

Bill as Introduced

HB 509 - AS INTRODUCED

2021 SESSION

21-0770
10/08

HOUSE BILL **509**

AN ACT relative to portraits and memorial objects in the state house, legislative office building, and Upham Walker house.

SPONSORS: Rep. Wall, Straf. 6

COMMITTEE: Legislative Administration

ANALYSIS

This bill clarifies the responsibilities for placement of portraits, flags, busts, statues, or other memorial objects within or on the state house, legislative office building, and Upham Walker house.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to portraits and memorial objects in the state house, legislative office building, and Upham Walker house.

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

1 1 Portraits and Other Memorials; State House, Legislative Office Building, Upham Walker
2 House. Amend RSA 4:9 to read as follows:

3 4:9 Portraits or Other Memorials. No portraits, busts, statues, or other memorial objects shall
4 be placed in or on the state house ***with the exception of those areas defined by RSA 14:14-b, III***
5 ***and those areas of the state house second floor under the use and control of the general***
6 ***court***, state house annex, state library, Hannah Dustin monument, Franklin Pierce homestead,
7 Daniel Webster birthplace, or grounds connected with each without the consent of the governor and
8 council. ***Any portraits, flags, busts, statues, or other memorial objects to be placed in or on***
9 ***the state house, legislative office building, or Upham Walker house shall be at the direction***
10 ***of the joint legislative historical committee in consultation with the director of the division***
11 ***of historical resources, department of natural and cultural resources.*** The director, division
12 of historical resources, shall be responsible for the [~~location and~~] care of such memorial objects at
13 any of these sites.

14 2 New Paragraph; Joint Legislative Historical Committee; Responsibilities. Amend RSA 17-I:2
15 by inserting after paragraph VIII the following new paragraph:

16 IX. To be responsible for the placement of portraits, flags, busts, statues, or other memorial
17 objects within or on the state house, legislative office building, or Upham Walker house in
18 consultation with the division of historical resources, department of natural and cultural resources.

19 3 Effective Date. This act shall take effect 60 days after its passage.

HB 509 - AS AMENDED BY THE SENATE

05/27/2021 1593s

05/27/2021 1678s

2021 SESSION

21-0770

10/08

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5 *of the general court as defined by RSA 14:14-b, III*, state house annex, state library, Hannah
6 Dustin monument, Franklin Pierce homestead, Daniel Webster birthplace, or grounds connected
7 with each without the consent of the governor and council. *Any portraits, flags, busts, statues, or*
8 *other memorial objects to be placed in or on legislative facilities as defined by RSA 14:14-b*
9 *shall be at the direction of the joint legislative historical committee in consultation with*
10 *the director of the division of historical resources, department of natural and cultural*
11 *resources.* The director, division of historical resources, shall be responsible for the ~~location and~~
12 care of such memorial objects at any of these sites.

13 2 Legislative Facilities. Amend RSA 14:14-b to read as follows:

14 14:14-b Office Space and Parking Facilities. Notwithstanding any other provision of law to the
15 contrary the following shall be assigned for use by the speaker of the house and the president of the
16 senate:

17 I. The legislative parking ~~facility~~ *facilities*;

18 II. The legislative office building *and Upham-Walker house*; and

19 III. All rooms and other spaces ~~[in the basement and on the first and third floors]~~ of the
20 state house *with the exception of those areas under the use and control of the executive*
21 *branch, including the governor's offices, the executive council chamber and offices, and the*
22 *secretary of state's offices.*

23 3 New Paragraph; Joint Legislative Historical Committee; Responsibilities. Amend RSA 17-I:2
24 by inserting after paragraph VIII the following new paragraph:

25 IX. To be responsible for the placement of portraits, flags, busts, statues, or other memorial
26 objects within or on legislative facilities as defined by RSA 14:14-b in consultation with the division
27 of historical resources, department of natural and cultural resources.

28 4 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 143
HB 509 - FINAL VERSION

05/27/2021 1593s
05/27/2021 1678s

2021 SESSION

21-0770
10/08

HOUSE BILL **509**

AN ACT relative to portraits and memorial objects in the state house, legislative office building, and Upham Walker house.

SPONSORS: Rep. Wall, Straf. 6

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05/27/2021 1593s
05/27/2021 1678s

21-0770
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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to portraits and memorial objects in the state house, legislative office building, and Upham Walker house.

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

1 143:1 Portraits and Other Memorials; State House, Legislative Office Building, Upham Walker
2 House. Amend RSA 4:9 to read as follows:

3 4:9 Portraits or Other Memorials. No portraits, busts, statues, or other memorial objects shall
4 be placed in or on the state house *with the exception of those areas under the use and control*
5 *of the general court as defined by RSA 14:14-b, III*, state house annex, state library, Hannah
6 Dustin monument, Franklin Pierce homestead, Daniel Webster birthplace, or grounds connected
7 with each without the consent of the governor and council. *Any portraits, flags, busts, statues, or*
8 *other memorial objects to be placed in or on legislative facilities as defined by RSA 14:14-b*
9 *shall be at the direction of the joint legislative historical committee in consultation with*
10 *the director of the division of historical resources, department of natural and cultural*
11 *resources.* The director, division of historical resources, shall be responsible for the ~~location and~~
12 care of such memorial objects at any of these sites.

13 143:2 Legislative Facilities. Amend RSA 14:14-b to read as follows:

14 14:14-b Office Space and Parking Facilities. Notwithstanding any other provision of law to the
15 contrary the following shall be assigned for use by the speaker of the house and the president of the
16 senate:

17 I. The legislative parking ~~facility~~ *facilities*;

18 II. The legislative office building *and Upham-Walker house*; and

19 III. All rooms and other spaces ~~[in the basement and on the first and third floors]~~ of the
20 state house *with the exception of those areas under the use and control of the executive*
21 *branch, including the governor's offices, the executive council chamber and offices, and the*
22 *secretary of state's offices.*

23 143:3 New Paragraph; Joint Legislative Historical Committee; Responsibilities. Amend RSA 17-
24 I:2 by inserting after paragraph VIII the following new paragraph:

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27 of historical resources, department of natural and cultural resources.

28
29

CHAPTER 143
HB 509 - FINAL VERSION
- Page 2 -

143:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 23, 2021

Effective Date: September 21, 2021

Amendments

Amendment to HB 509

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Portraits and Other Memorials; State House, Legislative Office Building, Upham Walker
4 House. Amend RSA 4:9 to read as follows:

5 4:9 Portraits or Other Memorials. No portraits, busts, statues, or other memorial objects shall
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9 with each without the consent of the governor and council. *Any portraits, flags, busts, statues, or*
10 *other memorial objects to be placed in or on the state house, legislative office building, or*
11 *Upham Walker house shall be at the direction of the joint legislative historical committee*
12 *in consultation with the director of the division of historical resources, department of*
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21 III. All rooms and other spaces ~~[in the basement and on the first and third floors]~~ of the
22 state house *with the exception of those areas under the use and control of the executive*
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29 consultation with the division of historical resources, department of natural and cultural resources.

30 4 Effective Date. This act shall take effect 60 days after its passage.

Floor Amendment to HB 509

1 Amend the bill by replacing section 1 with the following:

2

3 1 Portraits and Other Memorials; State House, Legislative Office Building, Upham Walker
4 House. Amend RSA 4:9 to read as follows:

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12 *the director of the division of historical resources, department of natural and cultural*
13 *resources.* The director, division of historical resources, shall be responsible for the ~~location and~~
14 care of such memorial objects at any of these sites.

15

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

17

18 3 New Paragraph; Joint Legislative Historical Committee; Responsibilities. Amend RSA 17-I:2
19 by inserting after paragraph VIII the following new paragraph:

20 IX. To be responsible for the placement of portraits, flags, busts, statues, or other memorial
21 objects within or on legislative facilities as defined by RSA 14:14-b in consultation with the division
22 of historical resources, department of natural and cultural resources.

Committee Minutes

SENATE CALENDAR NOTICE
Executive Departments and Administration

Sen Sharon Carson, Chair
Sen John Reagan, Vice Chair
Sen Denise Ricciardi, Member
Sen Kevin Cavanaugh, Member
Sen Suzanne Prentiss, Member

Date: April 15, 2021

HEARINGS

Wednesday	04/28/2021	
(Day)	(Date)	
Executive Departments and Administration	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)
9:00 a.m. HB 273	relative to the 50th anniversary of the passage of the 26th amendment, granting the right to vote to 18-21 year olds and celebrating youth voting and office holding.	
9:15 a.m. HB 345	establishing a license for mushroom harvesters.	
9:30 a.m. HB 509	relative to portraits and memorial objects in the state house, legislative office building, and Upham Walker house.	
9:45 a.m. HB 567	permitting certain military personnel, emergency medical technicians, and paramedics to apply for licensure as a nursing assistant.	
10:00 a.m. HB 631	relative to regulation of interpreters for the deaf, deaf blind, and hard of hearing.	

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/97905915900>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: +13017158592,,97905915900# or +13126266799,,97905915900#
4. Webinar ID: 979 0591 5900
5. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCiBZdtrjRnQdmg-2MPMiWrA>

6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:
<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 273

Rep. Cushing

Rep. Conley

HB 345

Rep. Knirk

Rep. Bixby

Rep. Fellows

Sen. Sherman

Rep. Merchant

Sen. Bradley

Rep. M. Murray

HB 509

Rep. Wall

HB 567

Rep. S. Pearson

HB 631

Rep. M. Pearson

Rep. Guthrie

Rep. Woods

Rep. Rice

Rep. Nutter-Upham

Sen. Birdsell

Rep. Major

Sen. D'Allesandro

Cameron Lapine 271-2104

Sharon M Carson
Chairman

Senate Executive Departments and Administration Committee

Cameron Lapine 271-2104

HB 509, relative to portraits and memorial objects in the state house, legislative office building, and Upham Walker house.

Hearing Date: April 28, 2021

Time Opened: 9:34 a.m.

Time Closed: 9:50 a.m.

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

Members of the Committee Absent: None

Bill Analysis: This bill clarifies the responsibilities for placement of portraits, flags, busts, statues, or other memorial objects within or on the state house, legislative office building, and Upham Walker house.

Sponsors:

Rep. Wall

Who supports the bill: Representative Janet G. Wall (Strafford – District 6) and Representative Julie Gilman (Rockingham – District 18).

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of testimony presented in support:

Representative Janet Wall

Strafford – District 6

- Representative Wall said that HB 509 is a simple bill and a request of the Joint Legislative Historic Committee (JLHC). She said that it passed the House Committee unanimously in 2020 and passed the House on the Consent Calendar before dying due to the COVID-19 pandemic.
- Rep. Wall said that the JLHC has oversight on portraits and artifacts placed or received in or on the State House Complex. She pointed out the glass plates protecting the Hall of Flags and the portraits of former House Speakers Donna Sytek and George Roberts as some items the JLHC has oversight of.

- Rep. Wall said that a pair of copper plates used for colonial money had disappeared from the State House vaults and later appeared at an auction of colonial artifacts in Boston. Thanks to the JLHC and the Attorney General, the plates were returned to the State and will be displayed.
- Rep. Wall said that HB 509 clarifies who has control over what areas; the Executive Branch has control over most of the second floor of the State House, while the General Court controls the basement, first floor, and third floor of the State House, and the Legislative Office Building. She said that this has been practice, but HB 509 provides clarity.
- Senator Carson said that reading Lines 3-6, it is not clear that the Governor controls the second floor of the State House. She said that she read it as giving the General Court control over the second floor. She asked if the JLHC would have control over the Governor's Office, the walls outside the Governor's Office, the Executive Council Chambers, and the Secretary of State's Office.
 - Rep. Wall said that it might be worded in a confusing way. She said that she thought that use of the phrase "with the exception of those areas" on Line 4 made it clear but she wished it had been worded differently in drafting. She said that the Governor does have control over the second floor of the State House.
- Senator Carson read RSA 14:14-b and said that there is no mention of the Governor or the second floor of the State House in the statute. She said that the statute needs to be made clear. She said that the General Court has designated authority in the statute but the Governor and Executive Council do not.
 - Rep. Wall said that that was a correct reading of RSA 14:14-b.
- Senator Carson said that the Committee could work on RSA 14:14-b and work on language to designate the Governor as being in charge of the second floor of the State House.
 - Rep. Wall said that she agreed. She said that the New Hampshire Heritage Collections Committee had merged with the JLHC recently and some of their responsibilities were in HB 509. She said that there should have been a more definitive statement regarding the second floor of the State House in HB 509.
- Senator Carson added that the Secretary of State's Office is on the second floor of the State House and suggested including the Secretary of State in the amendment. She said she wanted to make sure HB 509 did not overstep the authority of the General Court in designating spaces.
 - Rep. Wall said that the language from the similar bill from 2020 was easier. She said she would work with Senator Carson on an amendment.

Terry Pfaff

Chief Operating Officer, New Hampshire General Court

- Mr. Pfaff said that he supports HB 509.
- Addressing the second floor of the State House, Mr. Pfaff said that portions of the floor are under the control of the General Court, including the Senate Chamber, the Senate Clerk's Office, the House Chamber, and the House Anteroom.
- Mr. Pfaff said that the Secretary of State's office was added as a designated space in a footnote to a budget in the 1970s, possibly in 1976.
- Mr. Pfaff said that HB 509 clarifies an issue that has been on a low burn for a period of time. He said that the General Court has had to go to the Governor and Executive Council for approval on many things when, if the area is under the control of the General Court and the JLHC exists, they should not need to go to another branch of government. He said that they

would still consult with the Executive Branch.

- Mr. Pfaff said that HB 509 is a positive bill that does not need much tweaking, as there is already clarification on the second floor of the State House in statute and HB 509 exempts the areas that the Governor controls.
- Senator Carson said that she would work with Mr. Pfaff on clarification for HB 509.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

cml

Date Hearing Report completed: April 29, 2021

Speakers

Senate Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB509 01

Support: 2 Oppose: 0 Neutral: 0 Total to Testify: 1

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>
Wall, Rep. Janet G.	Not Given	(603) 749-30	An Elected Official	Joint Leg. Historic Committee	Support	Yes
Gilman, Representative Julie	julie.gilman@leg.state.nh.us	Not Given	An Elected Official	Exeter	Support	No

Voting Sheets

**Senate Executive Departments and
Administration Committee
EXECUTIVE SESSION RECORD
2021 Session**

Bill # HB 509

Hearing date: 4-28-21

Executive Session date: 5-19-21

Motion of: 1517s Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	X	□	□	X	□
Sen. Reagan, Vice Chair	X	X	□	X	□
Sen. Ricciardi	X	□	X	X	□
Sen. Cavanaugh	X	□	□	X	□
Sen. Prentiss	X	□	□	X	□

Motion of: OTPA Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	X	□	□	X	□
Sen. Reagan, Vice Chair	X	X	□	X	□
Sen. Ricciardi	X	□	□	X	□
Sen. Cavanaugh	X	□	X	X	□
Sen. Prentiss	X	□	□	X	□

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Carson, Chair	X	□	□	X	□
Sen. Reagan, Vice Chair	X	X	□	X	□
Sen. Ricciardi	X	□	□	X	□
Sen. Cavanaugh	X	□	□	X	□
Sen. Prentiss	X	□	X	X	□

Reported out by: Sen. Prentiss

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Wednesday, May 19, 2021

THE COMMITTEE ON Executive Departments and Administration

to which was referred **HB 509**

AN ACT

relative to portraits and memorial objects in the
state house, legislative office building, and Upham
Walker house.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1593s

Senator Suzanne Prentiss
For the Committee

This bill clarifies the responsibilities for placement of portraits, flags, busts, statues, or other memorial objects within or on the State House, Legislative Office Building, and Upham Walker House. This bill seeks to clarify in statute what has been done in practice for an extended period of time by the Joint Legislative Historical Committee. The Committee Amendment adds additional clarity and delineates areas of the State House complex that are under the authority of the Governor, the Executive Council, and the Secretary of State.

Cameron Lapine 271-2104

FOR THE CONSENT CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 509, relative to portraits and memorial objects in the state house, legislative office building, and Upham Walker house.

Ought to Pass with Amendment, Vote 5-0.

Senator Suzanne Prentiss for the committee.

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General Court of New Hampshire - Bill Status System

Docket of HB509

Docket Abbreviations

Bill Title: relative to portraits and memorial objects in the state house, legislative office building, and Upham Walker house.

Official Docket of HB509.:

Date	Body	Description
1/11/2021	H	Introduced (in recess of) 01/06/2021 and referred to Legislative Administration HJ 2 P. 51
2/22/2021	H	Public Hearing: 02/22/2021 10:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/91906391213 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/25/2021	H	Committee Report: Ought to Pass (Vote 15-0; CC) HC 18 P. 19
4/7/2021	H	Ought to Pass: MA VV 04/07/2021 HJ 5 P. 42
4/7/2021	H	Reconsider (Rep. Osborne): MF VV 04/07/2021 HJ 5 P. 50
4/7/2021	S	Introduced 04/01/2021 and Referred to Executive Departments and Administration; SJ 11
4/15/2021	S	Remote Hearing: 04/28/2021, 09:30 am; Links to join the hearing can be found in the Senate Calendar; SC 20
5/19/2021	S	Committee Report: Ought to Pass with Amendment #2021-1593s , 05/27/2021; Vote 5-0; CC; SC 25
5/27/2021	S	Sen. Carson Moved to Remove HB 566 from the Consent Calendar; 05/27/2021; SJ 17
5/27/2021	S	Committee Amendment #2021-1593s , AA, VV; 05/27/2021; SJ 17
5/27/2021	S	Sen. Carson Floor Amendment #2021-1678s , AA, VV; 05/27/2021; SJ 17
5/27/2021	S	Ought to Pass with Amendments 2021-1593s and 2021-1678s, MA, VV; OT3rdg; 05/27/2021; SJ 17
6/10/2021	H	House Concurs with Senate Amendment 2021-1593s and 2021-1678s (Rep. Hill): MA VV 06/10/2021 HJ 10 P. 12
7/12/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); SJ 20
7/12/2021	H	Enrolled (in recess of) 06/24/2021
7/26/2021	H	Signed by Governor Sununu 07/23/2021; Chapter 143; Eff: 09/21/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 509

Senate Committee: ED+A

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):

201 - amendment # 1517s ___ - amendment # ___
201 - amendment # 1593s ___ - 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 # 1676 ___ - 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:

Cameron M. Japine
Committee Aide

7/20/21
Date

Senate Clerk's Office AK