (ATF required firearms transaction record), pass a NICS check, pay for their purchase, but unless they fit into one of the narrow exceptions, they would have to wait 7 days – not including weekends or legal holidays – to take possession of their firearm or ammunition.

Waiting periods were originally intended to give local law enforcement time to complete background checks. Since the National Instant Criminal Background Check System (NICS) came into operation in 1998, technology has allowed background checks to be done instantly, activating the law that eliminated the federally required waiting periods. The waiting periods produce no deterrent for criminals, as they obtain the vast majority of their firearms through illegal sources. This legislation would especially affect first-time buyers seeking a firearm for self-defense, as it would be a seven working day delay where they and their loved ones are left defenseless.

Waiting periods are arbitrary impositions with no effect on crime or suicide, introduce no additional investigative avenues, and only burden law-abiding gun owners without changing how or when criminals obtain firearms. This waiting period would not change the background check process; no additional investigative measures are taken no matter how long of a waiting period is imposed. Most background checks are resolved instantly, but investigations can currently last up to 90 days if a “delay” is issued and the examiner requires more time to review the transfer. With the majority of background checks conducted by the Department of Justice taking less than one hour, why should an individual 7 days or more to take possession of their firearm?

New Hampshire citizens, law-abiding gun owners, sportsmen and women hope that you will oppose this legislation. Please feel free to contact me at 703-267-1243 if you have additional questions or concerns. Thank you for your attention to this matter.



NAMI  
National Alliance on Mental Illness

# New Hampshire

April 30, 2019

Honorable Martha Hennessey  
Senate Judiciary Committee  
107 North Main Street  
Concord, New Hampshire 03301

Dear Madam Chair and Committee Members:

My name is Kenneth Norton and I am the Executive Director of NAMI NH, the National Alliance on Mental Illness. I have worked extensively in the field of suicide prevention as a Licensed Clinical Social Worker in NH, as well as in suicide prevention public health efforts in NH and nationally. I have served as a subject matter expert on suicide prevention for the Department of Defense, Defense Center on Excellence and the Substance Abuse Mental Health Services Administration. I have also served as a member of the Steering Committee of the National Suicide Prevention Lifeline for over a decade. And I also serve on NH's legislatively established Suicide Prevention Council of which there are several other members here to testify today. NAMI NH's primary focus for HB 514 is suicide prevention and toward that end we are here to testify in support of HB 514.

Too often the debate about firearms in our country has involved homicide deaths and largely ignored suicide. Suicide deaths by firearms in the US are more than double the number of homicide firearms deaths. The US Surgeon General has identified suicide as a public health issue that is largely preventable. In a report released by the US Center for Disease Control in June of 2018 looking at suicide rates across the US, New Hampshire was identified as having one of the largest increases in suicide rates compared to other states. As

indicated by the chart, in New Hampshire, suicide is the second leading cause of death ages 15-34, third leading cause ages 35-44 and fourth leading cause of death ages 45-54. Almost half,



## NH Leading Causes of Death: 2013-2017

Rank	Age Groups										All Ages
	<1	1-4	5-9	10-14	15-24	25-34	35-44	45-54	55-64	65+	
1	Congestive Heart Failure 27	Congestive Heart Failure 27	Congestive Heart Failure 12	Ischemic Heart Disease 13	Ischemic Heart Disease 13	Ischemic Heart Disease 13	Ischemic Heart Disease 13	Ischemic Heart Disease 13	Ischemic Heart Disease 13	Ischemic Heart Disease 13	Ischemic Heart Disease 13
2	Stroke 22	Stroke 22	Stroke 22	Stroke 22	Stroke 22	Stroke 22	Stroke 22	Stroke 22	Stroke 22	Stroke 22	Stroke 22
3	Ischemic Heart Disease 25	Ischemic Heart Disease 25	Ischemic Heart Disease 25	Ischemic Heart Disease 25	Ischemic Heart Disease 25	Ischemic Heart Disease 25	Ischemic Heart Disease 25	Ischemic Heart Disease 25	Ischemic Heart Disease 25	Ischemic Heart Disease 25	Ischemic Heart Disease 25
4	Cancer 15	Cancer 15	Cancer 15	Cancer 15	Cancer 15	Cancer 15	Cancer 15	Cancer 15	Cancer 15	Cancer 15	Cancer 15
5	Chronic Lower Respiratory Disease 11	Chronic Lower Respiratory Disease 11	Chronic Lower Respiratory Disease 11	Chronic Lower Respiratory Disease 11	Chronic Lower Respiratory Disease 11	Chronic Lower Respiratory Disease 11	Chronic Lower Respiratory Disease 11	Chronic Lower Respiratory Disease 11	Chronic Lower Respiratory Disease 11	Chronic Lower Respiratory Disease 11	Chronic Lower Respiratory Disease 11
6	Diabetes Mellitus 10	Diabetes Mellitus 10	Diabetes Mellitus 10	Diabetes Mellitus 10	Diabetes Mellitus 10	Diabetes Mellitus 10	Diabetes Mellitus 10	Diabetes Mellitus 10	Diabetes Mellitus 10	Diabetes Mellitus 10	Diabetes Mellitus 10
7	Alzheimer's Disease 9	Alzheimer's Disease 9	Alzheimer's Disease 9	Alzheimer's Disease 9	Alzheimer's Disease 9	Alzheimer's Disease 9	Alzheimer's Disease 9	Alzheimer's Disease 9	Alzheimer's Disease 9	Alzheimer's Disease 9	Alzheimer's Disease 9
8	Accidents 8	Accidents 8	Accidents 8	Accidents 8	Accidents 8	Accidents 8	Accidents 8	Accidents 8	Accidents 8	Accidents 8	Accidents 8
9	Heart Disease 7	Heart Disease 7	Heart Disease 7	Heart Disease 7	Heart Disease 7	Heart Disease 7	Heart Disease 7	Heart Disease 7	Heart Disease 7	Heart Disease 7	Heart Disease 7
10	COVID-19	COVID-19	COVID-19	COVID-19	COVID-19	COVID-19	COVID-19	COVID-19	COVID-19	COVID-19	COVID-19

Source: CDC WONDER, 2013-2017

NAMI New Hampshire

Find Help, Find Hope.

NAMI New Hampshire • 85 North State Street • Concord, NH 03301  
InfoLine: 800-242-6264 • Tel. 603-225-5359 • Fax 603-228-8848 • info@naminh.org / www.NAMINH.org

49% of the suicide deaths in NH involve firearms. Unlike almost every other method of suicide, use of a firearm in a suicide attempt is almost always lethal and leaves little opportunity for intervention. While people may contemplate suicide for a long period of time, when they make the decision to end their life there is often very little time elapsed between that point and them making an attempt. It is important to note that 90% of people who survive a suicide attempt do not go on to die by suicide.

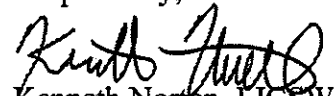
There is also a lot of anecdotal information to support that putting time between purchase and delivery of a firearm can be life-saving. One such example resulted in the NH Firearm Safety Committee's "Gun Shop Project" which has become a national model by bringing together gun shop owners, firing range operators and suicide prevention advocates to work together to prevent suicide deaths. Although they have taken no position on this bill, this coalition came together after an incident several years ago where three suicide deaths using fire arms occurred in New Hampshire in an eleven day period where each of the individuals had purchased the gun they used to take their life from the same gun shop immediately preceding their deaths.

This bill to establish a waiting period between purchase and delivery of a firearm can be effective in saving lives by putting time between the decision to take one's life and immediate access to the purchase of a firearm. There is a strong evidence-base of emerging research that waiting periods can be effective in reducing suicide rates. While it may seem counterintuitive, there is also research which indicates if the means someone intends to use are thwarted, they won't look for an alternative. Meaning, a person who is suicidal and intent on using a firearm will not necessarily seek to use an alternative method.

NAMI NH believes that House Bill 514 seeks an appropriate balance between a person's right to purchase a firearm and taking affirmative steps to reduce the senseless tragedy of suicide deaths. Please vote HB 514 as ought to pass.

I am happy to answer any questions which you may have.

Respectfully,



Kenneth Norton, LICSW  
Executive Director



## HB514 IMPOSING A WAITING PERIOD BETWEEN THE PURCHASE AND DELIVERY OF A FIREARM

Submitted by  
Hon. Daniel C. Itse

HB514 violates The Constitution of the State of New Hampshire, Part the First, Article 2-a. This Article clearly states that every person has the right to keep and bear arms in self-defense. However, HB514 makes no provision for individuals under impending threat. Thus, if someone is in under threat of impending attack, they have no capacity to make provision for their defense.

Furthermore, the manner in which the bill is written, the delay is 9 days not 7 days. The bill says "7 day, excluding weekends and legal holidays". I know of no 7 day period that does not include 2 weekend days. The actual waiting period is 9 to 11 days.

Let me give you an example from my personal experience. Back in 1999, we caught one of Jarrod's nurses stealing from Medicaid. We arranged a relatively elaborate operation to obtain evidence. However, we also learned that her husband was President of an outlaw biker gang. Despite the fact that no overt threat was ever made, we obviously felt the need make some self defense preparations. If this law were in effect, we would have had no options.

Good Afternoon to the Committee and I would like to thank all of you and the Committee Chair for allowing me to speak today.

My Name is Robin Skudlarek and I've lived in NH for 28 years, and at my current home in Londonderry for 19 years where we've raised both of our boys. I've been a volunteer with Moms Demand Action for 5 years and I am here to speak in support of waiting period bill HB 514.

In my work on gun violence prevention, I have a close view of the lives impacted by the epidemic of gun violence that is unique to our country. My family has been personally affected by this overwhelming epidemic. Every day, 100 people are killed with guns and hundreds more are shot and injured.<sup>[1]</sup> Mass shootings are on the rise but what doesn't get enough attention, or make the news, is that nearly two-thirds of gun deaths are suicides, killing over 22,000 people in our nation every year. On average, a NH resident dies by suicide by gun every four days. Those numbers are infuriating to me and simply not acceptable, particularly given that we have many ways to reduce this plague on our veterans and so many others who have experienced the loss of a loved one through suicide.

Waiting periods help reduce the occurrence of suicides and other impulsive acts of violence. As I mentioned, firearm suicide makes up the majority of gun deaths each year. Half of all suicides in the U.S. are carried out with a firearm. When compared to other means of attempting suicide, guns are by far the most lethal. Most people who attempt suicide do not die - unless they use a gun. Across all suicide attempts not involving a firearm, less than 5 percent will result in death.<sup>[2]</sup> But for gun suicides, those statistics are flipped: approximately 85 percent of gun suicide attempts end in death.<sup>[3]</sup> This fact is incredibly important because the vast majority of all those who survive a suicide attempt go on to live out their lives and do not subsequently die by suicide. This shows that a reduction in suicide attempts by firearm would result in an overall decline in the suicide rate.

It's often said that suicide is a permanent solution to a temporary problem. Waiting periods may help prevent firearm suicides by delaying firearm acquisition. In delaying immediate access to a firearm, waiting periods insert a buffer between impulse and action, and are essential in providing that time. Time for someone to rethink what they are about to do. Time for them to reach out to someone and get help. Time that every parent who has lost a child to suicide wishes they had been given. Time for a parent or family member to notice the signs. Time for law enforcement to complete a thorough background check. Studies show that policies that create this buffer are associated with reduced rates of firearm suicide.<sup>[4]</sup>

I am here today to ask that you all support House Bill 514. Waiting periods are overwhelmingly supported and effective in reducing gun violence and the incidents of suicide and attempted suicide by firearm.

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[1] Centers for Disease Control and Prevention. National Centers for Injury Prevention and Control. Web-based Injury Statistics Query and Reporting System (WISQARS) Fatal Injury Reports. A yearly average was developed using five years of most recent available data: 2013 to 2017.

[2] Miller M, Azrael D, Barber C. Suicide mortality in the United States: The importance of attending to method in understanding population-level disparities in the burden of suicide. Annual Review of Public Health. 2012; 33: 393-408.

[3] Owens D, Horrocks J, House A. Fatal and non-fatal repetition of self-harm: Systematic review. *British Journal of Psychiatry*. 2002; 181: 193-199.

[4] Luca M, Malhotra D, Poliquin C. Handgun waiting periods reduce gun deaths. *Proceedings of the National Academy of Sciences of the United States of America*. 2017; 114(46): [12162-12165](#).; Anestis MD, Anestis JC, Butterworth SE. Handgun legislation and changes in statewide overall suicide rates. *American Journal of Public Health*. 2017; 107(4): 579-581.



**Testimony in Support of HB 514, Creating a Waiting Period Between Purchase and Delivery of a Firearm**  
**Senate Judiciary, April 30, 2019**

My name is Zandra Rice Hawkins and I am the Executive Director of Granite State Progress, a multi-issue advocacy organization working on issues of immediate state and local concern. Our members work actively on gun violence prevention, and as such strongly support HB 514.

Waiting periods require a certain number of days to pass between when a gun is first purchased and when the buyer may actually take possession of it. The two main functions of waiting periods are to:

- give law enforcement officials sufficient time to properly perform a background check on prospective purchaser, and
- provide a “cooling off” period to help guard against impulsive acts of violence—especially suicide.

**This bill creates a 7-day waiting period. Waiting periods close what is known as the “Charleston Loophole.”** Under federal law, a licensed dealer may proceed with the sale of a firearm after 3 business even if the mandated background check has not yet been completed and there’s been no confirmation that the purchaser is legally permitted to have guns. The perpetrator of the Charleston church shooting—who was legally prohibited from having guns—was able to use this loophole to purchase the gun he used in that tragedy before the background check was completed.

This bill would help address the “Charleston Loophole” by allowing additional time for the completion of a background check and help ensure that prohibited people cannot purchase firearms in New Hampshire.

**Waiting periods also help reduce the occurrence of suicides and other impulsive acts of violence.** Suicides constitute two-thirds of all gun deaths in the U.S., with more than 21,000 suicides by firearm per year. Guns are an extremely common means of suicide; half of all suicides in the U.S. are carried out with a firearm and compared to other means of attempting suicide, guns are uniquely lethal. More than 90% of suicide attempts with a firearm result in death.<sup>6</sup> Suicide attempts by jumping, in comparison, carry a 34% fatality rate, and attempts by drug poisoning only a 2% fatality rate.<sup>7</sup> In other words, a person who attempts suicide by a method other than firearm is more likely to live than a person who uses a gun.

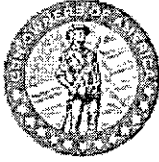
This fact is incredibly important because almost all people who survive a suicide attempt go on to live out their lives and do not subsequently die by suicide. Contrary to common belief, the vast majority of suicide survivors recover and do not remain suicidal. In addition, suicide is a highly impulsive act. A variety of studies confirm that most suicide survivors contemplated their actions for only a brief period of time—often less than 24 hours—before making a suicide attempt.<sup>2</sup> Because of the impulsive nature of suicide, immediate access to firearms is a major mortality risk factor and one that waiting periods can help address.

**In fact, states with waiting period laws for gun purchases have lower rates of suicide.** Research published in the American Journal of Public Health showed that states with waiting period laws had 51% fewer firearm suicides and a 27% lower overall suicide rate than states without such laws.<sup>12</sup> When South Dakota repealed its 48-hour waiting period for handgun purchases in 2009, overall suicides the following year increased by 7.6%.<sup>13</sup>

**Preventing immediate access to the most lethal means of suicide is a lifesaving policy that is supported by gun owners and the general public alike. Americans strongly support waiting periods for firearm purchases.** A December 2011 poll found that 74% of people without a firearm in the home support a five-day waiting period for the purchase of firearms, while 66% of non-NRA gun-owners and 50% of NRA members support this measure.<sup>17</sup> Similarly, a survey conducted for the New England Journal of Medicine in January 2013 found that 76% of Americans, including 67% of gun owners, support giving law enforcement up to 5 business days, if needed, to complete a background check for gun buyers.<sup>18</sup> Implementing waiting periods nationwide for gun purchases would reduce the more than 21,000 firearm suicides that occur each year in this country.

**Waiting period laws have also been shown to reduce gun homicides.** One study found that waiting period laws reduce gun homicides by 17%.<sup>14</sup> These results suggest that, combined, states with waiting periods avoid roughly 750 gun homicides per year as a result of this policy.<sup>15</sup> If all states implemented waiting periods, an additional 910 gun homicides could be prevented each year.<sup>16</sup>

Zandra Rice Hawkins  
Executive Director  
Granite State Progress  
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## GUN OWNERS OF AMERICA

8001 Forbes Pl Suite 202, Springfield VA 22151

703-321-8585 / gunowners.org

Direct Contact: alanrice@gunowners.org  
(603) 471-2721

### TESTIMONY IN OPPOSITION OF HB 514 April 30, 2019 -- New Hampshire Senate Judiciary Committee

Good morning, for the record, my name is Alan Rice; I am resident of Bedford, NH and I am here today as the New Hampshire Field Representative for Gun Owners of America, a national organization with over two million individual members. **We strongly oppose HB 514.**

As you probably know, HB 514 will create a new, class B felony offense for any licensed dealer who allows a customer to immediately leave the premises with a newly purchased firearm. The dealer could be imprisoned for up to seven years!

HB 514 is not a seven day wait -- it is up to twelve days because only business days are counted.

Furthermore, the exemption contained in HB 514 for those persons who have completed a New Hampshire Fish and Game Department Hunter Safety course will, for the first time ever, create a law which mandates that new firearms owners participate in a training course. And that course will not provide an exemption to purchasers of. It only exempts purchasers of rifles and shotguns from this new waiting period. Handguns are the most commonly used self defense firearms. We hear from people all of the time who need to quickly obtain a self defense handgun.

Let's explore some of the other problems that will arise if HB 514 becomes a law. A firearms instructor who is conducting a course would not be able to supply ammunition to students for immediate use. In fact, a literal reading of HB 514 would lead one to believe that even a Hunter Education Instructor could not supply ammunition to students for immediate use. They would be forced to wait 7 business days, which in the case of a purchase that is made during a holiday weekend could actually create an up to 12 day waiting period before the exercise of a Constitutional right.

HB 514 is also setting up licensed dealers for prosecution based on record keeping that may not be acceptable to law enforcement officers. Dealers are mandated to allow law enforcement to examine their records -- with absolutely no requirement to obtain a search warrant or to show they are investigating a specific crime. This provision can easily be abused by unscrupulous law enforcement officers such as Fish and Game Conservation Officers who already have a dismal reputation when it comes to civil liberties violations.

HB 514 could also be accurately described as a gun rationing bill because the proposed waiting period does not apply if someone is trading in a firearm. Is the goal of the sponsors of HB 514 to freeze or even reduce the supply of firearms in the hands of law abiding private citizens?

One of the supporters of HB 514 testified that the seven business days can be used to perform additional checks on the gun buyer. But HB 514 does not require any additional checks and even if it did -- we would still be opposed to it because a right delayed is a right denied.

When businesses are faced with meeting government mandates that add labor or costs they in turn raise their prices. HB 514's record keeping requirements will likely cause prices to rise and possibly price self defense guns out of reach of those who truly need self defense guns the most. Single mothers living alone, in rough urban neighborhoods in Nashua or Manchester. I have to wonder: do the sponsors of HB 514 wish to deprive law abiding New Hampshire residents of their right to defend themselves?

The sponsors have claimed that HB 514 is needed to make New Hampshire safer or even prevent suicides. But in 2017, Japan, which is virtually gun free, had 21,317 suicides. When someone is determined, they may not be able to be saved. This is sad, difficult to hear and hard to accept but it is not the gun, or even access to the gun. It is the person.

We see no problem that HB 514 will solve. It appears, in every way, to be a solution in search of a problem. A solution that will cause harm to New Hampshire's law abiding firearms owners, dealers and manufacturers.

On behalf of over two million members of Gun Owners of America, I'm urging you to vote HB 564 "inexpedient to legislate".

Thank you for your time and consideration.

Testimony of Tracy Hahn-Burkett on HB 514  
Senate Judiciary Committee, April 30, 2019

Thank you for giving me the opportunity to speak to today. As you know, my name is Tracy Hahn-Burkett, and I'm the leader of the Kent Street Coalition Working Group on Gun Violence Prevention. I'm here because almost 40,000 people per year dying of gun violence is more than enough. I'm here because I couldn't not be here anymore, because the public health crisis that is death-by-gun is mostly preventable, and something we can choose to end if only we can find the will.

In his inaugural address earlier this year, Governor Sununu talked about tackling New Hampshire's daunting suicide problem and spoke of his efforts on this issue being one of his priorities. As the Governor pointed out, "suicide is the second leading cause of death in New Hampshire." In fact, nationally, nearly two-thirds of gun deaths are suicides, and nearly half of all suicides involve firearms. When suicide is attempted using a firearm, more than 90% of suicide attempts result in death,<sup>1</sup> as opposed to lower rates of suicide for other forms of suicide attempts. Moreover, suicide is often an impulsive act, and a waiting period to purchase a gun can carry someone through to the other side of that impulsive time. This is why one study showed that states with waiting periods to purchase a firearm had a 27 percent lower rate of suicide than states without waiting periods.<sup>2</sup>

Of course, this "cooling-off period" is beneficial in other ways, too. It can check impulsivity in homicides as well as suicides, and it provides ample opportunity to complete the background check that was the subject of the previous hearing. Now, it's true that a seven-day waiting period may present an inconvenience to some purchasers. But that minor inconvenience

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<sup>1</sup> <https://everytownresearch.org/gun-violence-america/>

<sup>2</sup> ~~\_\_\_\_\_~~  
GunSense New Hampshire, HB 514, Waiting Periods fact sheet



*serves the strong and legitimate state interest of ensuring public health and public safety by acting to ensure that dangerous persons or persons acting upon dangerous impulses not be allowed to purchase a killing machine. Ordinary, law-abiding citizens who are not a risk to themselves or others will not have their federal or state constitutional rights infringed. They will still be able to buy a gun.*

[And let me add this point in response to all those who have said and will say today that criminals won't obey gun laws like this one, and so they shouldn't be passed: this is not an argument that has anything to do with guns or safety. This is an argument against having any laws at all. It's obviously an absurd argument, and it doesn't have a place in any legislature, or in this debate.]

If someone were to come along to say that they had devised a way of reducing vehicular deaths by a quarter, but everyone would have to wait seven days to pick up their car, wouldn't we jump at that chance? You would still get your car; you'd just need to wait a week. And for that wait, nearly 10,000 lives would be saved every year.

We can do the same with commonsense gun-violence prevention legislation like this waiting period bill. The Governor has identified the reduction of our state's suicide rate as a priority issue, and we are here today discussing part of a solution that has a proven track record of success. Democrat, Independent or Republican—everyone should be on board.

I ask the Committee to take the public's safety into account and vote ought to pass on HB 514. Thank you.

Testimony of Rep Katherine Rogers, Merrimack #28  
on HB 513 Waiting Period on Purchase of Guns  
Tues April 30 2019

Madam Chairman and Members of the Committee, I am Rep Katherine Rogers and I represent Merrimack County #28, Concord's Ward 8, 9 & 10.

HB 513 is a simple waiting period for the purchase of a gun.

The presence of a gun dangerously compounds the risk of impulsive acts of violence, especially suicide. Waiting periods, or "cooling off" laws, create an important window of time for gun purchasers to reconsider their intentions, which can lead to a change of heart and a saved life. In addition, waiting periods provide additional time for the completion of a thorough background check.

HB 513 would require 7 days to pass between when a gun is first purchased and when the buyer may actually take possession of it. The two main functions of waiting periods are to:

- Give law enforcement officials sufficient time to properly perform a background check on prospective purchasers; AND
- Provide a "cooling off" period to help guard against impulsive acts of violence—especially suicide.

There is no federal waiting period. Federal law allows a dealer to deliver a gun to a purchaser as soon as a background check is completed (which usually only takes a few minutes), or after three business days have passed—even if a background check still hasn't been completed. This gap in the law, known as "default proceed" or the Charleston Loophole, allowed Dylann Roof to obtain a firearm and kill nine people at Emanuel AME Church in Charleston on June 16, 2016. This was not an isolated case; each year, over 3,000 ineligible persons receive firearms through this default provision.

In addition to providing a wider window for federal authorities to complete important background checks, waiting periods also help reduce the occurrence of suicides and other impulsive acts of violence.

Per the Economist, Worldwide suicide has fallen 22% but in the United States suicide has risen 22% and New Hampshire has seen the 6th largest rise of any state per NAMI.

Suicides constitute two-thirds of all gun deaths in the U.S., with more than 21,000 suicides by firearm per year. Guns are an extremely common means of suicide; half of all suicides in the U.S. are carried out with a firearm.

Testimony of Rep Katherine Rogers, Merrimack #28  
on HB 513 Waiting Period on Purchase of Guns  
Tues April 30 2019

When compared to other means of attempting suicide, guns are uniquely lethal. More than 90% of suicide attempts with a firearm result in death.

Suicide attempts by jumping, in comparison, carry a 34% fatality rate, and attempts by drug poisoning only a 2% fatality rate.

Suicide is a highly impulsive act. A variety of studies confirm that most suicide survivors contemplated their actions for only a brief period of time—often less than 24 hours—before making a suicide attempt. Because of the impulsive nature of suicide, immediate access to firearms is a major mortality risk factor and one that waiting periods can help address.

Research published in the American Journal of Public Health showed that states with waiting period laws had 51% fewer firearm suicides and a 27% lower overall suicide rate than states without such laws. When South Dakota repealed its 48-hour waiting period for handgun purchases in 2009, overall suicides the following year increased by 7.6%.

10 states and the District of Columbia have waiting periods that apply to the purchase of some or all firearms, one can observe a large negative correlations between suicide outcome and the length of the waiting period, such that the longer the waiting period, the lower the firearm suicide rate and the proportions of suicides resulting from firearms.

In these 11 states, a large negative correlation was also observed between the length of waiting period and the overall suicide rate. Each of the laws demonstrated a significant indirect effect on overall suicide rates through the proportion of suicide deaths caused by firearms and a significant total effect of the law on the overall suicide rate.

if you would like to look deeper into the statistics I would refer you to Michael D. Anestis and Joye C. Anestis, "Suicide Rates and State Laws Regulating Access and Exposure to Handguns," Am. J of Pub. Health 105 no. 10, (2015): 2049-58, <https://www.ncbi.nlm.nih.gov/pubmed/26270305>.

For some context, the waiting period length of the states the study looked at ranged between 24/72 hours (long gun/handgun) and 14 days. Only one state has a 24/72 hour period (IL) and two states have 3 day waiting periods (FL and IA). Four states have 7 day periods, two have 10 day and one has a 14 day period.

Testimony of Rep Katherine Rogers, Merrimack #28  
on HB 513 Waiting Period on Purchase of Guns  
Tues April 30 2019

Preventing immediate access to the most lethal means of suicide is a lifesaving policy that is supported by gun owners and the general public alike. Americans strongly support waiting periods for firearm purchases. A December 2011 poll found that 74% of people without a firearm in the home support a five-day waiting period for the purchase of firearms, while 66% of non-NRA gun-owners and 50% of NRA members support this measure.<sup>17</sup> Similarly, a survey conducted for the New England Journal of Medicine in January 2013 found that 76% of Americans, including 67% of gun owners, support giving law enforcement up to 5 business days, if needed, to complete a background check for gun buyers.<sup>18</sup> Implementing waiting periods nationwide for gun purchases would reduce the more than 21,000 firearm suicides that occur each year in this country,

Mr Chairman and members of the Committee, a 7 day waiting period before the purchase of a firearm will not stop all acts of gun violence in NH; HB 513 will not prevent every suicide that occurs in our state, and sadly this legislation will not prevent every shooting that could occur in the future. However if a 7 day waiting period prevents even one person from murdering another individual, or if this legislation prevents even one act of violence against another, or if HB 513 stops even one person from taking their own life in a moment of desperation doesn't that make it worth it?

Please vote HB 513 as amended "Ought To Pass" thank you for your time and consideration.

## Testimony in Support of HB 514 – Seven-Day Waiting Period for Gun Purchases

Thank you, Chairman Hennessey. My name is Cindy White, I am from Hopkinton, and I am here in support of HB 514. I will be submitting a written copy of my testimony, including citations.

No single law can end gun violence, but this common sense bill would help reduce gun violence in our state, especially in conjunction with the other bills you are hearing to close another loophole in the background check requirement and prohibit guns in schools. Having a seven-day waiting period before purchasing firearms is important for two reasons. First, it would help reduce impulsive acts of firearms violence, including suicide and homicide. Most suicides are impulsive, more than half of suicides involve firearms, and suicide attempts with firearms are lethal in 85% of cases.<sup>1</sup> Suicide is a serious public health problem in New Hampshire. Suicide rates in our state increased by almost 50% between 1999 and 2016.<sup>2</sup> Suicide is currently the eighth leading cause of death in New Hampshire, and the second leading cause of death for people between 15 and 34.<sup>3</sup> By delaying firearms purchases, mandatory waiting

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<sup>1</sup> Drexler, M., *Guns & Suicide: The Hidden Toll*, [https://www.hsph.harvard.edu/magazine/magazine\\_article/guns-suicide/](https://www.hsph.harvard.edu/magazine/magazine_article/guns-suicide/)

<sup>2</sup> <https://www.seacoastonline.com/news/20180611/nh-seeks-solutions-for-rising-suicide-rate>

<sup>3</sup> <https://afsp.org/about-suicide/state-fact-sheets/#New-Hampshire>

periods reduce access by people acting impulsively to the **most lethal** means of violence. Studies have shown that waiting periods in other states are linked to reduced rates of firearms suicides and homicides.<sup>4</sup>

Second, a seven-day waiting period would help close the “Charleston loophole” by providing additional time for background checks to be completed. We know it is risky to allow felons, domestic abusers, and other prohibited persons to have guns. In 34% of mass shootings, the shooter was legally prohibited from possessing firearms at the time of the shooting.<sup>5</sup> It is important, then, that background checks be conducted in a thorough manner. Unfortunately, federal law does not require this. Under that law, a licensed firearms dealer may proceed with the sale of a firearm after three business days even if the required background check has not been completed and there has been no confirmation that the buyer is legally permitted to buy a gun. As a result, people who are prohibited by law from purchasing a gun are often allowed to buy one just because the background check has not been completed. The best known example of this is Dylann Roof, who was prohibited by law from buying a gun, but was

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<sup>4</sup> Luca, M. et al, *Handgun Waiting Periods Reduce Gun Deaths*, PNAS, Nov. 2017; 114(46) 12162-165 (waiting periods for handgun purchases linked to reduction in firearms homicides and suicides); Edwards, G. et al, *Looking Down the Barrel of a Loaded Gun: The Effect of Mandatory Handgun Purchase Delays on Homicide and Suicide*, The Economic Journal, Dec. 2018 128(616) 3117-3140 (delay in gun purchases reduces firearms suicides)

<sup>5</sup> Everytown for Gun Safety, *Mass Shootings in the United States: 2009-2016*, March 2017

nevertheless allowed to buy one because the background check was not completed within three business days. As we know, he then used that gun to massacre nine African Americans at a Charleston church during bible study.

Most background checks are completed very quickly. However, in about 11% of cases, the NICS needs to obtain additional information from other agencies, often state and tribal ones.<sup>6</sup> The most common reasons are to determine the final disposition of a criminal case or its classification (misdemeanor or felony) when it is unclear from the records in the database.<sup>7</sup> Of the cases in 2017 in which NICS delayed its answer to seek further information, it later determined that more than 6,000 of those people were prohibited from buying a firearm. In almost 5,000 cases that year, the seller nevertheless allowed the prohibited person to buy a weapon, because the background check was not complete within three days.<sup>8</sup>

A large majority of the American public – 75% in a 2017 poll, 83% in a more recent poll - supports waiting periods before firearms purchases,<sup>9</sup> because it just makes sense. Allowing people who are legally barred from

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<sup>6</sup> <https://www.fbi.gov/file-repository/2017-nics-operations-report.pdf/view>, pp.11,18

<sup>7</sup> <https://www.fbi.gov/file-repository/2017-nics-operations-report.pdf/view>, p.2

<sup>8</sup> <https://www.fbi.gov/file-repository/2017-nics-operations-report.pdf/view>, p.19

<sup>9</sup> <https://news.gallup.com/poll/220637/americans-widely-support-tighter-regulations-gun-sales.aspx>;  
<https://secondnexus.com/news/poll-universal-support-gun-control/>

buying guns to buy them is an **unacceptable threat to public safety**. A seven-day waiting period provides more time for background checks to be completed, and so will likely result in fewer cases in which this happens. Because of this, and also because a waiting period would likely reduce the numbers of firearms suicides and homicides, the bill would improve public safety, while still allowing people buying firearms to do so reasonably quickly. A brief delay of seven business days when purchasing a **lethal weapon** is a relatively minor inconvenience and one that is justified by the benefits to public safety. The exemptions in the bill for licensed hunters, law enforcement, and members of the armed forces further limit any inconvenience caused by the waiting period. For these reasons, I ask you to vote OTP on this bill.



April 30, 2019  
10am, Room 100 State House, Concord, New Hampshire

**Testimony on HB 514**

Dear Legislators,

I come before you in support of HB 514 requiring a waiting period between the purchase and delivery of a firearm.

I come before you as a grandmother, minister and citizen.

My grandson was born on the very day of the Sandy Hook Shooting. Each year when we celebrate his birthday, I am reminded that we haven't done enough in this country to pass sensible gun laws. He turned 6 last December. Before that there was Columbine and after that Parkland and innumerable shootings in addition to those.

His Mom- my daughter- is an emergency room physician who has seen death and life-long damage from gun shot wounds. Medical professionals can do only so much to save people wounded by guns. Removing bullets and suturing doesn't heal the life-long trauma that people experience from a gun event.

As a minister and friend, I have witnessed the long lasting trauma that ripples throughout people's lives from witnessing gun violence and experiencing suicide of a family member or friend. Studies have shown that a waiting period helps prevent impulsive acts of violence and suicide.

Requiring a waiting period, is an effective way of preventing suicide, ~~in keeping guns out of the hands of those with a criminal record.~~ 90% of suicide attempts with a firearm result in death, as opposed to much lower percentages of fatality rates from other types of attempts. Suicide is a highly impulsive act. Most suicide survivors contemplated their actions for less than 24 hours and a vast majority recover and do not remain suicidal.

As a citizen, I am concerned with the safety of people in my community and I vote. I will only support candidates that advocate sensible gun laws. There is no federal waiting period, so it is up to us to take action on a state level.

67% A strong majority of gun owners supports this common sense waiting period. It's up to you to pass it.

Please support HB 514. The lives of our friends and family depend on it.

Respectfully submitted,



Rev. Barbara McKusick Liscord  
24 Old Amherst Rd.  
Mont Vernon, NH 03057

Senate Judiciary Committee Members,

The following is an Op-Ed I wrote last year in the Concord Monitor after the Parkland, Florida shootings.

<http://www.concordmonitor.com/No-more-gun-free-zones-15925689>

James W. McConnell  
42 Monadnock Highway  
North Swanzey, NH 03431

(603) 903-0206

The tragic shootings in Parkland, Florida exposed a number of fallacies about our ability to protect schools which should have been obvious all along. This experience, in a more compelling manner than previous shootings, makes clear that our national strategy to make schools safer has failed spectacularly.

Law enforcement failed across the board. Both the FBI and Broward County Sheriff's Office failed to act on repeated warnings that Nikolas Cruz would do precisely what he did. In addition, Sheriff's Deputies waited outside the building until Cruz laid down his weapon and escaped with the surviving students. One of the deputies waiting outside was assigned to the school and left the building when the shooting started. There was nothing in their performance that suggests law enforcement's collective failure will not be repeated elsewhere. In a CNN interview after the shooting, for example, Broward County Sheriff Scott Israel claimed that he has provided "amazing leadership" in his five years in office.

The only heroism in evidence, at any level, was inside the building. As in previous shootings, the heroic actions were taken by those on the scene when the shooting began.

Gun-Free Zones have proven a magnet for what might be described as domestic terrorism. The certain knowledge that an assailant will not be met with deadly force or, in the event there is a security guard on duty that he or she can likely be surprised and eliminated, is an obvious invitation to those seeking to cause harm.

While every aspect of this tragedy is alarming, the most disturbing possibility is that organized terrorists may now draw the conclusion that almost every school in the country is a target for a devastating terrorist attack, or multiple attacks, reminiscent in scale and impact of the attack on the World Trade Center.

To prevent such a possibility it is necessary to ensure schools are no longer Gun-Free Zones.

School employees who choose to carry concealed weapons should be permitted to do so. None of the students or other employees have to know any weapons are in the building and it is possible that in some schools no employees will have them. The fact that weapons will likely be present will provide a powerful deterrent to any terrorist(s) thinking about attacking a school. In the event a shooting incident does occur, armed school employees will likely be on the scene and have the ability to end it quickly - - a possibility that does not exist now. Even if only one school employee is armed, the means to quickly end the shooting spree will be present. As there will be no way of knowing who is armed, the odds are against the terrorist(s) attacking the armed employee(s) first.

Absent the changes suggested, school shootings will almost certainly continue and it seems only a question of time before organized terrorists take devastating advantage of the Gun-Free Zone policy which has proven to be no protection at all.

Representative James W. McConnell  
Cheshire 12

# Voting Sheets

# Senate Judiciary Committee

## EXECUTIVE SESSION

Bill # HB514

Hearing date: \_\_\_\_\_

Executive session date: \_\_\_\_\_

Motion of: 1943

VOTE: 3-2 (Carson/French)

<u>Made by</u> Hennessey <input type="checkbox"/>	<u>Seconded</u> Hennessey <input type="checkbox"/>	<u>Reported</u> Hennessey <input type="checkbox"/>
<u>Senator:</u> Chandley <input type="checkbox"/>	<u>by Senator:</u> Chandley <input checked="" type="checkbox"/>	<u>by Senator:</u> Chandley <input type="checkbox"/>
Carson <input type="checkbox"/>	Carson <input type="checkbox"/>	Carson <input type="checkbox"/>
Levesque <input checked="" type="checkbox"/>	Levesque <input type="checkbox"/>	Levesque <input type="checkbox"/>
French <input type="checkbox"/>	French <input type="checkbox"/>	French <input type="checkbox"/>

Motion of: OTPA

VOTE: 3-2

<u>Made by</u> Hennessey <input type="checkbox"/>	<u>Seconded</u> Hennessey <input type="checkbox"/>	<u>Reported</u> Hennessey <input type="checkbox"/>
<u>Senator:</u> Chandley <input type="checkbox"/>	<u>by Senator:</u> Chandley <input checked="" type="checkbox"/>	<u>by Senator:</u> Chandley <input type="checkbox"/>
Carson <input type="checkbox"/>	Carson <input type="checkbox"/>	Carson <input type="checkbox"/>
Levesque <input checked="" type="checkbox"/>	Levesque <input type="checkbox"/>	Levesque <input type="checkbox"/>
French <input type="checkbox"/>	French <input type="checkbox"/>	French <input type="checkbox"/>

<u>Committee Member</u>	<u>Present</u>	<u>Yes</u>	<u>No</u>	<u>Reported out by</u>
Senator Hennessey, Chairman	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Chandley, Vice-Chair	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Senator Carson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Senator Levesque	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Senator French	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

\*Amendments: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Notes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

# Committee Report

STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE

Tuesday, May 14, 2019

THE COMMITTEE ON Judiciary

to which was referred **HB 514-FN**

AN ACT

imposing a waiting period between the purchase  
and delivery of a firearm.

Having considered the same, the committee recommends that the Bill

ought to pass with amendment

by a vote of 3-2

Amendment # 2019-1959s

Senator Melanie Levesque  
For the Committee

Jennifer Horgan 271-2609

**JUDICIARY**

**HB 514-FN**, imposing a waiting period between the purchase and delivery of a firearm.

Ought to Pass with Amendment, Vote 3-2.

Senator Melanie Levesque for the committee.



**Docket of HB514****Bill Title:** Imposing a waiting period between the purchase and delivery of a firearm.**Official Docket of HB514.:**

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/15/2019	H	<b>Introduced</b> 01/03/2019 and referred to Criminal Justice and Public Safety <b>HJ 3</b> P. 18.
1/16/2019	H	==ROOM CHANGE== Public Hearing: 02/13/2019 02:30 pm LOB 206-208
2/26/2019	H	Executive Session: 03/13/2019 10:00 am LOB 204
3/13/2019	H	Majority Committee Report: Ought to Pass with Amendment <b>#2019-0421h</b> for 03/19/2019 (Vote 12-8; RC) <b>HC 16</b> P. 24
3/13/2019	H	Minority Committee Report: Inexpedient to Legislate
3/19/2019	H	Amendment <b>#2019-0421h</b> : AA VV 03/19/2019 <b>HJ 10</b> P. 99
3/19/2019	H	<b>Ought to Pass with Amendment</b> 2019-0421h: MA <b>RC 199-147</b> 03/19/2019 <b>HJ 10</b> P. 99
4/1/2019	S	Introduced 03/28/2019 and Referred to Judiciary; <b>SJ 12</b>
4/24/2019	S	<b>Hearing:</b> 04/30/2019, Room 100, SH, 10:00 am; <b>SC 20</b>
5/14/2019	S	Committee Report: Ought to Pass with Amendment <b>#2019-1959s</b> , 05/23/2019; <b>SC 23</b>
5/23/2019	S	Special Order to the beginning of the regular calendar, Without Objection, MA; 05/23/2019; <b>SJ 17</b>
5/23/2019	S	Committee Amendment <b>#2019-1959s</b> , AA, VV; 05/23/2019; <b>SJ 17</b>
5/23/2019	S	<b>Ought to Pass with Amendment</b> 2019-1959s, <b>RC 13Y-10N</b> , MA; OT3rdg; 05/23/2019; <b>SJ 17</b>
6/13/2019	H	House Concurs with Senate Amendment 1959s (Rep. Cushing): MA <b>RC 197-160</b> 06/13/2019 <b>HJ 19</b> P. 6
6/27/2019	S	Enrolled (In recess 06/27/2019); <b>SJ 21</b>
6/27/2019	H	Enrolled 06/27/2019 <b>HJ 20</b> P. 53
8/13/2019	H	Vetoed by Governor Sununu 08/09/2019
9/18/2019	H	Veto Sustained 09/18/2019: <b>RC 217-163</b> Lacking Necessary Two-Thirds Vote <b>HJ 21</b> P. 38

# Other Referrals

# Senate Inventory Checklist for Archives

Bill Number: HB 514-FN

Senate Committee: Judiciary

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

Final docket found on Bill Status

**Bill Hearing Documents: {Legislative Aides}**

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

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

Hearing Report

Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

**Committee Action Documents: {Legislative Aides}**

All amendments considered in committee (including those not adopted):

- amendment # 1943       - amendment # 1959

\_\_\_\_\_ - amendment # \_\_\_\_\_      \_\_\_\_\_ - amendment # \_\_\_\_\_

Executive Session Sheet

Committee Report

**Floor Action Documents: {Clerk's Office}**

All floor amendments considered by the body during session (only if they are offered to the senate):

\_\_\_\_\_ - amendment # \_\_\_\_\_      \_\_\_\_\_ - amendment # \_\_\_\_\_

\_\_\_\_\_ - amendment # \_\_\_\_\_      \_\_\_\_\_ - amendment # \_\_\_\_\_

**Post Floor Action: (if applicable) {Clerk's Office}**

\_\_\_\_\_ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

\_\_\_\_\_ Enrolled Bill Amendment(s)

\_\_\_\_\_ Governor's Veto Message

**All available versions of the bill: {Clerk's Office}**

as amended by the senate      \_\_\_\_\_ as amended by the house

final version

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

\_\_\_\_\_  
Committee Aide

\_\_\_\_\_  
Date

Senate Clerk's Office jm