

# Committee Report

**CONSENT CALENDAR**

**March 10, 2021**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Judiciary to which was referred HB  
630,**

**AN ACT relative to remote board meetings under the  
right-to-know law and authorizing certain procedures  
for rulemaking. Having considered the same, report the  
same with the following amendment, and the  
recommendation that the bill OUGHT TO PASS WITH  
AMENDMENT.**

**Rep. Michael Sylvia**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	Judiciary
Bill Number:	HB 630
Title:	relative to remote board meetings under the right-to-know law and authorizing certain procedures for rulemaking.
Date:	March 10, 2021
Consent Calendar:	CONSENT
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2021-0753h

### STATEMENT OF INTENT

This bill, as amended, defines "electronic documents" and "signatures" under RSA 541-A, the administrative procedure act.

Vote 20-1.

Rep. Michael Sylvia  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

### Judiciary

**HB 630**, relative to remote board meetings under the right-to-know law and authorizing certain procedures for rulemaking. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Sylvia for Judiciary. This bill, as amended, defines "electronic documents" and "signatures" under RSA 541-A, the administrative procedure act. **Vote 20-1.**

Rep. Sylvia, Belk. 6  
March 10, 2021  
2021-0753h  
11/06

Amendment to HB 630

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT           authorizing certain procedures for rulemaking.

4

5 Amend the bill by deleting section 1 and renumbering the original sections 2-4 to read as 1-3,

6 respectively.

**Amendment to HB 630**

**- Page 2 -**

2021-0753h

**AMENDED ANALYSIS**

This bill permits photocopied and scanned versions of signatures to be used in rulemaking proceedings.

# Voting Sheets

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB630

BILL TITLE:

DATE: 3-10-2021

LOB ROOM:

MOTION: (Please check one box)

- OTP
- ITL
- <sup>0191</sup> Digital Roll Call
- Retain (1st year)
- Adoption of Amendment # 0753h  
(if offered)
- Interim Study (2nd year)

Moved by Rep. Sylvia Seconded by Rep. McBeath Vote: 20-1

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # \_\_\_\_\_  
(if offered)
- Interim Study (2nd year)

Moved by Rep. Sylvia Seconded by Rep. McBeath Vote: 20-1

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # \_\_\_\_\_  
(if offered)
- Interim Study (2nd year)

Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # \_\_\_\_\_  
(if offered)
- Interim Study (2nd year)

Moved by Rep. \_\_\_\_\_ Seconded by Rep. \_\_\_\_\_ Vote: \_\_\_\_\_

CONSENT CALENDAR:  YES  NO

Minority Report? \_\_\_\_\_ Yes \_\_\_\_\_ No If yes, author, Rep: \_\_\_\_\_ Motion \_\_\_\_\_

Respectfully submitted: Kurt Wuelper  
Rep Kurt Wuelper, Clerk





## 2021 SESSION

## Judiciary

 Bill #: HB630 Motion: OTPA AM #: \_\_\_\_\_ Exec Session Date: 3-10-2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Gordon, Edward M. Chairman	20		
McLean, Mark Vice Chairman	1		
Sylvia, Michael J.	2		
Wuelper, Kurt F. Clerk	3		
Alexander, Joe H.	4		
Rice, Kimberly A.	5		
Silber, Norman, J. <i>Lacelles, R</i>	6		
Greene, Bob J.	7		
Kelley, Diane E.	8		
Tausch, Lindsay	9		
Trottier, Douglas R.	10		
Smith, Marjorie K.	11		
Berch, Paul S.	12		
Horrigan, Timothy O.		1	
DiLorenzo, Charlotte I.	13		
Chase, Wendy	14		
Kenney, Cam E.	15		
Langley, Diane M.	16		
McBeath, Rebecca Susan	17		
Paige, Mark	18		
Simpson, Alexis	19		

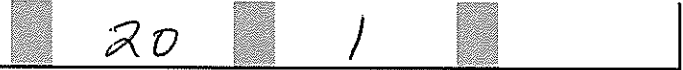


2021 SESSION

Judiciary

Bill #: HB630 Motion: OTPA AM #: \_\_\_\_\_ Exec Session Date: 3-10-2021

TOTAL VOTE:



STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK



1/22/2021 10:07:24 AM  
Roll Call Committee Registers  
Report

2021 SESSION

Judiciary

Bill #: HB630 Motion: Amend AM #: 0753h Exec Session Date: 3-10-2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Gordon, Edward M. Chairman	Y		
McLean, Mark Vice Chairman	Y		
Sylvia, Michael J.	Y		
Wuelper, Kurt F. Clerk	Y		
Alexander, Joe H.	Y		
Rice, Kimberly A.	Y		
Silber, Norman J.	Y		
Greene, Bob J.	Y		
Kelley, Diane E.	Y		
Tausch, Lindsay	Y		
Trottier, Douglas R.	Y		
Smith, Marjorie K.	Y		
Berch, Paul S.	Y		
Horrigan, Timothy O.		N	
DiLorenzo, Charlotte I.	Y		
Chase, Wendy	Y		
Kenney, Cam E.	Y		
Langley, Diane M.	Y		
McBeath, Rebecca Susan	Y		
Paige, Mark	Y		
Simpson, Alexis	Y		
<b>TOTAL VOTE:</b>	<b>20</b>	<b>1</b>	

STATE OF NEW HAMPSHIRE  
OFFICE OF THE HOUSE CLERK



1/22/2021 10:07:24 AM  
Roll Call Committee Registers  
Report

2021 SESSION

Judiciary

Bill #: **HB630** Motion: **Amend** AM #: **0753h** Exec Session Date: **3-10-2021**

Rep Kurt Wuelper *Kurt Wuelper*

# Public Hearing

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 630

**BILL TITLE:** relative to remote board meetings under the right-to-know law and authorizing certain procedures for rulemaking.

**DATE:** 2/19/2021

**LOB ROOM:** 208/Remote **Time Public Hearing Called to Order:** 11:00 AM  
**TimeAdjourned:** 11:17 AM

**Committee Members:** Reps. Gordon, McLean, Wuelper, Sylvia, Alexander Jr., Rice, Silber, Greene, D. Kelley, Tausch, Trottier, M. Smith, Berch, Horrigan, DiLorenzo, Chase, Kenney, Langley, McBeath, Paige and Simpson

**Bill Sponsors:** Rep McGuire

TESTIMONY

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

**\*Rep. Schmidt Sponsor** The bill is very similar to the announcement made at the beginning of remote meetings now. It intends to codify the current rules. The second part deals with electronic signatures.

**Tom Broderick** Legal counsel Office of Professional Licensure We asked for this bill. WE desire to continue with remote meetings. Lines 1-11 intend to allow remote meetings after emergency has passed. The public has benefited from them through better access. The board members have also benefited. Most boards are volunteers and meet monthly. Again, participation has been made much easier. The Office often has to find new board members and making participation in meetings easier would expand the population willing to serve. The second part deals with A 541-A. Right now, a 'wet' signature is required on many documents and we want to be able to accept scanned/digital signatures. Rulemaking for a board becomes difficult when board members are in the office only rarely. Courts accept photocopy signatures, and we want to as well.

**\*David Saad** Right to Know NH This bill is quite similar to the previous bill and we can support it with similar amendments. If you allow board members to attend remotely, the public should be able to do so equally. We need to address some of the problems that arise from the use of this technology and make sure the public record is complete.

**Natch Greyes** NHMA Supports We prefer the previous bill on the Right to Know law

**Kate Horgan** NH Assoc of counties Supports We support this for the public better access.



Rep Kurt Wuelper

# House Remote Testify

## Judiciary Committee Testify List for Bill HB630 on 2021-02-19

Support: 13 Oppose: 17 Neutral: 0 Total to Testify: 3

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
saad, david	david1@infonetics-usa.com	A Member of the Public	Right to Know NH	Oppose	Yes (3m)	No	2/15/2021 10:26 AM
Horgan, Kate	khorgan@dupontgroup.com	A Lobbyist	NH Association of Counties	Support	Yes (3m)	No	2/12/2021 6:44 PM
Greyes, Natch	Concord, NH ngreyes@nhmunicipal.org	A Lobbyist	New Hampshire Municipal Association	Support	Yes (1m)	No	2/18/2021 10:35 AM
Groetzinger, Tonda	Farmington, NH groetzinger6@aol.com	A Member of the Public	Myself	Support	No	No	2/18/2021 2:06 PM
King, Walter	Dover, NH genedocwk@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/18/2021 11:17 PM
Maynard, Richard	Manchester, NH maynardrick@outlook.com	A Member of the Public	Myself	Oppose	No	No	2/18/2021 11:56 PM
Donnelly, Ryan	Hudson, NH rdonnelly@gsil.org	A Lobbyist	Granite State Independent Living	Support	No	No	2/18/2021 5:01 PM
Koch, Helmut	Concord, NH helmut.koch.2001@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/18/2021 9:15 PM
QUISUMBING-KING, Cora	Dover, NH coraq@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/18/2021 9:18 PM
ARONSON, LAURA	MANCHESTER, NH laura@mlans.net	A Member of the Public	Myself	Oppose	No	No	2/18/2021 9:59 PM
Wild, Gail	Newport, NH Gailwild@gmail.com	A Member of the Public	Myself	Support	No	No	2/19/2021 6:57 AM
Schissel, Mary	Newport, NH schissell@comcast.net	A Member of the Public	Myself	Support	No	No	2/19/2021 5:37 AM
Gericke, Carla	Manchester, NH carlagericke@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/19/2021 5:44 AM
Wiggins, Frank	Newport, NH	A Member of the Public	Myself	Support	No	No	2/19/2021 6:58 AM

	Frankwigginsconstruction@comcast.net	Public					
Thomas, Nicholas	Manchester, NH nicholas.w.thomas@uconn.edu	A Member of the Public	Myself	Oppose	No	No	2/19/2021 10:23 AM
Gibbs, Betsy	Newport, NH Chezedg@yahoo.com	A Member of the Public	Myself	Support	No	No	2/19/2021 7:54 AM
Howard Jr., Raymond	Alton, NH brhowardjr@yahoo.com	An Elected Official	Myself	Oppose	No	No	2/19/2021 8:21 AM
Reagan, Senator John	Deerfield, NH kathryn.cummings@leg.state.nh.us	An Elected Official	Senate District 17	Support	No	No	2/19/2021 8:31 AM
Broderick, Thomas	Concord, NH Thomas.R.Broderick@oplc.nh.gov	State Agency Staff	Office of Professional Licensure and Certification	Support	No	No	2/19/2021 8:39 AM
Reynolds, Karen	Bradford, NH klrbooks750@gmail.com	A Member of the Public	Myself	Support	No	No	2/19/2021 9:32 AM
Josephson, Timothy	josephsonth@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2021 11:21 AM
Martin, Paul A.	forp57@yahoo.com	A Member of the Public	Myself	Oppose	No	No	2/15/2021 10:45 AM
Sumner, Deborah	dsumner@myfairpoint.net	A Member of the Public	Myself	Oppose	No	No	2/12/2021 9:59 AM
Larson, Ruth	ruthlarson@msn.com	A Member of the Public	Myself	Oppose	No	No	2/15/2021 11:48 AM
Frost, Sherry	sherry.frost@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	2/15/2021 2:43 PM
Lucas, Janet	janluca1953@gmail.com	A Member of the Public	Myself	Support	No	No	2/16/2021 12:24 PM
Hayden, Sam	hayden.sam@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/17/2021 8:10 AM
Fedorchak, Gaye	gayevf@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/17/2021 10:25 AM
DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/17/2021 4:45 PM
House, Don	Belmont, NH donhouse@metrocast.net	A Member of the Public	Myself	Oppose	No	No	2/18/2021 9:14 AM



# Testimony

Bill as  
Introduced

HB 630 - AS INTRODUCED

2021 SESSION

21-0135  
11/06

HOUSE BILL **630**

AN ACT relative to remote board meetings under the right-to-know law and authorizing certain procedures for rulemaking.

SPONSORS: Rep. McGuire, Merr. 29; Rep. P. Schmidt, Straf. 19; Rep. Hatch, Coos 6; Rep. Schuett, Merr. 20; Sen. Reagan, Dist 17

COMMITTEE: Judiciary

ANALYSIS

This bill permits public bodies to hold meetings electronically, subject to certain conditions. This bill also permits photocopied and scanned versions of signatures to be used in rulemaking proceedings.

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.

21-0135  
11/06

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT relative to remote board meetings under the right-to-know law and authorizing certain procedures for rulemaking.

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

1 New Paragraph; Access to Governmental Records and Meetings; Meetings Open to the Public. Amend RSA 91-A:2 by inserting after paragraph III the following new paragraph:

IV. A public body may, but is not required to, hold a meeting by electronic or other means of communication so long as the public body meets the following requirements:

- (a) The public body provides public access to the meeting by telephone, with additional access possibilities by video or other electronic means.
- (b) The public body provides public notice of the necessary information for accessing the meeting.
- (c) The public body provides a mechanism for the public to alert the public body during the meeting if there are problems with access.
- (d) The public body adjourns the meeting if the public is unable to access the meeting.

2 Administrative Procedure Act; Definitions. Amend RSA 541-A:1, V-a to read as follows:

V-a. "Electronic document" means a document which complies with requirements prescribed by the director for filing under paragraph VI and established in the drafting and procedure manual under RSA 541-A:8. [~~For electronic documents, a requirement during the rulemaking process for a signature accompanying the filing of an electronic document shall be met if such signature complies with the requirements of RSA 294-E.~~]

3 New Paragraph; Administrative Procedure Act; Definitions; Signature. Amend RSA 541-A:1 by inserting after paragraph XV the following new paragraph:

XV-a. "Signature" means a person's written name used as a form of identification, whether in original, photocopied, or scanned form.

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