

REGULAR CALENDAR

January 26, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on Municipal and County Government to which was referred HB 295-FN,

AN ACT relative to requiring all selectboard and school board meetings to be recorded and broadcast live online. Having considered the same, report the same with the following resolution: RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Tim Cahill

FOR THE MAJORITY OF THE COMMITTEE

MAJORITY COMMITTEE REPORT

Committee:	Municipal and County Government
Bill Number:	HB 295-FN
Title:	relative to requiring all selectboard and school board meetings to be recorded and broadcast live online.
Date:	January 26, 2023
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill would require public sessions of the boards of selectmen and school boards to be video recorded and live-streamed. The majority believe this requirement would violate Part 1, Article 28:a - Unfunded Mandate, of the NH Constitution by requiring towns to have the resources to be in compliance with the bill. Not all municipalities have the necessary infrastructure and this could produce an unfunded burden on the taxpayers, thus making this mandate repugnant to the NH Constitution.

Vote 10-9.

Rep. Tim Cahill
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

HB 295-FN, relative to requiring all selectboard and school board meetings to be recorded and broadcast live online. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY: OUGHT TO PASS.**

Rep. Tim Cahill for the **Majority** of Municipal and County Government. This bill would require public sessions of the boards of selectmen and school boards to be video recorded and live-streamed. The majority believe this requirement would violate Part 1, Article 28:a - Unfunded Mandate, of the NH Constitution by requiring towns to have the resources to be in compliance with the bill. Not all municipalities have the necessary infrastructure and this could produce an unfunded burden on the taxpayers, thus making this mandate repugnant to the NH Constitution.
Vote 10-9.

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

January 26, 2023

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Municipal and County Government to which was referred HB 295-FN,

AN ACT relative to requiring all selectboard and school board meetings to be recorded and broadcast live online. Having considered the same, and being unable to agree with the Majority, report with the recommendation that the bill OUGHT TO PASS.

Rep. Laurel Stavis

FOR THE MINORITY OF THE COMMITTEE

MINORITY COMMITTEE REPORT

Committee:	Municipal and County Government
Bill Number:	HB 295-FN
Title:	relative to requiring all selectboard and school board meetings to be recorded and broadcast live online.
Date:	January 26, 2023
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill amends RSA 31 by adding a section on requiring selectboards to video record and live stream all meetings. An amendment was offered that would have improved the bill by making the same requirement of all public municipal bodies. There was a motion to Retain, based on the fact that the basics of the bill were sound and of good intent, but more work was needed to ensure that the proposed requirement did not constitute an unfunded mandate. The committee heard testimony from several towns that did not have broadband access and, aside from the cost considerations, the bill's effective date of 60 days from passage would have been impossible to fulfill in such towns. The motion to retain failed 9-10, after which a motion of Inexpedient to Legislate passed 10-9. The minority of the committee hopes to continue working with the sponsor on this topic.

Rep. Laurel Stavis
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

HB 295-FN, relative to requiring all selectboard and school board meetings to be recorded and broadcast live online. **OUGHT TO PASS.**

Rep. Laurel Stavis for the **Minority** of Municipal and County Government. This bill amends RSA 31 by adding a section on requiring selectboards to video record and live stream all meetings. An amendment was offered that would have improved the bill by making the same requirement of all public municipal bodies. There was a motion to Retain, based on the fact that the basics of the bill were sound and of good intent, but more work was needed to ensure that the proposed requirement did not constitute an unfunded mandate. The committee heard testimony from several towns that did not have broadband access and, aside from the cost considerations, the bill's effective date of 60 days from passage would have been impossible to fulfill in such towns. The motion to retain failed 9-10, after which a motion of Inexpedient to Legislate passed 10-9. The minority of the committee hopes to continue working with the sponsor on this topic.

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 295-FN

BILL TITLE: relative to requiring all selectboard and school board meetings to be recorded and broadcast live online.

DATE: January 25, 2023

LOB ROOM: 301 - 303

MOTIONS: RETAINED

Moved by Rep. Stavis

Seconded by Rep. Mangipudi

Vote: 9-10

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. T. Cahill

Seconded by Rep. Pauer

Vote: 10-9

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John MacDonald, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/9/2023 12:06:25 PM
Roll Call Committee Registers
Report

2023 SESSION

Municipal and County Government *Retain*

Bill #: 295-FN Motion: ~~BE~~ AM #: _____ Exec Session Date: 1/25/23

Members	YEAS	Nays	NV
Turcotte, Len P. Chairman		10	
Pauer, Diane Vice Chairman		1	
Guthrie, Joseph A. <i>Noted</i>		2	
MacDonald, John T. Clerk		3	
Lascelles, Richard W.		4	
Yokela, Josh S.		5	
Kelley, Diane E.		6	
Aylward, Deborah		7	
Brown, Richard R		8	
Cahill, Tim P		9	
Stavis, Laurel	1		
Tatro, Bruce L.	2		
Treleaven, Susan GS			
Gilman, Julie D.	3		
Maggiore, Jim V.	4		
Mangipudi, Latha D.	5		
Gallager, Eric B.	6		
Hicks, Matthew S	7		
Howland, Allan	8		
Preece, David John	9		
TOTAL VOTE:	9	10	



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/9/2023 12:06:25 PM
Roll Call Committee Registers
Report

2023 SESSION

Municipal and County Government

Bill #: 295 FN Motion: ITL AM #: _____ Exec Session Date: 1/25/23

Members	YEAS	Nays	NV
Turcotte, Len P. Chairman	10		
Pauer, Diane Vice Chairman	1		
Guthrie, Joseph A. <i>Not here</i>	2		
MacDonald, John T. Clerk	3		
Lascelles, Richard W.	4		
Yokela, Josh S.		1	
Kelley, Diane E.	5		
Aylward, Deborah	6		
Brown, Richard R	7		
Cahill, Tim P	8		
Stavis, Laurel		2	
Tatro, Bruce L.		3	
Treleaven, Susan GS			
Gilman, Julie D.	9		
Maggiore, Jim V.		4	
Mangipudi, Latha D.		5	
Gallager, Eric B.		6	
Hicks, Matthew S		7	
Howland, Allan		8	
Preece, David John		9	
TOTAL VOTE:	10	9	

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 295-FN

BILL TITLE: relative to requiring all selectboard and school board meetings to be recorded and broadcast live online.

DATE: January 18, 2023

LOB ROOM: 301-303 **Time Public Hearing Called to Order:** 2:50 p.m.

Time Adjourned: 3:30 p.m.

Committee Members: Reps. L. Turcotte, Pauer, J. MacDonald, Guthrie, Lascelles, Yokela, D. Kelley, Aylward, R. Brown, T. Cahill, Stavis, Tatro, Treleaven, Gilman, Maggiore, Mangipudi, Gallager, Hicks, Howland and Preece

Bill Sponsors:

Rep. Damon

Rep. Tanner

Rep. Cloutier

Rep. Merchant

Rep. Palmer

Rep. B. Sullivan

TESTIMONY

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

- Rep. Damon - Sullivan district 8 - requires meetings to be live streamed and recorded. Increasing trust in the system and appreciation. We need to bear the voices of these citizens. Technology isn't free. Modest cost. Croydon installed Star Link - available and affordable. Town Hall streaming from the Sunapee town manager. Value citizen participation - we will move forward.
- Rep. Yokela - no penalties - encouragement
- Rep. Damon - strong encouragement. I wish there was a universal point of view. But I don't think that is true. Board members are resistant to being recorded.
- Brown - difference to live stream or posted
- Damon - I think they may be more engaged or included on live stream.
- Maggiore - may only have meetings at the same building. Why don't you have all the boards?
- Damon - limits - the intent was to require all organizations
- Howland - failure to recording - failure
- Damon - boardman failure - loss of electricity should be indicated in the minutes
- NAMA - Nate Greyes - opposed - Grafton - no office to have meetings, no internet availability. Broadband is being built out. It is premature. We don't have stable internet access.
- Stavis - adoption of more technology due to bill. Why doesn't MA want to hold this up?
- Greyes - represent towns - not all have internet impaired ability to grow our economy
- Mangipudi - don't you think its a good practice?
- Greyes - if the state wants to run a line, we would encourage that
- Yokela - video recording?
- Greyes - I haven't looked into that. New equipment, not expected to have
- Maggiore - unfunded mandate
- Greyes - yes it does
- Chairman - nothing that would prevent them from recording
- Greyes - that is correct
- Edward Spiker - Croydon, NH - support 295 FN - recorded and broad cast. Severe physical limitations, elderly people would allow them to be included. I took it upon myself to record. Employ you to support video recording rather than just the minutes.
- Zach May - Easton School Board - no internet, expense, general public should decide
- Yokela - how about just recording?

- May - we have had public recording
- Thomas Cormen - Grafton 3 - supports HB295 - Ill, mobility, work, children, or just too beat to go out.
 - o Amendments - city council - all elected municipal bodies
 - o Sufficient broadband capabilities

Respectfully submitted,
Representative MacDonald, Clerk

House Remote Testify

Municipal and County Government Committee Testify List for Bill HB295 on 2023-01-18

Support: 30 Oppose: 5 Neutral: 0 Total to Testify: 0

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>
Smith, Julie	Nashua, NH cantdog@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/11/2023 8:03 PM
Richardson, Daniel	Nashua, NH daniel6_22@comcast.net	A Member of the Public	Myself	Oppose	No	No	1/13/2023 1:36 PM
Kudlik, Cindy	Grafton, NH CindyKudlik@protonmail.com	An Elected Official	Myself	Oppose	No	No	1/13/2023 2:44 PM
Creem, Jeffrey	Nashua, NH jeff@thecreems.com	A Member of the Public	Myself	Oppose	No	No	1/14/2023 3:45 PM
Perencevich, Ruth	Concord, NH rperence@comcast.net	A Member of the Public	Myself	Support	No	No	1/15/2023 9:31 PM
Cloutier, State Rep. John	Claremont, NH jocloutier@comcast.net	An Elected Official	Myself	Support	No	No	1/16/2023 10:56 AM
Spielman, Kathy Sue	Durham, NH jspielman@comcast.net	A Member of the Public	Myself	Support	No	No	1/16/2023 3:38 PM
Torpey, Jeanne	Concord, NH jtorp51@comcast.net	A Member of the Public	Myself	Support	No	No	1/16/2023 3:43 PM
Richman, Susan	Durham, NH susan7richman@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2023 7:34 PM
Brennan, Nancy	Weare, NH burningnan14@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2023 8:46 PM
Brennan, Arthur	Weare, NH arete201314@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2023 8:47 PM
Rasmussen, Kyle	Brookline, NH kyle_rasmussen@icloud.com	A Member of the Public	Myself	Support	No	No	1/16/2023 8:59 PM
Rasmussen, Elissa	Brookline, NH elissa@evanshatz.com	A Member of the Public	Myself	Support	No	No	1/16/2023 9:06 PM

Brennan, Jane	Weare, NH janelb@gsinet.net	A Member of the Public	Myself	Support	No	No	1/16/2023 9:09 PM
Landry, Lorna	Bow, NH lornalandry@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2023 10:12 PM
Crystall, Sandra	Bow, NH scrystall@gmail.com	A Member of the Public	Myself	Support	No	No	1/16/2023 10:30 PM
Newton, Jay	Gilford, NH jjnewt@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 9:06 AM
Miranda, Filipe	Bow, NH ftmiranda@outlook.com	A Member of the Public	Myself	Support	No	No	1/17/2023 10:42 AM
Fries, Ellen	Bow, NH toehfries@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 11:16 AM
lux, robert	bow, NH boblux@mac.com	A Member of the Public	Myself	Support	No	No	1/17/2023 1:12 PM
Murphy, Rep. Nancy	Merrimack, NH nancy.murphy@leg.state.nh.us	An Elected Official	Hillsborough 12, Town of Merrimack	Support	No	No	1/17/2023 7:37 PM
Marcotte-Jenkins, Susan	Bow, NH jenkins913@comcast.net	A Member of the Public	Myself	Support	No	No	1/17/2023 8:33 PM
Jenkins, Martin	Bow, NH Martinjenkins913@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 8:44 PM
Spencer, Louise	Concord, NH lpskentstreet@gmail.com	A Member of the Public	Myself	Support	No	No	1/17/2023 10:30 PM
Darby, William	Nashua, NH Will.Darby@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/18/2023 7:20 AM
Koch, Laurie	Concord, NH kochlj@aol.com	A Member of the Public	Myself	Support	No	No	1/18/2023 9:09 AM
Palmer, William	Cornish, NH wpalmernh@gmail.com	An Elected Official	Myself	Support	No	No	1/18/2023 9:46 AM
Covert, Susan	Contoocook, NH scovert@comcast.net	A Member of the Public	Myself	Support	No	No	1/18/2023 10:07 AM
Hinebauch, Mel	Concord, NH melhinebauch@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 10:17 AM
Gatzke, Matthew	Bow, NH msgatzke@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 10:46 AM
hatch, sally	concord, NH sallyhatch@comcast.net	A Member of the Public	Myself	Support	No	No	1/18/2023 1:05 PM

Pauer, Eric	Brookline, NH secretary@BrooklineGOP.org	A Member of the Public	Myself	Oppose	No	No	1/18/2023 1:07 PM
Brennan, Angela	Bow, NH Angela.Brennan@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/18/2023 1:32 PM
Prost, Christopher	Croydon, NH chris.prost@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 2:16 PM
Koch, Helmut	Gilmanton, NH helmut.koch.2001@gmail.com	A Member of the Public	Myself	Support	No	No	1/18/2023 7:55 PM

Transparency in Local Government HB 295-FN

Thank you Chairman Turcotte & thank you to the full committee for your time and interest hearing this bill. For the record, I am Rep Hope Damon, representing Sullivan D8, a new 9 town floterial that serves the communities of Acworth, Goshen, Langdon, Lempster, Springfield, Sunapee, Washington, my home town of Croydon and the city of Claremont.

HB 295-FN asks to require communities to record and livestream all public selectboard and school board meetings. It would create a permanent record of these meetings and most importantly, provide the same transparency and accountability that YouTube of our House public hearings now routinely makes available. While this does currently happen in some communities, including Claremont and Sunapee in my own district, it is by no means universal.

Making our local government process more visible increases trust in the work of dedicated volunteer elected officials. It invites greater citizen awareness & participation. It likely has future benefit by increasing candidates for local positions, especially in our many small, rural towns where often seats are filled by the only person running, sometimes regardless of their fitness for office. Perhaps, it even creates greater appreciation of the work of elected officials.

You understandably may ask, why is this needed as people can attend these public meetings. Yet, some elderly folks find it very difficult to get out and must be selective about how often they ask family or friends to assist them getting places. We need to hear their voices and benefit from their accumulated experience. For parents of young children, early evening meetings are very inconvenient. Child care is expensive and often just simply not available. Again, we need to hear the voices of parents – they are the future of our democracy.

People with physical limitations may simply find it too complicated to participate in person. In my own town, a young man severely injured by a MVA, has benefited from meeting on zoom. It's great to hear his engagement. Finally, making meetings remotely accessible is better for our collective public health – as we learned during the pandemic.

For those who might question, how many citizens would actually watch – I note these points. When I was initially campaigning for state rep in Claremont, where I

was not known well, I attended a city council meeting and unintentionally chose a seat that was on camera often. Next day as I was door knocking, multiple people told me they had seen and heard me the night before. I decided to “own” that seat for future meetings!

Just last evening, the Croydon school board was scheduling a budget hearing. Discussion of which town building would accommodate the expected audience quickly was influenced by which site was most feasible for zoom as people have come to expect and appreciate streaming meetings.

Now the challenges – I acknowledge that technology isn’t free, broadband isn’t yet universally available & reliable. However, in most communities, this can be done for a very modest cost that is appropriate for the values I have noted. For example, Croydon doesn’t currently have adequate bandwidth to live stream from our town hall if more than a few people use their devices. A local warrant article asks the town to install Starlink at a one time hardware cost of \$599 with a reasonable monthly fee of \$110. Appropriate camera and microphones are increasingly affordable – a set-up can be purchased for less than \$2K. Or, as basic as one board member sets up a zoom on a laptop – not perfect quality but available, affordable, and as noted in my Croydon example from last night – appreciated by voters.

There are also companies such as Town Hall Streaming who will contract to provide this service. Hardware is free with a monthly subscription fee depending on the number of meetings but in the range of \$100-\$200 monthly. I learned about THS from the Sunapee Town manager who indicated they are very pleased with the service.

In closing, If we value citizen participation, informed voters, and a fir democratic process, we will move forward HB-295 to improve transparency in local government.

Thank you for your consideration of this bill. I am happy to try to answer any questions.

HB 295-FN - AS INTRODUCED

2023 SESSION

23-0511

04/08

HOUSE BILL ***295-FN***

AN ACT relative to requiring all selectboard and school board meetings to be recorded and broadcast live online.

SPONSORS: Rep. Damon, Sull. 8; Rep. Tanner, Sull. 5; Rep. Cloutier, Sull. 6; Rep. Merchant, Sull. 6; Rep. Palmer, Sull. 2; Rep. B. Sullivan, Sull. 1

COMMITTEE: Municipal and County Government

ANALYSIS

This bill requires public sessions of the boards of selectmen and school boards to be video recorded and live-streamed.

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 Three

AN ACT relative to requiring all selectboard and school board meetings to be recorded and broadcast live online.

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

1 1 New Section; Powers and Duties of Towns; Recording of Selectmen Meetings. Amend RSA 31
2 by inserting after section 103-a the following new section:

3 31:103-b Recording of Selectboard Meetings. The board of selectmen shall cause all regular and
4 special sessions of board of selectmen meetings to be video recorded and live-streamed on a platform
5 that is accessible to the public.

6 2 New Section; School Boards; Recording of School Board Meetings. Amend RSA 189 by
7 inserting after section 1-e the following new section:

8 189:1-f Recording of School Board Meetings. The school board of every school district shall
9 cause all regular and special sessions of school board meetings to be video recorded and live-
10 streamed on a platform that is accessible to the public.

11 3 Effective Date. This act shall take effect 60 days after its passage.

LBA
23-0511
12/29/22

**HB 295-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to requiring all selectboard and school board meetings to be recorded and broadcast live online.

FISCAL IMPACT: State County Local None

LOCAL:	Estimated Increase / (Decrease)			
	FY 2023	FY 2024	FY 2025	FY 2026
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase

METHODOLOGY:

This bill requires public sessions of the boards of selectmen and school boards to be video recorded and live-streamed. The New Hampshire Municipal Association there will be an indeterminable increase in local expenditures starting in FY 2024 to the extent boards of selectman and school boards do not currently live stream their meetings on a platform accessible to the public. If a municipality does not have the technology necessary to video record and live-stream their board meetings, additional investments in broadband infrastructure, to ensure there is adequate bandwidth to live-stream, as well as purchases of equipment and associated technological support will be needed.

AGENCIES CONTACTED:

New Hampshire Municipal Association