

**THE STATE OF NEW HAMPSHIRE
SUPREME COURT**

**THERESA NORELLI, CHRISTINE FAJARDO, MATT GERDING, PALANA HUNT-
HAWKINS, AND MACKENZIE MURPHY**

v.

**DAVID SCANLAN,
In his official capacity as New Hampshire Secretary of State**

CASE NO. 2022-0184

**ORIGINAL JURISDICTION OVER CASE FILED IN
HILLSBOROUGH SUPERIOR COURT, SOUTHERN DISTRICT**

DOCKET NO. 226- 2022-CV-00126

**BRIEF OF
HON. SHERMAN PACKARD, SPEAKER OF THE NEW
HAMPSHIRE HOUSE OF REPRESENTATIVES
And
HON. CHARLES MORSE, PRESIDENT OF THE SENATE**

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A. PRELIMINARY QUESTIONS PRESENTED

1. Would use of the existing congressional districts, see RSA 662:1, for the 2022 election be unconstitutional either as a violation of one person/one vote or as otherwise alleged in the complaint?

2. To determine the time frame for any judicial relief,

A. What is the last date by which the court will have assurance that a congressional reapportionment plan will be validly enacted in time for the 2022 primary election for the purpose of nominating candidates for the United States House of Representatives?

B. And, from the Secretary of State, what amount of time does he believe is required to prepare, print, and distribute ballots in advance of the primary election?

3. If we conclude that use of the existing congressional districts for the 2022 election would be unconstitutional,

A. Should we apply the “least change” approach to congressional redistricting in this case, as we did for state senate redistricting in *Below I*?

B. If “least change” is the correct approach, what measurement or factors should we use to assess “least change?”

C. If “least change” is not the correct approach, what approach should we take for congressional redistricting in this case, and what measurement or factors should we use to assess that approach?

4. Regarding the appointment of a special master,

A. Does the party, intervenor, or amicus object to the appointment of Professor Nathaniel Persily as special master? If so, what are the specific grounds for the objection?

B. Does the party, intervenor, or amicus propose the appointment of someone else as special master? If so, who (name and contact information) should be appointed instead, and what are that person's qualifications to serve as special master?

C. And, from the Secretary of State and any other interested party that is a State body or State official, is there a New Hampshire Maptitude license to make available for the special master to use for his or her work on this case, or, instead, might it be necessary for the special master to purchase a New Hampshire Maptitude license for this case if the special master does not already have one?

B. CONSTITUTIONAL PROVISIONS, STATUTES, ORDINANCES, RULES & REGULATIONS

NEW HAMPSHIRE CONSTITUTION

Part I, Art. 1. [Equality of Men; Origin and Object of Government.] All men are born equally free and independent; Therefore, all government of right originates from the people, is founded in consent, and instituted for the general good.

Part I, Art. 11. [Elections and Elective Franchises.] All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile. No person shall have the right to vote under the constitution of this state who has been convicted of treason, bribery or any willful violation of the election laws of this state or of the United States; but the supreme court may, on notice to the attorney general, restore the privilege to vote to any person who may have forfeited it by conviction of such offenses. The general court shall provide by law for voting by qualified voters who at the time of the biennial or state elections, or of the primary elections therefor, or of city elections, or of town elections by official ballot, are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person, in the choice of any officer or officers to be elected or upon any question submitted at such election. Voting registration and polling places shall be easily accessible to all persons including disabled and elderly persons who are otherwise qualified to vote in the choice of any officer or officers to be elected or upon any question submitted at such election. The right to vote shall not be denied to any person because of the non payment of any tax. Every inhabitant of the state, having the proper qualifications, has equal right to be elected into office.

Part I, Art. 37. [Separation of Powers.] In the government of this State, the three essential powers thereof, to wit, the Legislative, Executive, and Judicial, ought to be kept as separate from, and independent of, each other, as the nature of a free government will admit, or as is consistent with that chain of connection that binds the whole fabric of the Constitution in one indissoluble bond of union and amity.

Part II, Art. 5. [Power to Make Laws, Elect Officers, Define Their Powers and Duties, Impose Fines and Assess Taxes; Prohibited from Authorizing Towns to Aid Certain Corporations.] And farther, full power and authority are hereby given and granted to the said general court, from time to time, to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, ordinances, directions, and instructions, either with penalties, or without, so as the same be not repugnant or contrary to this constitution, as they may judge for the benefit and welfare of this state, and for the governing and ordering thereof, and of the subjects of the same, for the necessary support and defense of the government thereof, and to name and settle biennially, or provide by

fixed laws for the naming and settling, all civil officers within this state, such officers excepted, the election and appointment of whom are hereafter in this form of government otherwise provided for; and to set forth the several duties, powers, and limits, of the several civil and military officers of this state, and the forms of such oaths or affirmations as shall be respectively administered unto them, for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and also to impose fines, mulcts, imprisonments, and other punishments, and to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and residents within, the said state; and upon all estates within the same; to be issued and disposed of by warrant, under the hand of the governor of this state for the time being, with the advice and consent of the council, for the public service, in the necessary defense and support of the government of this state, and the protection and preservation of the subjects thereof, according to such acts as are, or shall be, in force within the same; provided that the general court shall not authorize any town to loan or give its money or credit directly or indirectly for the benefit of any corporation having for its object a dividend of profits or in any way aid the same by taking its stocks or bonds. For the purpose of encouraging conservation of the forest resources of the state, the general court may provide for special assessments, rates and taxes on growing wood and timber.

UNITED STATES CONSTITUTION

Article I, Section 2

The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.....

Article I, Section 4, (Clause 1).

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

Article III, Section 1.

The judicial power of the United States, shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Article III, Section 2.

The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;--to all cases affecting ambassadors, other public ministers and consuls;--to all cases of admiralty and maritime jurisdiction;--to controversies to which the

United States shall be a party;--to controversies between two or more states;--between a state and citizens of another state;--between citizens of different states;--between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

NEW HAMPSHIRE STATUTES, RULES OR REGULATIONS

RSA 662:1 U.S. Representative Districts, *Apx.* at 19.

UNITED STATES STATUTES, RULES OR REGULATIONS

28 USC § 2284(a). A district court of three judges shall be convened when otherwise required by Act of Congress, or when an action is filed challenging the constitutionality of the apportionment of congressional districts or the apportionment of any statewide legislative body.

C. STATEMENT OF THE CASE AND FACTS

On March 31, 2022, with the 2022 legislative session still underway, the Plaintiffs filed suit in the Hillsborough County Superior Court, Southern District, seeking extraordinary relief on the basis of the speculative allegations that: (1) The New Hampshire General Court (“General Court”) and Governor Sununu would fail to pass a law establishing new United States Congressional Districts based upon the 2020 Census data; and (2) The current districts, crafted with data from the 2010 Census, would be unconstitutional to utilize in the 2022 elections of New Hampshire’s two United States Representatives. For the first time in New Hampshire history, the State judiciary is being asked to engage in the political work of redrawing districts for *federal* elections.

In recognition of the claimed urgency posed by the Plaintiffs’ allegations and requested relief, the New Hampshire Supreme Court exercised original jurisdiction over the instant action.

D. SUMMARY OF ARGUMENT

The redistricting process “ordinarily involves criteria and standards that have been weighed and evaluated by the elected branches in the exercise of their political judgment.” *Tennant v. Jefferson Cty. Comm’n*, 567 U.S. 758, 760 (2012). The Plaintiffs have requested that the state judiciary intervene in this political process, prior to the close of the current legislative session, based upon the speculative argument that the General Court will be unable to pass a constitutionally valid districting plan, signed by the Governor, prior to the 2022 elections. To the contrary, the General Court is actively pursuing the passage of a constitutionally valid congressional map prior to the close of the current legislative session

at the end of May. The last day for the General Court to submit committee of conference reports is May 26, 2022. *See Appendix (“Apx.”)*, p. 3. The filing deadline for the United States Congressional Primary is June 10, 2022, with the Primary election taking place on September 13, 2022. *Id.* at 16.

In the unlikely event that that legislative process fails to produce a plan redistricting the U.S. Congressional Districts pursuant to the 2020 Census data, an election may go forward based upon the current districts, the deviations in populations of which are 2.6%. New Hampshire maintains a significant, legitimate interest in maintaining the independent political authority of the General Court, and the apolitical independence of the New Hampshire Supreme Court. Therefore, the 2.6% deviation contained in the current Congressional Districts (RSA 662:1) is sufficiently justified and constitutionally valid. *See Tennant*, 567 U.S. at 759 (citing *Karcher v. Daggett*, 462 U.S. 725, 732 (1983); *Baker v. Carr*, 369 U.S. 186, 211 (1962)).

Further, “[t]he question presented is one of federal not state law because the state legislature, in promulgating rules for congressional elections, acts pursuant to a constitutional mandate under the Elections Clause.” *Moore v. Harper*, 142 S. Ct. 1089, 1091 (2022). Article 1, Section 4, of the U.S. Constitution places redistricting authority in a “specific organ” of state government- the legislature. *Id.* at 1090. The Elections Clause does not confer authority on state courts to engage in the federal redistricting process. Therefore, if any Court is to evaluate a constitutional challenge to U.S. Representative Districts or consider fashioning an equitable remedy concerning the same, that Court

should be the United States District Court, for the District of New Hampshire, pursuant to the authority conferred onto that Court by Article III, Section 2, of the U.S. Constitution.

E. ARGUMENT

I. If a Constitutionally Valid United States Representative Map is Not Passed into Law, the Election Should Go Forward Utilizing the Current Districts

In accordance with the 2020 Census, the deviation between the populations of District 1 and District 2 pursuant to the current congressional map (RSA 662:1) is 2.6%. *See Plaintiffs' Complaint for Declaratory and Injunctive Relief*, ¶¶28-29, March 31, 2022. It would be constitutionally valid for the 2022 U.S. Representative elections to go forward with such deviation because New Hampshire maintains a legitimate interest in preserving the independent political authority of the legislature, and the apolitical independence of the State judicial branch.

a. Redistricting is an Inherently Political Function that is Incompatible with the Independent and Neutral Role of the Judiciary

“The reality is that districting inevitably has and is intended to have substantial political consequences.”

Gaffney v. Cummings, 412 U.S. 735, 753, (1973).

“Politics and political considerations are inseparable from districting and apportionment.” *Id.* The United States Supreme Court has explained: “...redistricting ‘ordinarily involves criteria and standards that have been weighed and evaluated by the elected branches in the exercise of their political judgment.’” *Tennant*, 567 U.S. at 760 (citing *Perry v. Perez*, 565 U.S. 388, 393 (2012)). “The very essence of districting is to produce a different—a more ‘politically fair’—result than would be reached with elections

at large, in which the winning party would take 100% of the legislative seats.” *Gaffney*, 412 U.S. at 753. How to achieve “political fairness,” of course, is the heart of legislative activity, as that term is capable of many definitions and is subject to the need to balance competing interests. “A state legislature is the institution that is *by far* the best situated to identify and then reconcile traditional state policies within the constitutionally mandated framework of substantial population equality.” *Below v. Gardner*, 148 N.H. 1, (2002)(emphasis added).

The judiciary, on the other hand, is tasked with the duty to neutrally “say what the law is.” *Marbury v. Madison*, 5 U.S. 137, 177 (1803). “[J]udicial action must be governed by *standard*, by *rule*,’ and must be ‘principled, rational, and based upon reasoned distinctions’ found in the Constitution or laws.” *Rucho v. Common Cause*, 139 S. Ct. 2484, (2019)(Citing *Vieth v. Jubelirer*, 541 U.S. 267, 278, (2004)(plurality opinion)). In finding that claims of political gerrymandering present political questions falling outside of judicial authority, the U.S. Supreme Court explained: “It is vital that the judiciary act only in accord with especially clear standards: ‘With uncertain limits, intervening courts—even when proceeding with best intentions—would risk assuming political, not legal, responsibility for a process that often produces ill will and distrust.’” *Rucho*, 139 S. Ct. at 2498.

In 1784, the New Hampshire Constitution was amended “with the purpose of fostering an independent judiciary.” *In re Petition of Governor*, 151 N.H. 1, 4, (2004). The constitutional establishment of an independent judiciary with permanent appointments provided the degree of separation necessary to remove the Court from the volatility associated with political strife. *Id.* Since 1784, Part I, Art. 37 of the N.H. Constitution

has set forth: “In the government of this State, the three essential powers thereof, to wit, the Legislative, Executive, and Judicial, ought to be kept as separate from, and independent of, each other, as the nature of a free government will admit, or as is consistent with that chain of connection that binds the whole fabric of the Constitution in one indissoluble bond of union and amity.”

New Hampshire has a long history of upholding the separation of powers and refraining from supplementing the authority of any particular branch of government, even when such supplementation would aid convenience or efficiency. In 2004, the Governor and Executive Council challenged a statute that established five-year terms for the position of Chief Justice of the Supreme Court. *In re Petition of Governor*, 151 N.H. at 8. The Court interpreted the clear language of the Constitution to convey no such power to the legislature to pass legislation pertaining to the judiciary, explaining: “each of the branches of government are constrained to stay within the limitations of the constitution.” *Id.* (citing *Trustees of Phillips Exeter Acad. v. Exeter*, 90 N.H. 472, 487 (1940)). The Court further explained: “Even if constitutional language appears to leave a vacuum, it does not necessarily follow, as night the day, that the legislature is empowered to fill it.” *Id.*

“In this State the nature of the act performed rather than the title of the performer determines whether an act is legislative or [judicial].” *Id.* (citing *Opinion of the Justices*, 110 N.H. 359, 364 (1970)). The act of districting is inherently political. “[T]he opportunity to control the drawing of electoral boundaries through the legislative process of apportionment is a critical and traditional part of politics in the United States.” *Rucho*, 139

S.Ct, at 2498 (quoting *Davis v. Bandemer*, 478 U.S. 109, 145 (1986)(O'Connor, J., Concurring Op.)

Given the inherent political nature of congressional redistricting, the Plaintiffs are asking this Court to engage in a legislative, rather than judicial task. If this Honorable Court were to undertake such a task, it would do so at the risk of jeopardizing the constitutional integrity of the separation of powers enumerated in Part I, Article 37, of the N.H. Constitution, which is a vital pillar for our system of government.

b. The Current U.S. Representative Map, with a Deviation of 2.6%, is Constitutionally Valid if Using It Is Necessary to Preserve the Separation of Powers

The constitutional validity of U.S. Representative Districts is determined by deploying a two-part test: “First, the parties challenging the plan bear the burden of proving the existence of population differences that ‘could practicably be avoided.’ (citation omitted). If they do so, the burden shifts to the State to ‘show with some specificity’ that the population differences ‘were necessary to achieve some legitimate state objective.’” *Tennant*, 567 U.S. at 760 (citing *Karcher*, 462 U.S. at 734, 741). When the burden shifts to the state to demonstrate a legitimate objective, the burden is “a flexible one,” which “depend[s] on the size of the deviations, the importance of the State's interests, the consistency with which the plan as a whole reflects those interests, and the availability of alternatives that might substantially vindicate those interests yet approximate population equality more closely.” *Id.*

In the instant matter, the current U.S. Representative Districts, pursuant to RSA 662:1, create a deviation of 2.6% in accordance with the 2020 Census data. *See Plaintiffs’*

Complaint, ¶¶28-29. Because it is indisputable that the deviation, although small, could be lower, the Court must consider whether the deviation is justified by a legitimate state objective.

In the unlikely event that the lawmaking process fails to produce new U.S. Representative Districts based upon the 2020 Census data, the current districts embodied in RSA 662:1 remain constitutionally valid pursuant to the State objective of preserving our independent legislature and independent judiciary. It is difficult to imagine a more legitimate objective than sustaining judicial independence and preserving the separation of powers as embodied in Part I, Article 37 of the New Hampshire Constitution.

The deviation of 2.6% is not facially offensive to the doctrine of one man, one vote. Although federal and state standards regarding the deviation differ, it is important to note that this Honorable Court drew State Senate Districts with a 4.96% deviation in 2002. *See Below*, 148 N.H. at 1. The alternative of having the Court undertake the political redistricting process to reduce a marginal 2.6% deviation would be in direct contravention to the State's interest in maintaining the judiciary's independence from State politics.

In *Below*, the Court looked to the last legislatively passed State Senate Districts as the starting point for the redistricting task it was *compelled* to undertake. 148 N.H. at 1. It did so because it found that the last validly enacted plan contained the "clearest expression of the legislature's intent." *Id.* Unlike the Court in *Below*, the instant case involves U.S. Representative Districts, and the Court is not compelled to take on the legislative function

of drawing new districts¹. The 2022 legislative session has not ended² and the current map will pass constitutional muster if the legislature fails to pass an updated plan.

When weighing the harm of utilizing the last validly-enacted legislative map, containing a deviation of 2.6%, against the harm of unelected members of the judiciary being compelled to undertake a political task, the scale tips in favor of holding the 2022 elections using the districts already in place. Therefore, even in the unlikely event that the legislative process does not produce a new plan, the Court need not engage in the political process of redistricting.

II. Article I, Section 4, of the U.S. Constitution Grants Federal Redistricting Authority Exclusively to State Legislatures, Not to State Courts

The Elections Clause of the U.S. Constitution grants authority to state legislatures concerning U.S. Congressional redistricting, not to state courts. *See Art. I, §4, U.S. Constitution.*

Recently, four justices of the U.S. Supreme Court underscored that the Elections Clause, contained in Article I, Section 4, of the U.S. Constitution, raises serious doubt concerning state court authority to consider constitutional challenges to the redistricting of U.S. Representative Districts. *Moore*, 142 S. Ct. at 1089. In the case of *Moore v. Harper*, the Petitioners sought a stay of a U.S. Congressional redistricting plan drawn by the North

¹ In *Below*, the N.H. Supreme Court was compelled to engage in *State Senate* redistricting because the General Court's plan was vetoed by the Governor and then the General Court recessed without any plan in place. *Below*, 148 N.H. at 1. Without a new plan in place, the deviation of State Senate Districts was 31.27%. *Id.*

² The General Court continues to make efforts to pass a U.S. Congressional redistricting plan during the 2022 legislative session. Indeed, the House Special Committee on Redistricting held a hearing to consider a plan proposed by Governor Sununu on April 22, 2022. *See Apx*, p. 9.

Carolina Supreme Court after that Court rejected a redistricting plan passed by the North Carolina General Assembly. 142 S. Ct. at 1089. The Petitioners argued that Article I, Section 4, of the U.S. Constitution provides exclusive authority regarding U.S. Congressional redistricting to state legislatures, in the absence of U.S. Congressional action, to the exclusion of state courts. *Id.*

The Court denied the stay, but not on the merits. *Id.* In a separate concurring opinion, Justice Kavanaugh explained his support for the denial of the requested stay on the basis that the petition was too close to the election but urged the Court to grant certiorari in an appropriate case to address the issue because it “is almost certain to keep arising until the Court definitively resolves it.” *Id.* (Citing *Purcell v. Gonzalez*, 549 U.S. 1 (2006)).

In dissent, Justice Alito, joined by Justices Thomas and Gorsuch, explained that the Petitioners “would prevail on the merits if review were granted.” *Id.* at 1090. The dissent further explained:

The Elections Clause provides that rules governing the “Times, Places and *Manner* of holding Elections for Senators and Representatives” must be “prescribed in each State *by the Legislature thereof*.” Art. I, § 4, cl. 1 (emphasis added). This Clause could have said that these rules are to be prescribed “by each State,” which would have left it up to each State to decide which branch, component, or officer of the state government should exercise that power, as States are generally free to allocate state power as they choose. But that is not what the Elections Clause says. Its language specifies a particular organ of a state government, and we must take that language seriously.

Id.

The Elections Clause is the sole source of state authority over congressional elections; regulating elections to federal office is not an inherent state power. *Cook v. Gralike*, 531 U.S. 510, 522 (2001); *U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779, 805 (1995). A plain reading of Article 1, Section 4, does indeed indicate that the U.S. Constitution delegates federal redistricting power only to state legislatures, not to the state judiciary³. As the Court stated in *Rucho*: “The only provision in the Constitution that specifically addresses the matter [of redistricting] assigns it to the political branches.” 139 S. Ct. at 2506.

Arguably, the U.S. Supreme Court interpreted the delegation of authority contained in the Elections Clause most broadly in the case of *Arizona State Legislature v. Arizona Indep. Redistricting Comm'n*, 576 U.S. 787 (2015). In that case, the Court found that a public referendum, amending the Arizona Constitution to create an independent redistricting commission, was constitutionally valid because the voting public established the independent commission as part of that State’s legislative process. *Id.* at 824. Even under such a broad interpretation of the Elections Clause, one foundational principle remained the same: the Elections Clause confers redistricting authority to the legislative branch of state government, not the judiciary.

Although the authority for any court to become involved in federal redistricting is tenuous, if any court were to be involved, the United States District Court, for the District of New Hampshire, is the venue with general equitable authority over U.S. Constitutional

³ “The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State **by the Legislature** thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.” Article 1, Part 4, U.S. Constitution (emphasis added).

claims. *See Swann v. Charlotte-Mecklenburg Bd. of Educ.*, 402 U.S. 1 (1971). Article III, Section 2 of the U.S. Constitution provides in relevant part: “The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority.” Further, pursuant to 28 U.S.C. §2284, federal law specifies a process under which challenges to federal redistricting are heard by a three-judge panel in the U.S. District Court.

Therefore, because the instant matter pertains to the redistricting of U.S. Representative Districts, for which state courts do not possess constitutional authority, the Court should deny the Plaintiffs’ requested equitable relief and abstain from engaging in the political process of congressional redistricting.

III. Even if the U.S. Constitution is Interpreted to Provide New Hampshire with the Authority to Delegate Redistricting Power to the State Judiciary, the New Hampshire Constitution Makes No Such Delegation

Even if the Elections Clause of the U.S. Constitution is interpreted to permit states to delegate U.S. Congressional redistricting authority to the judiciary, the New Hampshire Constitution is devoid of such a delegation. In fact, the New Hampshire Constitution makes no reference whatsoever to U.S. Congressional Districts at all. The New Hampshire Constitution contains provisions that govern the drawing of state legislative and executive council districts, but makes no reference to Congressional Districts. *See* N.H. Const. Part II, Arts. 9, 9-a and 11, 11-a (House) 26 and 26-a (Senate) and 65 (Executive Council). The original legislative district provisions were part of the Constitution adopted in 1784 and therefore pre-date the United States Constitution, which went into effect on June 21, 1788,

when New Hampshire became the ninth state to ratify. Only then did the Elections Clause become operative simultaneously with the creation of the U.S. House of Representatives.

When interpreting a constitutional provision, this Court has stated that it “will look to its purpose and intent, bearing in mind that we will give the words in question the meaning they must be presumed to have had to the electorate when the vote was cast.” *In re Below*, 151 N.H. 135, 139 (2004)(quoting *Opinion of the Justices*, 126 N.H. 490, 495, (1985). “Reviewing the history of the constitution and its amendments is often instructive, and in so doing, it is the court's ‘duty ... to place itself as nearly as possible in the situation of the parties at the time the instrument was made, that it may gather their intention from the language used, viewed in the light of the surrounding circumstances.’” *Id.* (quoting *Warburton v. Thomas*, 136 N.H. 383, 387 (1992)(quotation omitted)).

“The language used ... by the people in the great paramount law which controls the legislature as well as the people, is to be always understood and explained in that sense in which it was used at the time when the constitution and the laws were adopted.” *Id.* (quoting *N.H. Motor Transport Assoc. v. State*, 150 N.H. 762, 765 (2004) (quotation and brackets omitted)).

The purpose and intent of the electorate at the time the vote was cast in 1784 could not have been to grant this Court authority to draw U.S. Congressional Districts because, at that time, Congress did not even exist. Therefore, even if the Court is to interpret the Elections Clause as permitting States to delegate Congressional redistricting authority to the judiciary, no such delegation has occurred in New Hampshire.

IV. The Court's Remaining Preliminary Questions

The Honorable Speaker of the New Hampshire House of Representatives, Sherman Packard, and the Honorable President of the New Hampshire Senate, Charles Morse, decline to take a position on the remaining preliminary questions included in the Court's April 11, 2022, Order.

F. CONCLUSION

The Court should abstain from engaging in the process of U.S. Congressional redistricting because it is an inherently political process that Article 1, Section 4, of the U.S. Constitution has reserved exclusively for state legislatures. If the legislative process fails to produce a new congressional map, an election could constitutionally proceed utilizing the current districts, which form a 2.6% deviation, because the State maintains an important interest in maintaining the independence of the legislature and the independent neutrality of this Honorable Court.

G. CERTIFICATIONS

I, Sean R. List, hereby certify that on April 25, 2022, copies of the foregoing and the Appendix were forwarded to all counsel of record through the electronic filing system.

I, Sean R. List, hereby certify that pursuant to the Supreme Court's April 11, 2022, Order, this brief contains less than 14,000 words. Counsel relied upon the word count of the computer program used to prepare this brief.

Respectfully submitted,
The Honorable Sherman Packard,
Speaker of the N.H. House of Representatives
By his attorney,

Date: April 25, 2022

By: /s/ Sean R. List
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&

Respectfully submitted,
The Honorable Charles Morse,
President of the N.H. Senate
By his attorney,

Date: April 25, 2022

By: /s/ Richard J. Lehmann
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**THE STATE OF NEW HAMPSHIRE
SUPREME COURT**

**THERESA NORELLI, CHRISTINE FAJARDO, MATT GERDING, PALANA HUNT-
HAWKINS, AND MACKENZIE MURPHY**

v.

**DAVID SCANLAN,
In his official capacity as New Hampshire Secretary of State**

CASE NO. 2022-0184

**ORIGINAL JURISDICTION OVER CASE FILED IN
HILLSBOROUGH SUPERIOR COURT, SOUTHERN DISTRICT**

DOCKET NO. 226- 2022-CV-00126

**APPENDIX TO BRIEF OF
HON. SHERMAN PACKARD, SPEAKER OF THE NEW
HAMPSHIRE HOUSE OF REPRESENTATIVES
And
HON. CHARLES MORSE, PRESIDENT OF THE SENATE**

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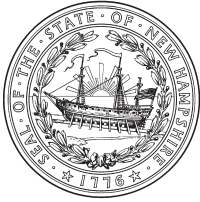
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PRESIDENT OF N.H. SENATE***

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State of
New Hampshire

HOUSE RECORD

Second Year of the 167th General Court Calendar and Journal of the 2022 Session

Web Site Address: www.gencourt.state.nh.us

Vol. 44

Concord, N.H.

Friday, April 22, 2022

No. 16

Contains: Bills Laid on Table; Governor's Veto Message; House Bills Amended by Senate; House Deadlines; Meetings and Notices; Revised Fiscal Notes; and State House Visitation Schedule.

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

As always, thank you for your service to our great state this week.

With nearly 150 pieces of legislation to act on as we draw closer to the end of the legislative calendar, we will be back in session at 10 a.m. on Wednesday, May 4th and at 9 a.m. on Thursday, May 5th.

The House will also be in session on Thursday, May 12th and May 26th.

Each House member was given the opportunity to pick up a free antigen self-test kit in your anteroom mailbox during this week's House session. Those left behind in mailboxes will be mailed to you. Please consider using a test prior to attending our meetings the first week in May.

Since the parking shuttle, which is reserved for Members coming from the Storrs Street parking garage on session days, has not been used this year, we are only planning to reserve the shuttle for future sessions if inclement weather is expected.

Sherman A. Packard, Speaker of the House

NOTICE

The next chairs and vice chairs meeting is scheduled for Thursday, 4/28, at 10AM in LOB Room 301 – 303.

Sherman A. Packard, Speaker of the House

NOTICE

ALL reports, scheduling and notices are due in the House Clerk's Office by **3:00 p.m. on WEDNESDAYS**. Reports and scheduling shall be turned in to House Committee Services for processing **no later than 1:00 p.m.** on Wednesday. Please be sure to complete that work in a timely fashion to meet the Calendar deadline.

CLOSES AT 3:00 p.m. ON:

Wednesday, April 27, 2022

Wednesday, May 04, 2022

Wednesday, May 11, 2022

AVAILABLE ON:

Friday, April 29, 2022

Friday, May 06, 2022

Friday, May 13, 2022

Paul C. Smith, Clerk of the House

2022 HOUSE DEADLINES

Thursday, April 28, 2022

Thursday, May 5, 2022

Thursday, May 12, 2022

Thursday, May 19, 2022

Thursday, May 26, 2022

Tuesday September 6, 2022

Friday, September 16, 2022

Friday, October 28, 2022

Last day to report all Senate Bills

Last day to act on all Senate Bills

Last day to form committees of conference

Last day to sign committee of conference reports (4:00 p.m.)

Last day to act on committee of conference reports

First day for incumbents running for re-election to file LSRs with complete information

Last day prior to the General Election for incumbents running for re-election to file LSRs with complete information

Last day to file 2022 Interim Study reports

Wednesday, November 9, 2022	First day for all Representatives to file LSRs with complete information
Tuesday, November 22, 2022 (12:00 p.m.)	Last day to file LSRs with complete information Ten day sign-off begins
Wednesday, December 28, 2022 (12:00 p.m.)	Last day to sign-off on all LSRs
Friday, January 20, 2023	Last day to introduce House Bills
	Last day to amend House Rules by majority vote

NOTICE

Please note that all streaming videos of standing committee meetings and joint committees can be found at the NH House of Representatives YouTube channel. The link to the YouTube channel:

www.youtube.com/c/NHHouseofRepresentativesCommitteeStreaming

GOVERNOR'S VETO MESSAGE REGARDING 319

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on February 23, 2022, I have vetoed House Bill 319, requiring students in the University and Community College System of New Hampshire to pass the United States Citizenship and Immigration Services civics naturalization test.

We all can agree that an education in civics is fundamental to our students. Last year I signed House Bill 320, which implements a similar civics competency exam for high school students. That requirement goes into effect in 2023 and will help continue the Granite State tradition of a citizenry actively engaged in self-government. As such, House Bill 319 would serve to address the lack of civics education only in out-of-state public post-secondary students.

House Bill 319 would also represent the first time the legislature has imposed a universal graduation requirement for students at our public colleges and universities. I am concerned that this would create a precedent for future legislatures to mandate extreme requirements.

There is no lesson more important than understanding our individual responsibility to uphold democracy. Nevertheless, I believe the legislature's passage of House Bill 320 already addresses the important concerns of an engaged citizenry and an understanding of the fundamentals of democracy without some of the challenges House Bill 319 may unintentionally create.

For the reasons stated above, I have vetoed House Bill 319.

Respectfully submitted,
Christopher T. Sununu
Governor

2022 HOUSE BILLS AMENDED BY THE SENATE

HB 50, apportioning state representative districts. (House Concurs 3/10/22)

HB 55, (New Title) apportioning delegates to state party conventions, and relative to the form for declarations of candidacy for delegates to state party conventions. (House Concurs 3/10/22)

HB 84, (New Title) declaring May 21, 2022 as Ona Judge Staines Day. (SJ 3/17/22)

HB 95-FN, relative to milk pasteurization. (House Concurs 2/16/22)

HB 102, (Second New Title) establishing a commission to study worldwide combined reporting method for unitary businesses under the business profits tax, and relative to the treatment of water or sewerage disposal utilities under the business profits tax. (House Concurs 3/31/22)

HB 169, establishing a commission to study the removal of unused utility poles following the transition of equipment, lines, and cables to new utility poles. (SJ 4/14/22)

HB 233-FN, (New Title) establishing a committee to study the right of any infant born alive to medically appropriate and reasonable care and treatment. (House Non-Concurs 3/10/22)

HB 292, relative to the absentee ballot application process. (SJ 1/5/22)

HB 293, relative to the procedure for adoption of a minor child. (SJ 1/5/22)

HB 307, relative to the state preemption of the regulation of firearms and ammunition. (SJ 1/5/22)

HB 347-FN, relative to driving with a suspended license. (SJ 1/5/22)

HB 355, relative to Keno. (SJ 3/24/22)

HB 381-FN, relative to laboratory testing. (SJ 1/5/22)

HB 440, (New Title) prohibiting the suspension of civil liberties during a state of emergency. (House Concurs 3/10/22)

HB 503, (Second New Title) codifying the council on housing stability and relative to telehealth and medically assisted treatment for substance use disorder. (SJ 1/5/22)

HB 543, establishing a commission to study nuclear power and nuclear reactor technology in New Hampshire. (SJ 4/14/22)

HB 549, (New Title) relative to the system benefits charge and the energy efficiency and sustainable energy board. (House Concurs 2/16/22)

HB 591-FN, (New Title) relative to certain liquor license fees. (SJ 3/24/22)

HB 1038, (New Title) naming a bridge in Londonderry in honor of Robert J. Prowse and a bridge in Portsmouth in honor of Staff Sergeant Jesse E. Sherrill. (SJ 3/31/22)

HB 1040, (New Title) establishing a commission to study revenue alternatives to the road toll for the funding of improvements to the state's highways and bridges and their resulting improvements to the environment. (SJ 3/31/22)

HB 1063, (New Title) relative to the technical changes to the administration of certain taxes by the department of revenue administration and relative to county redevelopment district bonds for an unincorporated place. (House Concurs 3/31/22)

HB 1160, relative to obedience to signals at railroad crossings. (SJ 3/31/22)

HB 1318-FN-L, relative to penalties for employer noncompliance with retirement system requirements. (SJ 3/31/22)

HB 1390, relative to access to language translation services in telemedicine. (3/24/22)

HB 1586-FN-A, relative to a likeness of Wentworth Cheswill at the state house. (SJ 3/17/22)

HB 1594, relative to assistance to certain students with disabilities in registering to vote. (SJ 4/14/22)

BILLS LAID ON TABLE

CACR 18, relating to reproductive medical decisions. Providing that the state shall not infringe or unduly inconvenience the right of reproductive medical decisions. (Pending question: Inexpedient to Legislate)

CACR 23, the New Hampshire constitution. Providing that all references to persons in the New Hampshire constitution be gender-neutral. (Pending question: Inexpedient to Legislate)

CACR 34, relating to the use, sale, or cultivation of cannabis. Providing that the state shall make no law prohibiting the use, sale, or cultivation of cannabis for persons over 18 years of age. (Pending question: Inexpedient to Legislate)

CACR 35, relating to cannabis. Providing that all adults have the right to possess, use, and cultivate cannabis, subject to regulation by the legislature. (Pending question: Inexpedient to Legislate)

HB 20-FN-A-L, establishing the Richard "Dick" Hinch education freedom account program. (Pending question: Refer for Interim Study)

HB 136, requiring schools to update documents and software to include the option of identifying a student as non-binary. (Pending question: Inexpedient to Legislate)

HB 147-FN, relative to assault against an elderly person. (Pending question: Ought to Pass)

HB 153, establishing a committee to study universal Internet access for New Hampshire. (Pending question: Inexpedient to Legislate)

HB 167-FN, relative to net energy metering limits for customer generators and the purchase of output of limited electrical energy producers. (Pending question: Inexpedient to Legislate)

HB 172, establishing greenhouse as emission reduction goals for the state and establishing a climate action plan. (Pending question: Inexpedient to Legislate)

HB 204, proclaiming January 24 as "Granny D" day. (Pending question: Inexpedient to Legislate)

HB 237-FN-A, relative to the legalization and regulation of cannabis and making appropriations therefor. (No pending question)

HB 255, relative to limited liability for institutions of higher education and businesses. (Pending question: Majority committee amendment)

HB 359, creating a private cause of action for discrimination based on hairstyles relative to a person's ethnicity. (Pending question: Inexpedient to Legislate)

HB 362, relative to domicile of students for voting purposes. (Pending question: Inexpedient to Legislate)

HB 376, establishing a committee to study applications of microgrids in electricity supply. (Pending question: Inexpedient to Legislate)

HB 382, establishing a commission to study the utility rate structure of demand charges. (Pending question: Inexpedient to Legislate)

HB 394, establishing a commission to study the short and long term impacts of pending national and regional carbon pricing mechanisms on New Hampshire's residents, agriculture, wildlife and natural resources-based tourism sector, and commercial enterprises. Inexpedient to Legislate)

HB 517-FN, relative to the state minimum hourly rate. (Pending question: Inexpedient to Legislate)

HB 531-FN-L, relative to determining the qualifications of voters and establishing provisional voter registration and provisional ballots. (Pending question: Refer for Interim Study)

HB 535, relative to the qualified voter affidavit. (Pending question: Refer for Interim Study)

HB 554, relative to temporary absence from domicile for voting purposes. (Pending question: Refer for Interim Study)

HB 607-FN, establishing local education savings accounts for students. (Pending question: Majority committee amendment)

HB 608-FN-A-L, relative to the formula for determining funding for an adequate education. (Pending question: Inexpedient to Legislate)

HB 611-FN, abolishing fluoridation in water. (Pending question: Majority committee amendment)

HB 620-FN-L, requiring law enforcement agencies to gather and analyze certain demographic information. (Pending question: Inexpedient to Legislate)

HB 622-FN, protecting nascent human life as a reasonable and valid state interest. (Pending question: Majority committee amendment)

HB 1007, relative to qualifications for office. (Pending question: Inexpedient to Legislate)

HB 1014, allowing public meetings to be conducted virtually. (Pending question: Inexpedient to Legislate)

HB 1031, prohibiting law enforcement from encrypting public frequencies. (Pending question: Inexpedient to Legislate)

HB 1033-FN-L, prohibiting recipients of state or local grants or appropriations from using such funds for lobbying. (Pending question: Committee amendment)

HB 1041-FN, extending the public employee labor relations act to employees of the general court and relative to the duties of the joint committee on legislative facilities. (Pending question: Inexpedient to Legislate)

HB 1064-FN, requiring the use of hand-marked, durable paper ballots in elections. (Pending question: Inexpedient to Legislate)

HB 1065-FN, relative to the regulation of art therapists. (Pending question: Inexpedient to Legislate)

HB 1072, establishing a criminal penalty for denying an elected school district official access to any school district facilities, documents, or events. (Pending question: Majority committee amendment)

HB 1076, relative to illegal productivity quotas. (Pending question: Majority committee amendment)

HB 1077, repealing the prohibition on conversion therapy for minors. (Pending question: Majority committee amendment)

HB 1087, relative to zoning for single family housing lots. (Pending question: Inexpedient to Legislate)

HB 1090, relative to teaching on discrimination in the public schools. (Pending question: Inexpedient to Legislate)

HB 1100-FN, relative to changing the penalties for driving without a license. (Pending question: Inexpedient to Legislate)

HB 1107, establishing a committee to study the rental or lease of housing to a person who has a pet. (Pending question: Inexpedient to Legislate)

HB 1116, relative to renewable energy customer-generators accounts and credits. (Pending question: Inexpedient to Legislate)

HB 1119, relative to the regulation of single-use bags. (Pending question: Inexpedient to Legislate)

HB 1159, recognizing November 7 as Victims of Communism Memorial Day. (Pending question: Inexpedient to Legislate)

HB 1175, relative to recording interactions with public officials. (Pending question: Inexpedient to Legislate)

HB 1177, relative to permissible residential units in a residential zone. (Pending question: Ought to Pass)

HB 1180, relative to state recognition of biological sex. (Pending question: Ought to Pass)

HB 1197, relative to the definition of "party" for election purposes. (Pending question: Inexpedient to Legislate)

HB 1200, relative to notice of rent increases in residential rental property. (Pending question: Inexpedient to Legislate)

HB 1208, relative to driver education. (Pending question: Inexpedient to Legislate)

HB 1227, relative to the definition of prime wetland. (Pending question: Inexpedient to Legislate)

HB 1233, Prohibiting higher education institutions receiving state funds from requiring face masks and COVID-19 vaccinations for attendance. (Pending question: Refer for Interim Study)

HB 1250, requiring the public utilities commission to consider climate change in making rate-setting decisions. (Pending question: Inexpedient to Legislate)

HB 1251, prohibiting payment of subminimum wages. (Pending question: Inexpedient to Legislate)

HB 1264, establishing ranked-choice voting for state party primary elections and municipal elections. (Pending question: Floor amendment)

HB 1283, relative to liability as taxable income of education freedom account payments. (Pending question: Inexpedient to Legislate)

HB 1284, establishing a committee to study the effects of deportation of primary earners on family members who are United States citizens. (Pending question: Inexpedient to Legislate)

HB 1291, prohibiting discrimination against tenants holding certain vouchers for purposes of renting dwellings. (Pending question: Inexpedient to Legislate)

HB 1306-FN, relative to personal possession of marijuana. (Pending question: Refer for Interim Study)

HB 1332, excepting public universities and colleges from requirements under medical freedom in immunizations. (Pending question: Inexpedient to Legislate)

HB 1347, relative to licensing requirements for health care facilities that operate on a membership-based business model. (Pending question: Majority committee amendment)

HB 1348-FN, relative to the legalization of a certain amount of cannabis. (Pending question: Refer for Interim Study)

HB 1349-FN, decriminalizing the possession and use of psilocybin mushrooms. (Pending question: Inexpedient to Legislate)

HB 1355, requiring the scholarship organization to refer suspected cases of misuse of funds or fraud in the education freedom account program to the attorney general. (Pending question: Inexpedient to Legislate)

HB 1369, relative to COVID-19 health and safety policies at New Hampshire performing arts venues. (Pending question: Majority committee amendment)

HB 1376, relative to participation in the education freedom accounts program by students with disabilities. (Pending question: Inexpedient to Legislate)

HB 1396-FN, relative to the payment of child support. (Pending question: Inexpedient to Legislate)

HB 1400, prohibiting law enforcement from using the scent of marijuana as probable cause for a search. (Pending question: Inexpedient to Legislate)

HB 1409, relative to the age at which a minor may receive mental health treatment without parental consent. (Pending question: Majority committee amendment)

HB 1419-FN, relative to establishing a New Hampshire civilian climate corps advisory commission. (Pending question: Inexpedient to Legislate)

HB 1436-FN, relative to appeals of family court decisions. (Pending question: Inexpedient to Legislate)

HB 1443, proclaiming the first Monday of March as COVID-19 Victims and Survivors Memorial Day. (Pending question: Inexpedient to Legislate)

HB 1465-FN, relative to the appointment of counsel for juveniles. (Pending question: Committee amendment)

HB 1468-FN, relative to the legalization of cannabis. (Pending question: Inexpedient to Legislate)

HB 1473-FN, authorizing a forensic audit of the November 3, 2020 election results in Merrimack county for president, governor, and United States senate races. (Pending question: Refer for Interim Study)

HB 1477-FN, prohibiting abortions after detection of fetal heartbeat. (Pending question: Inexpedient to Legislate)

HB 1481, repealing the statute relative to medical freedom in immunizations. (Pending question: Inexpedient to Legislate)

HB 1484-FN, requiring a forensic audit of the 2020 election results. (Pending question: Inexpedient to Legislate)

HB 1506-FN, establishing a revolving clean energy accelerator fund in the department of energy. (Pending question: Inexpedient to Legislate)

HB 1509-FN, relative to termination of the FRM victims' contribution recovery fund. (Pending question: Inexpedient to Legislate)

HB 1536-FN, relative to expanding Medicaid to include certain postpartum health care services. (Pending question: Refer for Interim Study)

HB 1555-FN, repealing the permit required for fires at campgrounds. (Pending question: Refer for Interim Study)

HB 1576-FN, repealing the law relative to certain discrimination in public workplaces and education. (Pending question: Inexpedient to Legislate)

HB 1578-FN, relative to including certain children and pregnant people in Medicaid and the children's health insurance program. (Pending question: Inexpedient to Legislate)

HB 1596-FN, relative to net energy metering limits for individual and business customers. (Pending question: Inexpedient to Legislate)

HB 1600, relative to the use of body cameras by law enforcement during an interview or interrogation. (Pending question: Refer for Interim Study)

HB 1601-FN, relative to funding of the NHsaves program. (Pending question: Inexpedient to Legislate)

HB 1607-FN, prohibiting unlawful discrimination in public and nonpublic schools. (Pending question: Inexpedient to Legislate)

HB 1621-FN, relative to reducing the rebates distributed by the energy efficiency fund. (Pending question: Inexpedient to Legislate)

HB 1628-FN, directing the department of energy to generate a report on the microgrid project currently in progress at the university of New Hampshire in collaboration with the regional utilities. (Pending question: Inexpedient to Legislate)

HB 1632-FN, relative to civil rights education in public elementary and secondary schools. (Pending question: Refer for Interim Study)

HB 1638, relative to grievances under the right to freedom from discrimination in public workplaces and education. (Pending question: Inexpedient to Legislate)

HB 1646, relative to representation on a cooperative school district board. (Pending question: Committee amendment)
HB 1651-FN, adding sexual reassignment to the definition of child abuse. (Pending question: Inexpedient to Legislate)
HB 1654-FN, relative to termination of pregnancy statistics. (Pending question: Refer for Interim Study)
HB 1656-FN-A-L, establishing a road usage registration fee and making an appropriation therefor. (Pending question: Inexpedient to Legislate)
HB 1669-FN, requiring the department of education to administer the education freedom account program. (Pending question: Inexpedient to Legislate)
HB 1670-L, relative to funds of the education freedom account program after termination of a student's participation and responsibilities of the scholarship organization. (Pending question: Inexpedient to Legislate)
HB 1674, relative to reproductive rights. (Pending question: Inexpedient to Legislate)
HR 18, urging Congress to remove the exception from the 13th Amendment: "except as a punishment for crime whereof the party shall have been duly convicted." (Pending question: Inexpedient to Legislate)
SB 44, establishing the New Hampshire workforce pathway program. (Pending question: Inexpedient to Legislate)
SB 69, requiring employers to provide access to a sufficient space for nursing mothers and reasonable break time. (Pending question: Majority committee amendment)
SB 92-FN, relative to increasing the penalty for criminal mischief, the release of a defendant pending trial, and requiring law enforcement candidate background checks. (Pending question: Majority committee amendment)
SB 403-FN-A, re-establishing the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Farmers Market Nutrition Program. (Pending question: Ought to Pass)
SB 456-FN-A, establishing a law enforcement conduct review committee in the police standards and training council and making an appropriation therefor. (Pending question: Refer for Interim Study)

COMMITTEE MEETINGS

FRIDAY, APRIL 22

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Dept. of Revenue Admin. Training Room 109 Pleasant Street Concord, NH

12:00 p.m. Regular meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 302-304, LOB

2:45 p.m. Subcommittee Work Session on **SB 397**, relative to the mental health counseling compact and the interstate compact for the placement of children.

FINANCE - DIVISION II, Room 209, LOB

1:00 p.m. Division Work Session on **SB 394-FN**, relative to the definition of a child with a disability under special education laws; **SB 376-FN**, relative to creating a board to review police incidents involving citizens affected by mental health issues; **SB 401-FN**, making appropriations to the department of transportation for local highway aid and to the body-worn and dashboard camera fund and permitting the department of transportation to operate dash cameras in fleet vehicles.

FINANCE - DIVISION III, Room 210-211, LOB

3:00 p.m. Division Work Session on **SB 458-FN**, relative to the Sununu youth services center and operation of a replacement secure facility; **SB 459-FN**, relative to a health care facility workplace violence prevention program.

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, TREATMENT, AND RECOVERY (RSA 12-J:1), Fox Chapel 105 Pleasant Street Main Bldg. Concord, NH 03301

9:30 a.m. Regular meeting.

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13), Room 205-207, LOB

10:00 a.m. Regular meeting.

MOUNT WASHINGTON COMMISSION (RSA 227-B:3), Pope Memorial Library 2719 White Mountain Hwy, S Main St, North Conway, NH 03860

9:30 a.m. Regular meeting.

NEW HAMPSHIRE TRANSPORTATION COUNCIL (RSA 238-A:2), NH DOT Room 114 7 Hazen Drive Concord, NH 03301

9:00 a.m. Regular meeting. Join Zoom Meeting

<https://us06web.zoom.us/j/86109629014?pwd=TXBmZWJBb2JJVEs0bjVsamVwZ1pQQQT09>

Meeting ID: 861 0962 9014

Passcode: 872878

SOLID WASTE WORKING GROUP (RSA 149:M:61), NH DES Offices Room 208C 29 Hazen Drive Concord, NH

- 9:00 a.m. Recycling & Composting Subcommittee Meeting, **Room 213**
- 9:00 a.m. Waste Reduction & Difficult Wastes Subcommittee Meeting, **Room 214**
- 9:00 a.m. Alternate Waste Management Technologies Subcommittee meeting, **Room 208C**
- 10:30 a.m. Regular meeting.
<https://register.gotowebinar.com/register/944991081080221199>

SPECIAL COMMITTEE ON REDISTRICTING, Room 201-203, LOB

- 10:00 a.m. **SB 200**, relative to the election of district commissioners in Haverhill.
- 10:30 a.m. Public hearing on proposed non-germane Amendment #2022-1523h to SB200, relative to the election of district commissioners in Haverhill. The amendment establishes new United States House of Representative districts in accordance with the latest federal decennial census. Copies of the amendment are available in the Sergeant-at-Arms office, Room 318, State House and on the General Court website.
Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

MONDAY, APRIL 25**COMMISSION TO STUDY OFFSHORE WIND AND PORT DEVELOPMENT (RSA 374-F:10), Room A NHDES Regional Office Pease International Tradeport 222 International Drive, Suite 175 Portsmouth**

- 4:30 p.m. Regular meeting.

COMMITTEE TO STUDY EXOTIC AQUATIC WEEDS AND EXOTIC AQUATIC SPECIES OF WILD-LIFE IN THE STATE OF NEW HAMPSHIRE (RSA 487:30), Department of Environmental Services Room 208C 29 Hazen Drive Concord, NH

- 11:00 a.m. Regular meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 302-304, LOB

- 9:30 a.m. Subcommittee Work Session on **SB 397**, relative to the mental health counseling compact and the interstate compact for the placement of children.
- 10:00 a.m. Subcommittee Work Session on **SB 277-FN**, relative to emergency or temporary health care licenses.
- 10:30 a.m. **SB 224**, recognizing the second Thursday in October as children's environmental health day.
- 10:45 a.m. Public hearing on proposed Amendment #2022-1506h to SB 224, relative to nonresident electrician license reciprocity. The amendment requires that an electrician seeking nonresident license reciprocity must hold an active and valid electrical license in good standing from another state. Copies of the amendment are available in the Sergeant-at-Arms Office, Room 318, State House.
- 11:15 a.m. **SB 450**, relative to the prescription drug affordability board.
Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

FINANCE - DIVISION II, Room 209, LOB

- 10:00 a.m. Division Work Session on **SB 381-FN-A**, establishing an office of the advocate for special education; **SB 394-FN**, relative to the definition of a child with a disability under special education laws; **SB 420-FN-A-L**, establishing an extraordinary need grant for schools and relative to additional adequate education grant amounts for pupils receiving special education services.

FINANCE - DIVISION III, Room 210-211, LOB

- 1:00 p.m. Division Work Session on **SB 275**, relative to the opioid abatement trust fund; **SB 407-FN**, relative to expanding Medicaid to include certain postpartum health care services and making an appropriation therefor; **SB 416-FN**, relative to behavioral health assessment and treatment for children in out-of-home placements; **SB 430-FN-A**, relative to health and human services; **SB 444-FN**, relative to childhood adverse experiences treatment and prevention; **SB 458-FN**, relative to the Sununu youth services center and operation of a replacement secure facility; **SB 459-FN**, relative to a health care facility workplace violence prevention program.

NEW HAMPSHIRE COUNCIL ON SUICIDE PREVENTION (RSA 126-R:2), Room B119 121 South Fruit Street Concord, NH

- 10:00 a.m. Regular meeting.

Fred Brown Building Room 288 129 Pleasant Street Concord, NH

- 12:30 p.m. Subcommittee meeting.

NEW HAMPSHIRE PRESCRIPTION DRUG AFFORDABILITY BOARD (RSA 126-BB:2), Brown Building Auditorium, Health and Human Services, 129 Pleasant St. Concord NH 03301

1:00 p.m. Regular meeting. Please see Board the website for additional information regarding this meeting:
<https://www.dhhs.nh.gov/ombp/medicaid/nhpdab/index.htm>

STATE COMMISSION ON AGING (RSA 19-P:1), NH Employment Security 45 South Fruit Street Concord, NH

10:00 a.m. Regular meeting. Remote access via Zoom:
<https://us02web.zoom.us/j/87430173115?pwd=bUFER3I5emt3NGVudDBYYW9SZThLUT09>
 By Phone: +1 (929) 205-6099 using Meeting ID: 874 3017 3115 and Passcode: 295220
 Questions? Please contact Rebecca Sky at Rebecca.Sky@nh.gov or 603-271-0527 or 603-848-4204.
 Main Topic: Workforce Development

TUESDAY, APRIL 26

EDUCATION, Room 205-207, LOB

9:00 a.m. Public hearing on proposed non-germane Amendment #2022-1675h to SB 353, relative to the education professional standards board. The amendment requires cooperative school district boards to meet requirements for apportionment of their elected board members by July 2025. Copies of the amendment are available in the Sergeant-at-Arms office, Room 318, State House. Executive Session following the Public hearing on **SB 234**, requiring student identification cards to include the National Suicide Prevention Lifeline; **SB 238**, relative to special education services in chartered public schools; **SB 353**, relative to the education professional standards board; **SB 410**, relative to public comment periods at school district meetings and meetings of the state board of education; **SB 421**, relative to dual and concurrent enrollment for career and technical education center students; **SB 352**, relative to substitute teacher criminal history records check.

Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

ENVIRONMENT AND AGRICULTURE, Room 301-303, LOB

10:00 a.m. Subcommittee Work Session on **SB 367**, relative to the regulatory status of advanced recycling and manufacturing facilities.

10:30 a.m. Public hearing on non-germane Amendment #2022-1674h to SB 368-FN, relative to the unlicensed sale of live animals and establishing the agricultural hearings officer revolving fund. The amendment establishes the revolving fund for agricultural hearing officers. The amendment also requires a dog, cat, or ferret to be transferred with a health certificate. Copies of the amendment are available in the Sergeant-at-Arms Office, Room 318, State House. Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 302-304, LOB

10:00 a.m. Continued Executive Session, if necessary.

FINANCE, Room 210-211, LOB

10:00 a.m. Executive Session on **SB 227-FN**, relative to death benefits for first responders who die from suicide; **SB 371-FN-A**, making an appropriation to the lead paint hazard remediation fund; **SB 445-FN**, relative to the broadband matching grant initiative; **SB 402-FN**, relative to financial assistance for municipalities affected by disasters; **SB 409**, relative to disaster relief loans; **SB 412-FN-A**, making an appropriation to the department of health and human services for nursing home reimbursement rates; **SB 422-FN**, establishing an adult dental benefit under the state Medicaid program.

11:00 a.m. Public hearing on non-germane amendment #2022-1703h, to SB 401- FN, (Third New Title) making appropriations to the department of transportation for local highway aid and to the body-worn and dashboard camera fund and permitting the department of transportation to operate dash cameras in fleet vehicles. The amendment authorizes the department of transportation to proceed with the Dixville-Colebrook road project if certain criteria are met and make an appropriation to the department of transportation for this purpose. Copies of the amendment are available in the Sergeant-at-Arms office, Room 318, State House and on the General Court website.

FINANCE - DIVISION I, Room 212, LOB

11:30 a.m. Division Work Session on **SB 366-FN**, requiring an audit of ballots cast in the 2022 primary and general election.

- 1:00 p.m. Division Work Session on **SB 267-FN-A**, establishing the upland invasive species program, program fund, and program coordinator in the department of agriculture, markets, and food; **SB 418-FN**, relative to verification of voter affidavits.
- 1:30 p.m. Division Work Session on **SB 303-FN**, relative to the reimbursement of sheriffs offices for prisoner custody and control.
- 2:00 p.m. Division Work Session on **SB 363-FN**, relative to service credit for certain group II retirement eligibility.
- 2:30 p.m. Division Work Session on **SB 443-FN**, relative to municipal authority regarding the state building code.
- 3:00 p.m. Division Work Session on **SB 438-FN-L**, establishing state procurement policies intended to promote the use of American materials.

FINANCE - DIVISION II, Room 209, LOB

- 1:00 p.m. Division Work Session on **SB 417-FN**, establishing an electric school bus pilot program; **SB 401-FN**, making appropriations to the department of transportation for local highway aid and to the body-worn and dashboard camera fund and permitting the department of transportation to operate dash cameras in fleet vehicles; **SB 442-FN**, relative to the suspension of a vehicle registration as a result of evading toll collection systems; **SB 346-FN-A**, requiring the department of environmental services to conduct feasibility and impact studies for the construction of a pier on Hampton Beach.

FINANCE - DIVISION III, Room 210-211, LOB

- 11:30 a.m. Division Work Session on **SB 407-FN**, relative to expanding Medicaid to include certain post-partum health care services and making an appropriation therefor; **SB 416-FN**, relative to behavioral health assessment and treatment for children in out-of-home placements; **SB 430-FN-A**, relative to health and human services; **SB 444-FN**, relative to childhood adverse experiences treatment and prevention; **SB 458-FN**, relative to the Sununu youth services center and operation of a replacement secure facility; **SB 459-FN**, relative to a health care facility workplace violence prevention program.

NEW HAMPSHIRE DRUG OVERDOSE FATALITY REVIEW COMMISSION (RSA 126-BB:1), DHHS Brown Auditorium, 129 Pleasant St., Concord, NH 03301

- 4:00 p.m. Regular meeting.
Join Zoom Meeting:
<https://nh-dhhs.zoom.us/j/3031726939?pwd=ckNDcmNyM1VJdGtsWWIDd2hCWlJlVUT09>
Meeting ID: 303 172 6939 Passcode: 810055

SCIENCE, TECHNOLOGY AND ENERGY, Room 306-308, LOB

- 10:00 a.m. Continued Executive Session on **SB 271**, relative to the Burgess BioPower facility.

Eversource 780 N Commercial St Manchester, NH 03105

- 12:00 p.m. Tour of Eversource Control Room

TRANSPORTATION, Room 201-203, LOB

- 10:00 a.m. Executive Session on **SB 308**, relative to driver's licenses for certain visa holders; **SB 309**, authorizing certain organizations to issue decal plates; **SB 310**, relative to license plate scanning; **SB 311**, relative to access to drivers' license information for healthcare and motor vehicle related business purposes; **SB 389-FN**, defining mobile service garages and relative to state vehicle inspections; **SB 406**, relative to driver's license reciprocity; **SB 447-FN**, establishing the electric vehicle and infrastructure fund; **SB 449**, relative to the retention of social security numbers by the division of motor vehicles.

WAYS AND MEANS, Room 202-204, LOB

- 10:00 a.m. Full Committee Work Session on **SB 313**, relative to the authority of the office of professional licensure and certification to establish fees; **SB 379-FN**, establishing the solid waste management fund and grant program.
Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

WEDNESDAY, APRIL 27

COMMERCE AND CONSUMER AFFAIRS, Room 302-304, LOB

- 10:00 a.m. Subcommittee Work Session on **SB 202-FN**, prohibiting the sale of cosmetic products tested on animals; **SB 355-FN**, requiring online marketplaces to disclose certain information to consumers; **SB 340-FN**, relative to the direct to consumer shipment of alcohol to New Hampshire residents; **SB 319-FN**, relative to vaccination status and wellness incentives.

11:00 a.m. Executive Session on **SB 202-FN**, prohibiting the sale of cosmetic products tested on animals; **SB 355-FN**, requiring online marketplaces to disclose certain information to consumers; **SB 340-FN**, relative to the direct to consumer shipment of alcohol to New Hampshire residents; **SB 319-FN**, relative to vaccination status and wellness incentives.
Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

FINANCE, Room 210-211, LOB

3:00 p.m. Executive Session on **SB 267-FN-A**, establishing the upland invasive species program, program fund, and program coordinator in the department of agriculture, markets, and food; **SB 303-FN**, relative to the reimbursement of sheriffs offices for prisoner custody and control; **SB 363-FN**, relative to service credit for certain group II retirement eligibility; **SB 366-FN**, requiring an audit of ballots cast in the 2022 primary and general election; **SB 418-FN**, relative to verification of voter affidavits; **SB 438-FN-L**, establishing state procurement policies intended to promote the use of American materials; **SB 443-FN**, relative to municipal authority regarding the state building code; **SB 346-FN-A**, requiring the department of environmental services to conduct feasibility and impact studies for the construction of a pier on Hampton Beach; **SB 381-FN-A**, establishing an office of the advocate for special education; **SB 376-FN**, relative to creating a board to review police incidents involving citizens affected by mental health issues; **SB 394-FN**, relative to the definition of a child with a disability under special education laws; **SB 401-FN**, making appropriations to the department of transportation for local highway aid and to the body-worn and dashboard camera fund and permitting the department of transportation to operate dash cameras in fleet vehicles; **SB 417-FN**, establishing an electric school bus pilot program; **SB 420-FN-A-L**, establishing an extraordinary need grant for schools and relative to additional adequate education grant amounts for pupils receiving special education services; **SB 442-FN**, relative to the suspension of a vehicle registration as a result of evading toll collection systems; **SB 275**, relative to the opioid abatement trust fund; **SB 407-FN**, relative to expanding Medicaid to include certain postpartum health care services and making an appropriation therefor; **SB 416-FN**, relative to behavioral health assessment and treatment for children in out-of-home placements; **SB 430-FN-A**, relative to health and human services; **SB 444-FN**, relative to childhood adverse experiences treatment and prevention; **SB 458-FN**, relative to the Sununu youth services center and operation of a replacement secure facility; **SB 459-FN**, relative to a health care facility workplace violence prevention program.
Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

MUNICIPAL AND COUNTY GOVERNMENT, Room 305-307, LOB

10:00 a.m. Executive Session on **SB 329**, establishing a commission to study barriers to housing development in New Hampshire, including workforce and middle-income housing; **SB 334-L**, establishing a committee to study property blight in New Hampshire cities and towns; **SB 400-FN**, relative to training and procedures for zoning and planning boards and relative to financial investments and incentives for affordable housing development.

SPECIAL COMMITTEE ON REDISTRICTING, Room 201-203, LOB

10:00 a.m. Executive Session on **SB 200**, relative to the election of district commissioners in Haverhill.

THURSDAY, APRIL 28

COMMISSION ON THE INTERDISCIPLINARY PRIMARY CARE WORKFORCE (RSA 126-T), Division of Public Health Services Rooms 110-111 29 Hazen Drive Concord, NH

2:00 p.m. Regular meeting.
Join Zoom Meeting
<https://nh-dhhs.zoom.us/j/92890253816?pwd=NLhqNCtJemxWQlZXVUFDK0NFU1JYdz09>
Meeting ID: 928 9025 3816 Passcode: 579160
Find your local number: <https://nh-dhhs.zoom.us/j/abLxgbSLiU>
The following email address will be monitored throughout the meeting, should participants have technical difficulties: Alisa.Druzba@dhhs.nh.gov

FRIDAY, APRIL 29

COMMISSION TO STUDY THE EQUALIZATION RATE USED FOR THE CALCULATION OF A PROPERTY TAX ABATEMENT (RSA 76:20-a), DRA 109 Pleasant Street Concord, NH

10:30 a.m. Regular meeting.

MONDAY, MAY 9

COMMISSION TO STUDY GRANDFAMILIES IN NEW HAMPSHIRE (RSA 170-G:17-b), Room 100, SH
1:00 p.m. Regular meeting.

FRIDAY, MAY 13

COMMISSION ON THE ENVIRONMENTAL AND PUBLIC HEALTH IMPACTS OF PERFLUORINATED CHEMICALS (RSA 126-A:79-a), Room 000, REMOTE

10:00 a.m. Regular meeting.
This meeting will take place by remote conference. To listen in please follow the instructions below:
Please register for HB 737 Commission Meeting on May 13, 2022 10:00 AM EST at:
<https://attendee.gotowebinar.com/rt/5746796955811836429>
After registering, you will receive a confirmation email containing information about joining the webinar. You also may join the meeting by phone:
Call in Number: 1 (415) 930-5321 Access Code: 613-661-216 Webinar ID: 754-269-779
The following email address will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: Amy.E.Rousseau@DES.NH.gov.
You may also call Amy Rousseau at 603-848-1372.

COMMISSION TO STUDY THE INCIDENCE OF POST-TRAUMATIC STRESS DISORDER IN FIRST RESPONDERS AND WHETHER SUCH DISORDER SHOULD BE COVERED UNDER WORKERS' COMPENSATION (RSA 281-A:17-d), NH Fire Academy 98 Smokey Bear Blvd Classroom 2 Concord, NH 03301

10:00 a.m. Regular meeting.

LONG-TERM SEACOAST COMMISSION ON DRINKING WATER (RSA 485-F:6), NHDES Portsmouth Regional Office Room A Pease International Tradeport 222 International Dr., Suite 175, Portsmouth, NH 03801

2:00 p.m. Regular meeting.

FRIDAY, MAY 20

FISCAL COMMITTEE (RSA 14:30-a), Room 210-211, LOB

10:00 a.m. Regular meeting.

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K:1), Room 206-208, LOB

10:00 a.m. Regular meeting.

NEW HAMPSHIRE RARE DISEASE ADVISORY COUNCIL (RSA 126-A:79), DHHS Health Training Room 3rd Floor 29 Hazen Drive Concord, NH 03301

3:00 p.m. Regular meeting. Join Zoom Meeting
<https://nh-dhhs.zoom.us/j/3947758509?pwd=ekp1cjBacVRrTXA2dGlMSW1YL1NYZz09>
Meeting ID: 394 775 8509 Passcode: MCH

OVERSIGHT COMMISSION ON CHILDREN'S SERVICES (RSA 21-V:10), Room 100, SH

8:00 a.m. Regular meeting.

MONDAY, MAY 23

CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2), Room 201-203, LOB

10:15 a.m. Regular meeting.

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1), Room 201-LOB

9:30 a.m. Regular meeting.

NEW HAMPSHIRE PRESCRIPTION DRUG AFFORDABILITY BOARD (RSA 126-BB:2), Brown Building Auditorium, Health and Human Services, 129 Pleasant St., Concord, NH 03301

10:00 a.m. Regular meeting. Please see Board the website for additional information regarding this meeting: <https://www.dhhs.nh.gov/ombp/medicaid/nhpdab/index.htm>

OFFICIAL NOTICES

The **Rockingham** County Executive Committee will meet on **Friday, May 6, 2022, at 9:30 a.m.**, in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood, NH. The purpose of the meeting is to conduct the third quarter budget review and vote to recommend Salaries and Benefits for Elected Officials for the next term of office commencing January, 2023, to the full County Convention.

Rep. David A. Welch, Clerk

MEMBERS' NOTICES

The following notices are published in the House Record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or legislative social activities and political meetings or events. Publication should not be construed as support for either the events listed or the views espoused by the individual or organization sponsoring the event.

On **Wednesday, April 27th** NH 4-Hers from around the state will be at our State House for NH 4-H Citizenship Focus. Young people ages 12 to 18 will begin with a welcome from Representative Pearl and then begin their civic engagement program for the day. They will tour the State House, then workshop a mock bill, "Raising the Driving Age to 18" before heading to the gallery for a mock legislative session. They will end their day discussing issues that are important to them and hearing from their representatives at lunch. Make sure to say hi if you see them and all are welcome to join us in LOB 301-303 at **9:30** for the kickoff to their day.

Rep Howard Pearl

Walmart cordially invites all legislators and staff to their annual legislative lunch in the State House cafeteria on **Thursday, May 5** during the session lunch break.

Rep. Steven Smith

The University of New Hampshire is bringing back University Day on the State House lawn on **Thursday, May 5 from 11:00 a.m. to 1:00 p.m.** Enjoy a BBQ lunch provided by UNH's award-winning dining services and explore a range of exhibits and demonstrations led by world-renowned researchers, students, faculty and staff. Please join us to learn more about how education, outreach and engagement programs at your state research university benefit New Hampshire.

Rep. Marjorie Smith

Associated Builders and Contractors of NH and VT, the voice of the merit shop in the construction industry, is inviting all House members and State House staff to a "Coffee, Croissants and Contractors" event at the State House café on **Thursday, May 5th from 8:00 -10:00 am.** Stop by for a coffee and a croissant before House session and learn about the launch of our successful Carpentry Apprenticeship Program at the Manchester Community College. We look forward to seeing you at this event!

Rep. William Infantine

In recognition of your support, the New Hampshire Law Enforcement Officers Memorial Association cordially invites you to attend the 30th Annual New Hampshire Fallen Law Enforcement Officers Memorial Ceremony, to honor the Law Enforcement Officers throughout the state of New Hampshire who have made the ultimate sacrifice and died in the line of duty while protecting the citizens of the state. The ceremony will be held on **Friday, May 20, 2022**, beginning promptly at **10:00 a.m.**, at the Memorial site in front of the Legislative Office Building. The ceremony will proceed rain or shine. Please do not hesitate to contact Colonel Kevin Jordan at the New Hampshire Fish and Game Department at 603-271-3128 should you have any questions.

Speaker Packard

REVISED FISCAL NOTES

The following bills have a revised fiscal note: HB102, HB103, HB347, HB355, HB591, HB611, HB620, HB624, HB1064, HB1130, HB1228, HB1235, HB1237, HB1288, HB1318, HB1423, HB1456, HB 1469, HB1496, HB1521, HB1526, HB1531, HB1535, HB1540, HB1547, HB1586, HB1587, HB1598, HB1604, HB1608, HB1621, HB1622, HB1628, HB1629, HB1632, HB1635, HB1642, HB1647, HB1661, HB1665, HB1677, HB1681, HB1682, SB59, SB92, SB160, SB202, SB267, SB278, SB294, SB301, SB303, SB324, SB326, SB340, SB355, SB363, SB366, SB383, SB385, SB400, SB401, SB402, SB405, SB407, SB418, SB422, SB423, SB427, SB429, SB430, SB435, SB438, SB452, SB460.

Paul C. Smith, Clerk of the House

STATE HOUSE VISITATION SCHEDULE

As a convenience to the members of the NH General Court, the Visitor Center offers the following schedule of schools and other groups visiting the State House. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule books for the school year and subject to changes.

Please contact the Visitor Center concerning school tour booking information. Legislators planning to meet with students should notify the Visitor Center. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director
Margaret Waterhouse, Public Information Administrator

DATE	TIME	GROUP	#/GRADE
April 22	9:00	Chichester Central School	25/4
April 22	10:30	Portsmouth Christian Academy	44/4
April 22	10:00/11:00	Woodman Park School – Dover	100/4
April 25	1:00	OLLI Around the State House tour	30/Srs
April 26	2:00	The Birches at Concord	10/Srs
April 27	9:00	UNH Cooperative Extension – 4H	40
April 28	9:30	Capital Christian School – Concord	15/k-8
April 29	10:00	Grantham Village School	48/4
May 2	9:00/10:15	Hudson Memorial School	60/8
May 3	9:30	The Well School – Peterborough	16/4
May 3	10:30	Milton Elementary School	42/4
May 4	10:00	Swasey Central School – Brentwood	49/4
May 5	10:00	Trinity Christian School – Keene	10/4
May 5	10:00	Piermont Village School	23/3-6
May 6	10:00	The Founders Academy	50/MS
May 9	10:00	Henry Moore School – Candia	30/4
May 10	10:00/12:00	Bernice A. Ray School – Hanover	84/4
May 11	10:00	Greenland Central School	48/4
May 11	10:00	Mt. St. Mary Academy – Manchester	26/4&5
May 12	9:45	St. Charles School – Rochester	17/4
May 12	10:15 *2 tours	Moharimet School- Madbury	75/4
May 13	10:00/11:00	Rindge Memorial School	55/4
May 13	9:15	Nottingham School	46/4
May 13	1:00	Bowman Place at Olde Bedford	12/Srs
May 16	10:30	Jaffrey Grade School	38/4
May 16	9:30	Conway Elementary School	35/4
May 17	9:30	Gonic Elementary School	40/4
May 17	9:45	Maple Ave. Elementary School – Claremont	50/4
May 18	9:00	St. Francis of Assisi School – Litchfield	50/4
May 18	10:00	Village Questers Group	20/adults
May 18	10:00/11:00	Epping Elementary School	80/4
May 19	9:00	New Found Regional HS	25/HS
May 19	9:45/10:45	Inter-Lakes Elementary School – Meredith	75/4



2022 CONGRESSIONAL PRIMARY DATES AND CANDIDATE FILING DEADLINES FOR BALLOT ACCESS

Note: Dates Subject to Change / S Indicates Senate Election / General Election Date 11/08/2022

Sources: State Election Offices, Statutes and State Parties
(Data as of 2/18/2022)

The FEC has jurisdiction over federal campaign finance law and does not have authority over the administration of elections. Questions concerning a state's primary election procedure should be addressed to the state's Election Director. The dates listed are tentative and subject to change.

STATE		CONGRESSIONAL PRIMARY DATE	CONGRESSIONAL RUNOFF DATE (IF NECESSARY)	FILING DEADLINE FOR PRIMARY BALLOT ACCESS	INDEPENDENT ¹ FILING DEADLINE FOR GENERAL ELECTION
Alabama	S	5/24	6/21	1/28 (U.S. Senate) 2/11 (U.S. House)	5/24
Alaska	S	8/16		6/01	n/a
American Samoa		n/a		n/a	9/01
Arizona	S	8/02		4/04	4/04
Arkansas	S	5/24	6/21	3/01	3/01
California	S	6/07		3/11	n/a
Colorado	S	6/28		4/20	4/4 (Third/Minor) 7/14 (Independent)
Connecticut	S	8/09 ²		6/07	8/10 (Independent) 9/07 (Third/Minor)
Delaware		9/13 ³		7/12	8/15
D.C.		6/21		3/23	8/10
Florida	S	8/23		6/17 Noon	5/16 Noon
Georgia	S	5/24	6/21	3/11 Noon	7/12 Noon
Guam		8/27		6/28	6/28
Hawaii	S	8/13		6/07	6/07
Idaho	S	5/17		3/11	3/11
Illinois	S	6/28		3/14	7/11
Indiana	S	5/03 ⁴		2/4	7/15
Iowa	S	6/07		3/18	3/18
Kansas	S	8/02 ⁵		6/01 Noon	8/01 Noon
Kentucky	S	5/17 ⁶		1/07	6/07
Louisiana	S	11/08 ⁷	12/10 ²	n/a ²	7/22 ²
Maine		6/14		3/15	6/01
Maryland	S	6/28 ⁸		3/22	7/05
Massachusetts		9/06		5/10	8/02
Michigan		8/02 ⁹		4/19 4pm	7/21 4pm (Independent)
Minnesota		8/09		5/31	5/31
Mississippi		6/07	6/28	3/01	3/01
Missouri	S	8/02		3/29	8/01
Montana		6/07		3/14	5/31
Nebraska		5/10		2/15 (Incumbents) 3/01 (All Others)	9/01
Nevada	S	6/14		3/18	6/05 (Independent)
New Hampshire	S	9/13		6/10	9/07
New Jersey		6/07		4/04 4pm	6/07 4pm
New Mexico		6/07		3/08	6/30
New York	S	6/28		4/07	4/07 (Third/Minor) 5/31 (Independent)
North Carolina	S	5/17	7/26	3/04 Noon	5/17 Noon



2022 CONGRESSIONAL PRIMARY DATES AND CANDIDATE FILING DEADLINES FOR BALLOT ACCESS

Note: Dates Subject to Change / S Indicates Senate Election / General Election Date 11/08/2022

Sources: State Election Offices, Statutes and State Parties
(Data as of 2/18/2022)

STATE		CONGRESSIONAL PRIMARY DATE	CONGRESSIONAL RUNOFF DATE (IF NECESSARY)	FILING DEADLINE FOR PRIMARY BALLOT ACCESS	INDEPENDENT ¹ FILING DEADLINE FOR GENERAL ELECTION
North Dakota	S	6/14		4/11 4pm	9/06 4pm (Independent)
N. Mariana Islands		n/a		n/a	8/10
Ohio	S	5/03		2/02 4pm (U.S. Senate) 3/04 4pm (U.S. House)	5/02 (Independent)
Oklahoma	S	6/28	8/23	4/15	4/15
Oregon	S	5/17 ¹⁰		3/08	8/30
Pennsylvania	S	5/17		3/08	8/01
Puerto Rico		n/a ¹¹	n/a ³	n/a ³	n/a ³
Rhode Island		9/13		6/29	7/15
South Carolina	S	6/14 ¹²	6/28	3/30 Noon	3/30 (Third/Minor) 7/15 (Independent)
South Dakota	S	6/07 ¹³	8/16	3/29	3/29 (Third/Minor) 4/26 (Independent)
Tennessee		8/04		4/07 Noon	8/18 Noon
Texas		3/01 ¹⁴	5/24	12/13	12/13
Utah	S	6/28 ¹⁵		3/04	3/04
Vermont	S	8/09		5/26	8/04
Virginia		6/21 ¹⁶		4/07 5pm	6/21 7pm
Virgin Islands		8/06		5/17	5/17
Washington	S	8/02		5/20	n/a
West Virginia		5/10 ¹⁷		1/29	8/01
Wisconsin	S	8/09		6/01	6/01
Wyoming		8/16 ¹⁸		5/27	8/15 (Third/Minor) 8/29 (Independent)

Notes:

- The column Independent Filing Deadline shows the date for the filing of petitions by independent or third/minor party candidates. **This is a general reference date for use by the public and voters. Candidates and others seeking specific information should contact the states for other deadlines that may need to be met.** For example, the petitions may have to be checked by officials prior to this date. A declaration of candidacy may be due before the petitions are due. New parties may have different deadlines.
- In Connecticut, conventions are held by the Democratic and Republican Parties prior to the primary. Convention dates are pending.
- In Delaware, the Conservative, Green, Independent, Liberal and Libertarian Parties may nominate by convention. Convention dates are pending.
- In Indiana, the Libertarian Party convention date is 3/05/2022.
- In Kansas, the Libertarian Party convention date is 4/23/2022.
- In Kentucky, the Libertarian Party convention date is 3/06/2022.
- In Louisiana, a Congressional primary election is not held. The election for candidates seeking Federal office is the General election scheduled for 11/08/2022. If necessary, a Runoff Election will be held on 12/10/2022. The filing deadline for ballot access is 7/22/2022.
- In Maryland, the Green, Libertarian and Working Class Parties may nominate by convention. Convention dates are pending.
- In Michigan, the Green Party convention date is 4/23/2022. The convention dates for the Libertarian, Natural Law, U.S. Taxpayers and Working Class Parties are pending.
- In Oregon, the Constitution, Libertarian, Pacific Green, Progressive and Working Families Parties may nominate by convention. Convention dates are pending.
- In Puerto Rico, the general election for Resident Commissioner to the U.S. House of Representatives is held every four years, coinciding with the U.S. Presidential election.
- In South Carolina, the Alliance, Constitution, Green, Independence, Labor, Libertarian, United Citizens and Working Families Parties may nominate by convention. Convention dates are pending.
- In South Dakota, the Libertarian Party convention date is 4/23/2022.
- In Texas, the Libertarian and Green Parties may nominate by convention. The convention dates are 3/12/2022 for single county U.S. House Districts 16, 18, 20, 29 and 38, and 3/19/2022 for multi-county U.S. House Districts 1-15, 17, 19, 21-28, 30-37.
- In Utah, conventions are held by the political parties prior to the primary. The convention date for the Democratic, Republican, and Constitution Parties is 4/23/2022. The convention dates for the Independent American, Green, Libertarian and United Utah Parties are pending.
- In Virginia, the Democratic and Republican Parties may choose to nominate by convention rather than by primary election, and the deadline to notify the State Board of Elections of the adoption of the primary election is 3/08/2022. Convention dates are pending.
- In West Virginia, the Libertarian Party convention date is 3/12/2022. The Mountain Party convention date is pending.
- In Wyoming, the Constitution and Libertarian political parties may nominate by convention. Convention dates are pending.



2022 CONGRESSIONAL PRIMARY ELECTION DATES IN CHRONOLOGICAL ORDER

Note: Dates Subject to Change / S Indicates Senate Election / General Election Date 11/08/2022

Sources: State Election Offices and Statutes
(Data as of 2/18/2022)

STATE		CONGRESSIONAL PRIMARY DATE	CONGRESSIONAL RUNOFF DATE
Texas		3/01	5/24
Indiana	S	5/03	
Ohio	S	5/03	
Nebraska		5/10	
West Virginia		5/10	
Idaho	S	5/17	
Kentucky	S	5/17	
North Carolina	S	5/17	7/26
Oregon	S	5/17	
Pennsylvania	S	5/17	
Alabama	S	5/24	6/21
Arkansas	S	5/24	6/21
Georgia	S	5/24	6/21
California	S	6/07	
Iowa	S	6/07	
Mississippi		6/07	6/28
Montana		6/07	
New Jersey		6/07	
New Mexico		6/07	
South Dakota	S	6/07	8/16
Maine		6/14	
Nevada	S	6/14	
North Dakota	S	6/14	
South Carolina	S	6/14	6/28
D.C.		6/21	
Virginia		6/21	
Colorado	S	6/28	

STATE		CONGRESSIONAL PRIMARY DATE	CONGRESSIONAL RUNOFF DATE
Illinois	S	6/28	
Maryland	S	6/28	
New York	S	6/28	
Oklahoma	S	6/28	8/23
Utah	S	6/28	
Arizona	S	8/02	
Kansas	S	8/02	
Michigan		8/02	
Missouri	S	8/02	
Washington	S	8/02	
Tennessee		8/04	
Virgin Islands		8/06	
Connecticut	S	8/09	
Minnesota		8/09	
Vermont	S	8/09	
Wisconsin	S	8/09	
Hawaii	S	8/13	
Alaska	S	8/16	
Wyoming		8/16	
Florida	S	8/23	
Guam		8/27	
Massachusetts		9/06	
Delaware		9/13	
New Hampshire	S	9/13	
Rhode Island		9/13	

Notes:

1. In Louisiana, a Congressional primary election is not held. The election for candidates seeking Federal office is the General election scheduled for 11/8/2022. If necessary, a Runoff Election will be held on 12/10/2022.
2. In Puerto Rico, the general election for Resident Commissioner to the U.S. House of Representatives is held every four years, coinciding with the U.S. Presidential election.
3. In Connecticut and Utah, conventions are held by the political parties prior to the primary. In Virginia, political parties may choose to nominate by convention rather than by primary election. In other states, such as Delaware, Indiana, Kansas, Kentucky, Maryland, Michigan, Oregon, South Carolina, Texas, West Virginia and Wyoming, minor parties may hold conventions to nominate candidates.
4. The dates listed are subject to change.

The FEC has jurisdiction over federal campaign finance law and does not have authority over the administration of elections. Questions concerning a state's primary election procedure should be addressed to the state's Election Director.

Compiled by: Public Disclosure and Media Relations Division, Office of Communications
Federal Election Commission, 800/424-9530 (option 2), or 202/694-1120

TITLE LXIII ELECTIONS

CHAPTER 662 ELECTIVE DISTRICTS

Section 662:1

662:1 U.S. Representative Districts. –

The state is divided into 2 districts for the choosing of representatives in the congress of the United States. Each district may elect one representative. The districts shall be constituted as follows:

I. The first district is constituted of:

- (a) The counties of
 - (1) Carroll, and
 - (2) Strafford; and
- (b) In the county of Belknap, the towns and city of
 - (1) Alton,
 - (2) Barnstead,
 - (3) Belmont,
 - (4) Gilford,
 - (5) Gilmanton,
 - (6) Laconia,
 - (7) Meredith,
 - (8) New Hampton,
 - (9) Sanbornton, and
 - (10) Tilton; and
- (c) In the county of Grafton, the town of
 - (1) Campton; and
- (d) In the county of Hillsborough, the towns and city of
 - (1) Bedford,
 - (2) Goffstown,
 - (3) Manchester, and
 - (4) Merrimack; and
- (e) In the county of Merrimack, the town of
 - (1) Hooksett; and
- (f) In the county of Rockingham, the towns and city of
 - (1) Auburn,
 - (2) Brentwood,
 - (3) Candia,
 - (4) Chester,
 - (5) Danville,
 - (6) Derry,
 - (7) East Kingston,
 - (8) Epping,
 - (9) Exeter,
 - (10) Fremont,
 - (11) Greenland,
 - (12) Hampstead,
 - (13) Hampton,
 - (14) Hampton Falls,

- (15) Kensington,
- (16) Kingston,
- (17) Londonderry,
- (18) New Castle,
- (19) Newfields,
- (20) Newington,
- (21) Newmarket,
- (22) Newton,
- (23) North Hampton,
- (24) Nottingham,
- (25) Plaistow,
- (26) Portsmouth,
- (27) Raymond,
- (28) Rye,
- (29) Sandown,
- (30) Seabrook,
- (31) South Hampton, and
- (32) Stratham.

II. The second district is constituted of:

(a) The counties of

- (1) Cheshire,
- (2) Coos, and
- (3) Sullivan; and

(b) In the county of Belknap, the town of

- (1) Center Harbor; and

(c) In the county of Grafton, the towns, city, and unincorporated place of

- (1) Alexandria,
- (2) Ashland,
- (3) Bath,
- (4) Benton,
- (5) Bethlehem,
- (6) Bridgewater,
- (7) Bristol,
- (8) Canaan,
- (9) Dorchester,
- (10) Easton,
- (11) Ellsworth,
- (12) Enfield,
- (13) Franconia,
- (14) Grafton,
- (15) Groton,
- (16) Hanover,
- (17) Haverhill,
- (18) Hebron,
- (19) Holderness,
- (20) Landaff,
- (21) Lebanon,
- (22) Lincoln,
- (23) Lisbon,
- (24) Littleton,
- (25) Livermore,
- (26) Lyman,
- (27) Lyme,
- (28) Monroe,

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- (29) Orange,
- (30) Orford,
- (31) Piermont,
- (32) Plymouth,
- (33) Rumney,
- (34) Sugar Hill,
- (35) Thornton,
- (36) Warren,
- (37) Waterville Valley,
- (38) Wentworth, and
- (39) Woodstock; and
- (d) In the county of Hillsborough, the towns and city of

- (1) Amherst,
- (2) Antrim,
- (3) Bennington,
- (4) Brookline,
- (5) Deering,
- (6) Francestown,
- (7) Greenfield,
- (8) Greenville,
- (9) Hancock,
- (10) Hillsborough,
- (11) Hollis,
- (12) Hudson,
- (13) Litchfield,
- (14) Lyndeborough,
- (15) Mason,
- (16) Milford,
- (17) Mont Vernon,
- (18) Nashua,
- (19) New Boston,
- (20) New Ipswich,
- (21) Pelham,
- (22) Peterborough,
- (23) Sharon,
- (24) Temple,
- (25) Weare,
- (26) Wilton, and
- (27) Windsor; and

- (e) In the county of Merrimack, the towns and cities of

- (1) Allenstown,
- (2) Andover,
- (3) Boscawen,
- (4) Bow,
- (5) Bradford,
- (6) Canterbury,
- (7) Chichester,
- (8) Concord,
- (9) Danbury,
- (10) Dunbarton,
- (11) Epsom,
- (12) Franklin,
- (13) Henniker,
- (14) Hill,

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- (15) Hopkinton,
- (16) Loudon,
- (17) Newbury,
- (18) New London,
- (19) Northfield,
- (20) Pembroke,
- (21) Pittsfield,
- (22) Salisbury,
- (23) Sutton,
- (24) Warner,
- (25) Webster, and
- (26) Wilmot; and
- (f) In the county of Rockingham, the towns of
 - (1) Atkinson,
 - (2) Deerfield,
 - (3) Northwood,
 - (4) Salem, and
 - (5) Windham.

Source. 1979, 436:1. 1982, 18:1. 1992, 15:1. 2002, 32:1. 2012, 18:1, eff. June 22, 2012.

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