

LEGISLATIVE COMMITTEE MINUTES

# **HB1521**

# Bill as Introduced

HB 1521-FN - AS AMENDED BY THE HOUSE

16Feb2022... 0079h

2022 SESSION

22-2530  
08/10

HOUSE BILL        ***1521-FN***

AN ACT            requiring the department of education to provide the house and senate standing committees responsible for education with copies of the laws and rules relative to education.

SPONSORS:        Rep. Tanner, Sull. 9; Rep. Frost, Straf. 16; Rep. Woodcock, Carr. 2; Rep. Van Houten, Hills. 45; Rep. Fellows, Graf. 8; Rep. Ellison, Merr. 27; Rep. Mullen, Hills. 7; Rep. Myler, Merr. 10; Rep. Cornell, Hills. 18; Rep. J. Schmidt, Hills. 28

COMMITTEE:      Education

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AMENDED ANALYSIS

This bill requires the department of education to provide the house and senate standing committees responsible for education with either physical copies, digital copies, or a link to an Internet copy of the laws and rules relative to education.

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                     Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 1521-FN - AS AMENDED BY THE HOUSE

16Feb2022... 0079h

22-2530  
08/10

STATE OF NEW HAMPSHIRE

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

AN ACT requiring the department of education to provide the house and senate standing committees responsible for education with copies of the laws and rules relative to education.

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

1       1 New Paragraph; Duties of Commissioner; Department of Education; Current Rules and  
2 Statutes. Amend RSA 21-N:4 by inserting after paragraph X the following new paragraph:

3       XI. At the beginning of each session of the biennium, providing a physical copy of, a copy on  
4 a portable data storage device of, or an Internet link to the New Hampshire education laws  
5 annotated and department rules to the house and senate standing committees that oversee  
6 education policy, and to make such copy available to all superintendents of New Hampshire schools  
7 in any format. A member of the house of representatives or senate may request the New Hampshire  
8 education laws annotated and department rules in any format.

9       2 Effective Date. This act shall take effect 60 days after its passage.

LBA  
22-2530  
Amended 2/28/22

**HB 1521-FN- FISCAL NOTE**  
**AS AMENDED BY THE HOUSE (AMENDMENT #2022-0079h)**

**AN ACT** requiring the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education.

**FISCAL IMPACT:**

The Legislative Budget Assistant has determined that this legislation, as amended by the House, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2022 through 2025.

**AGENCIES CONTACTED:**

Department of Education

# Committee Minutes

**SENATE CALENDAR NOTICE**  
**Education**

Sen Ruth Ward, Chair  
Sen Erin Hennessey, Vice Chair  
Sen Denise Ricciardi, Member  
Sen Jay Kahn, Member  
Sen Suzanne Prentiss, Member

Date: March 2, 2022

**HEARINGS**

Tuesday

03/08/2022

(Day)

(Date)

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Education Legislative Office Building 101 9:00 a.m.

(Name of Committee)

(Place)

(Time)

9:00 a.m.      **HB 1521-FN**      requiring the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education.

9:15 a.m.      **HB 1218-FN**      relative to the merger of Granite State college with the university of New Hampshire.

9:30 a.m.      **HB 1653-FN**      relative to educational and employment opportunities and protections for military families and their dependents.

9:45 a.m.      **HB 1575-FN**      relative to waiver of tuition in the university system and community college system.

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**HB 1521-FN**

Rep. Tanner  
Rep. Fellows  
Rep. Cornell

Rep. Frost  
Rep. Ellison  
Rep. J. Schmidt

Rep. Woodcock  
Rep. Mullen

Rep. Van Houten  
Rep. Myler

**HB 1218-FN**

Rep. Ladd  
Rep. Cordelli  
Sen. Reagan

**HB 1653-FN**

Rep. Roy

**HB 1575-FN**

Rep. Roy

Rep. Hobson  
Rep. Mullen  
Sen. Ward

Rep. Umberger  
Sen. Gray  
Sen. Kahn

Rep. Moffett  
Sen. D'Allesandro

Ava Hawkes 271-3266

Ruth Ward  
Chairman



# Senate Education Committee

*Ava Hawkes 271-3266*

**HB 1521-FN**, requiring the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education.

**Hearing Date:** March 8, 2022

**Time Opened:** 9:00 a.m.

**Time Closed:** 9:26 a.m.

**Members of the Committee Present:** Senators Ward, Hennessey, Ricciardi, Kahn and Prentiss

**Members of the Committee Absent :** None

**Bill Analysis:** This bill requires the department of education to provide the house and senate standing committees responsible for education with either physical copies, digital copies, or a link to an Internet copy of the laws and rules relative to education.

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**Sponsors:**

Rep. Tanner

Rep. Frost

Rep. Woodcock

Rep. Van Houten

Rep. Fellows

Rep. Ellison

Rep. Mullen

Rep. Myler

Rep. Cornell

Rep. J. Schmidt

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**Who supports the bill:** Representative Linda Tanner, Representative Rick Ladd

**Who opposes the bill:** None

**Who is neutral on the bill:** None

**Summary of testimony presented:**

**Representative Linda Tanner - Sullivan, District 9**

- Representative Tanner introduced HB 1521-FN.
- In 2020, annotated statute books were not made available.
- As we are a citizen legislature with no offices or staff, the annotated book is invaluable.
- She likes things in paper format, not from the internet; on the internet, she would only see a particular bill and not annotations.
- Most House members have their yellow books on their desk in Committee during public hearings.
- They cherish these books which is the reason why she filed this bill.

- The books were received this year, however, delivery is inconsistent.
- The costs of the books are approximately \$10,000 from the department of education. This is a guestimate only.
- The annotation is helpful because it shows the different ways that a law has been amended and when it was amended.
- Senator Hennessey asked Representative Tanner about the wording of the bill. Senator Hennessey asked if Representative Tanner knew when the books become available as there is a lag time from OLS finalizing legislation and printing/being book ready.
  - Representative Tanner is not familiar with the publication side, however, she thinks it can be done pretty fast.
- Senator Hennessey shared that she thinks there is lag time to get them in the right place online.
- Senator Hennessey asked Representative Tanner why all superintendents were added to the language of this bill.
  - Representative Tanner said there is a lot of pushback on public school superintendents and accusations about what they are/are not doing. Superintendents should have access to the annotated laws and rules. Digital format is provided.
- Senator Kahn asked Representative Tanner how many bills are in the House Education Committee this session.
  - Representative Tanner said she believes there are 120 bills. It has been overwhelming this year.
- Senator Kahn asked Representative Tanner if the immense workload before the House this session is related to the intent of this bill.
  - Representative Tanner said she does not think the volume has much to do with the need for this book as a reference. The lag time between sessions is when they actually look to bills they would like to introduce for the next session. Then, the new books come out in January.
  - Even if they only had 20 bills, she would want this book.
- Senator Ward asked Representative Tanner if the lack in access to this book in 2020 was the impetus for this bill.
  - Representative Tanner said yes. They had a study committee on this bill.

### **David Alukonis – Director, NH Office of Legislative Services**

- He made himself available for questions.
- They contract for the creation of these books.
- They use West Publishing through Thomson Reuters.
- These books are going away over the next few years. Thomson Reuters do not want to publish these books anymore.
- He thinks these books cost roughly \$100 per book.

- Departments such as Fish and Game and DMV have said it is no longer prudent to provide these books.
- Depending on the type of product at hand for these books, it would have to be a separate negotiation. LexisNexis publishes also and they annotate the books themselves.
- The legislature has a copyright on statutes, however, they do not hold copyright on the annotations.
- Agencies contract with various publishers.
- The Secretary of State does their own work which they print themselves.
- Senator Ward asked Director Alukonis if he is implying that we will no longer have these books.
  - Director Alukonis said yes. He is not sure why they are in the business of doing this.
  - He had a similar discussion with his counterpart in Virginia. They also said it has been difficult to find someone to publish.
- Publishers make money on the West Law licenses which are online.
- Senator Hennessey asked Director Alukonis if the department were to give an updated link instead of print, when would it be updated by.
  - Director Alukonis said it depends. For example, Veto Day was in January this year, not in November like normal. Their publishers could not finalize things until the former session had ended, which is after Veto Day. Our IT team also plays a role in this. He received a number of complaints regarding the delay of the publication of this information.
  - We are at the will of the publishers which is Thomson Reuters. In the past, he looked into having it updated more frequently. He was told it can be done but with limits.

### **Diana Fenton – Attorney, NH Department of Education**

- While she also likes this book, Director Alukonis' testimony is accurate in that the publisher is getting out of this business.
- There were a multitude of reasons in 2020 why the department stopped providing that book. It was a cost and publishing issue.
- Previously, the books were quite voluminous where, sometimes, the content did not directly relate to education. For example, there were references to homicide in the book one year.
- They did a fiscal note on this bill. The cost of the book is about \$112 each. They anticipate the cost will only increase.
- The publisher does not intend to publish these in the future.
- The department's rules are on the website and available through various links. Some are published. For instance, the code of conduct.
- Given their long list of rules, they do not publish them on a consistent basis.

- Senator Hennessey asked Ms. Fenton how hard it would be to have a link to a Google Drive or an online database on the website for this information.
  - Ms. Fenton said she personally accesses this information through the General Court website. However, the rules are on the department's website as well.
- Senator Hennessey asked Ms. Fenton for clarity on publishing.
  - Ms. Fenton said all rules are available electronically and are published by OLS. The department sometimes supplies paper copies of the rules upon request. It is not a matter of practice as each section of rules has an expiration date.
- Senator Kahn asked Ms. Fenton if she would bring back to the department the interest in accessing those rules through a more direct link on the homepage of the department's website.
  - Ms. Fenton said that is possible as they are always looking at ways to make access easier and better.

amh

Date Hearing Report completed: March 9, 2022

# Speakers





## Senate Remote Testify

Education Committee Testify List for Bill HB1521 on 2022-03-08

Support: 0 Oppose: 0

# Voting Sheets



**Senate Education Committee**  
**EXECUTIVE SESSION RECORD**  
*2020-2021 Session*

Bill # HB1521.FN

Hearing date: 3/8/22

Executive Session date: 4/6/22

Motion of: ~~XL~~ - WITHDRAWN Vote: \_\_\_\_\_

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: IS Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: CONSENT Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. Kahn

**Notes:**

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# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Thursday, April 7, 2022

THE COMMITTEE ON Education

to which was referred **HB 1521-FN**

AN ACT

requiring the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education.

Having considered the same, the committee recommends that the Bill

BE REFERRED TO INTERIM STUDY

BY A VOTE OF: 5-0

Senator Jay Kahn  
For the Committee

This bill would require the department of education to provide the House and Senate standing committees responsible for education with either physical copies, digital copies, or a link to an Internet link to the New Hampshire education laws and department rules relative to education. During the bill's public hearing, Representatives stated how valuable printed copies are for legislative history and comparing laws and rules when studying legislation. The Committee also heard testimony from the department of education and the Director of Legislative Services for the General Court on the dissipating desire of publishers to continue printing these physical copies and books. Publishers around the country are beginning to make the move to online publishing as opposed to printing. On the potential for finding a print option, the Committee unanimously recommends that this bill be referred to interim study.

Ava Hawkes 271-3266

FOR THE CONSENT CALENDAR

**EDUCATION**

**HB 1521-FN**, requiring the department of education to provide the house and senate standing committees responsible for education with written copies of the laws relative to education.

Interim Study, Vote 5-0.

Senator Jay Kahn for the committee.

This bill would require the department of education to provide the House and Senate standing committees responsible for education with either physical copies, digital copies, or a link to an Internet link to the New Hampshire education laws and department rules relative to education. During the bill's public hearing, Representatives stated how valuable printed copies are for legislative history and comparing laws and rules when studying legislation. The Committee also heard testimony from the department of education and the Director of Legislative Services for the General Court on the dissipating desire of publishers to continue printing these physical copies and books. Publishers around the country are beginning to make the move to online publishing as opposed to printing. On the potential for finding a print option, the Committee unanimously recommends that this bill be referred to interim study.

Docket of hb1521		
12/09/2021	H	Introduced 01/05/2022 and referred to Education
01/08/2022	H	Public Hearing: 01/12/2022 09:00 am LOB 205-207
01/27/2022	H	Executive Session: 01/13/2022 01:00 pm LOB 205-207
02/03/2022	H	Committee Report: Ought to Pass with Amendment # 2022-0079h(NT) (Vote 16-0; CC)
02/16/2022	H	Ought to Pass with Amendment 2022-0079h: MA VV 02/16/2022 HJ 3
02/23/2022	H	Amendment # 2022-0079h: AA VV 02/16/2022 HJ 3
03/01/2022	S	Introduced 02/24/2022 and Referred to Education; SJ 5
03/03/2022	S	Hearing: 03/08/2022, Room 101, LOB, 09:00 am; SC 10
04/07/2022	S	Committee Report: Referred to Interim Study, 04/14/2022; Vote 5-0; CC; SC 15
04/14/2022	S	Refer to Interim Study, MA, VV; 04/14/2022; SJ 8

# Other Referrals

**Senate Inventory Checklist for Archives**

Bill Number: HB 1521 FN

Senate Committee: EDU

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

\_\_\_ - 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:

*Paul Jankes*  
Committee Aide

9/28/22  
Date

Senate Clerk's Office *AK*