LEGISLATIVE COMMITTEE MINUTES

SB28

Bill as Introduced

SB 28 - AS INTRODUCED

2021 SESSION

21-0984
04/11

SENATE BILL *28*

AN ACT naming a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly.

SPONSORS: Sen. Giuda, Dist 2; Rep. Suzanne Smith, Graf. 8; Rep. Weston, Graf. 8; Rep. Gordon, Graf. 9; Rep. Fellows, Graf. 8; Rep. Lynn, Rock. 7

COMMITTEE: Judiciary

ANALYSIS

This bill renames a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

SB 28 - AS INTRODUCED

21-0984
04/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT naming a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly.

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

1 Second Circuit Courthouse; Courtroom 1 Named in Honor of Judge Edwin W. Kelly. Courtroom 1 at the second circuit courthouse in the town of Plymouth is hereby renamed the Edwin W. Kelly Courtroom in honor of Judge Edwin W. Kelly who is retiring after 35 years of service to the New Hampshire judicial system, most of which was as an administrative justice in the district and circuit courts. Judge Kelly has worked diligently throughout his career to ensure fair and efficient access to justice to all people.

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

SB 28 - AS AMENDED BY THE HOUSE

3Jun2021... 1112h

2021 SESSION

21-0984
04/11

SENATE BILL *28*

AN ACT naming a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly and naming a roundabout in New London in honor of Jessie Levine.

SPONSORS: Sen. Giuda, Dist 2; Rep. Suzanne Smith, Graf. 8; Rep. Weston, Graf. 8; Rep. Gordon, Graf. 9; Rep. Fellows, Graf. 8; Rep. Lynn, Rock. 7

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill renames a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly and names a roundabout in the town of New London in honor of Jessie Levine.

Explanation: Matter added to current law appears in ***bold italics.***
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SB 28 - AS AMENDED BY THE HOUSE

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2 Jessie Levine Roundabout. Pursuant to RSA 4:43, the roundabout located at N.H. route 11, also known as the intersection of Newport Road and County Road in the town of New London, is hereby named the Jessie Levine Roundabout in honor of municipal and county government leader and New London resident, Jessie W. Levine. Among her many career achievements in the pursuit of good local government, Ms. Levine advocated for and oversaw the roundabout construction while serving as New London's town administrator. An appropriate marker may be placed on the center island of the roundabout.

3 Signage. The cost of design, construction, maintenance, and installation of any signage, replacement signage, or other markers authorized under section 2 of this act shall not be a charge to the state. However, the design, construction, and installation of any signage or other markers authorized shall be approved by the department of transportation.

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

CHAPTER 89
SB 28 - FINAL VERSION

3Jun2021... 1112h

2021 SESSION

21-0984
04/11

SENATE BILL *28*

AN ACT naming a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly and naming a roundabout in New London in honor of Jessie Levine.

SPONSORS: Sen. Giuda, Dist 2; Rep. Suzanne Smith, Graf. 8; Rep. Weston, Graf. 8; Rep. Gordon, Graf. 9; Rep. Fellows, Graf. 8; Rep. Lynn, Rock. 7

COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill renames a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly and names a roundabout in the town of New London in honor of Jessie Levine.

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CHAPTER 89
SB 28 - FINAL VERSION

3Jun2021... 1112h

21-0984
04/11

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT naming a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly and naming a roundabout in New London in honor of Jessie Levine.

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

89:1 Second Circuit Courthouse; Courtroom 1 Named in Honor of Judge Edwin W. Kelly. Courtroom 1 at the second circuit courthouse in the town of Plymouth is hereby renamed the Edwin W. Kelly Courtroom in honor of Judge Edwin W. Kelly who is retiring after 35 years of service to the New Hampshire judicial system, most of which was as an administrative justice in the district and circuit courts. Judge Kelly has worked diligently throughout his career to ensure fair and efficient access to justice to all people.

89:2 Jessie Levine Roundabout. Pursuant to RSA 4:43, the roundabout located at N.H. route 11, also known as the intersection of Newport Road and County Road in the town of New London, is hereby named the Jessie Levine Roundabout in honor of municipal and county government leader and New London resident, Jessie W. Levine. Among her many career achievements in the pursuit of good local government, Ms. Levine advocated for and oversaw the roundabout construction while serving as New London's town administrator. An appropriate marker may be placed on the center island of the roundabout.

89:3 Signage. The cost of design, construction, maintenance, and installation of any signage, replacement signage, or other markers authorized under section 2 of this act shall not be a charge to the state. However, the design, construction, and installation of any signage or other markers authorized shall be approved by the department of transportation.

89:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 23, 2021
Effective Date: August 22, 2021

Committee Minutes

AMENDED
SENATE CALENDAR NOTICE
Judiciary

Sen Sharon Carson, Chair
Sen Bill Gannon, Vice Chair
Sen Harold French, Member
Sen Rebecca Whitley, Member
Sen Jay Kahn, Member

Date: January 7, 2021

HEARINGS

Tuesday	01/12/2021
(Day)	(Date)

Judiciary	REMOTE 000	1:00 p.m.
(Name of Committee)	(Place)	(Time)

1:00 p.m.	**SB 16**	amending the alimony statute due to changes in federal tax law.
1:15 p.m.	**SB 28**	naming a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: https://www.zoom.us/j/92341942226
2. To listen via telephone: Dial(for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: +13126266799,,92341942226# or +16465588656,,92341942226#
4. Webinar ID: 923 4194 2226
5. To view/listen to this hearing on YouTube, use this link: https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: http://gencourt.state.nh.us/remotecommittee/senate.aspx

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

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 16
Sen. Carson

SB 28

Sen. Giuda	Rep. Suzanne Smith	Rep. Weston	Rep. Gordon
Rep. Fellows	Rep. Lynn		

Jennifer Horgan 271-7875

Sharon M Carson
Chairman

Senate Judiciary Committee

Jennifer Horgan 271-7875

SB 28, naming a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly.

Hearing Date: January 12, 2021

Time Opened: 1:40 p.m. **Time Closed:** 1:55 p.m.

Members of the Committee Present: Senators Carson, Gannon, French, Whitley and Kahn

Members of the Committee Absent : None

Bill Analysis: This bill renames a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly.

Sponsors:

Sen. Giuda	Rep. Suzanne Smith	Rep. Weston
Rep. Gordon	Rep. Fellows	Rep. Lynn

Who supports the bill: Senator Guida; Representative Gordon; Representative Suzanne Smith; Honorable Thomas Rappa; Honorable David King

Who opposes the bill: No one

Summary of testimony presented in support:

Senator Giuda (submitted written testimony)

- This bill names a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly.
- Was contacted by Senior Judge Thomas Rappa who wanted to recognize the more than thirty years of service that Judge Edwin W. Kelly has given to our State.
- Judge Kelly recently retired but served both the State of New Hampshire and our judicial system with distinction.
- He has been praised for his demeanor, his fairness, and knowledge of the law.
- Judge Kelly helped to create the Family Division within the court system and worked on bail reform.
- Judge Kelly helped create the Circuit Court in 2011, which then Chief Justice Robert Lynn noted was a "Herculean task."

- Judge Kelly helped define the role of an administrative judge in responding to citizens and other stakeholders who had less than positive experiences with the judicial system.
- Senator Kahn asked how long Judge Kelly has served.
    - Does not know.

Representative Gordon

- Has known Judge Kelly for 35+ years and Judge Kelly has been a judge that whole time.
- Tried his first case as a new lawyer in front of Judge Kelly.
- Shared his personal experience of working with Judge Kelly and former Representative Driscoll on in putting together the package for the new courthouse in Plymouth.
- Judge Kelly created a professional judiciary in the state.
- When Judge Kelly first became a judge, the district court judges were virtually all part time judges and now virtually all the circuit court judges are full time judges.
- Judge Kelly consolidated the courts which created efficiency and huge cost savings for the state.
- Judge Kelly brought technology to the courts, as the circuit court under his direction was the first court to have electronic case filing.

Honorable Thomas A. Rappa Jr.

- Has had the honor of serving as a judge in the circuit court for over 32 years.
- This will commemorate the remarkable career of Judge Kelly.
- Judge Kelly was as appointed to what was then the municipal and district court in 1985.
- Endeared himself to the community first as a lawyer and then as a judge based on his demeanor, fairness, and knowledge of the law.
- In 1991, the Supreme Court asked Judge Kelly to serve as the first administrative judge of the district and municipal court.
- Judge Kelly guided the court into the modern era.
- As NH's first administrative judge, Judge Kelly did more to provide fair and efficient access to judgment to the citizens of NH than any other individual who has ever served in the judicial system.
- Prior to Judge Kelly's role as administrative judge, the individual courts were essentially private fiefdoms with no standardization of process or procedures.
- Judge Kelly initiated regular judicial education and a systematic judicial evaluation process for sitting judges.
- Spoke to Judge Kelly's work and character over the decades.
- Judge Kelly oversaw the construction to numerous courthouses that improved access to justice.
- Judge Kelly was an administrative judge for 29 years.
- Is painfully aware of the many late nights and early mornings Judge Kelly gave to the state through his work

- Initially requested to name the entire courthouse after Judge Kelly, but apparently the policy is only to name a courtroom.
- No one has done more to provide fair justice for the citizens of NH than Judge Kelly.

Summary of testimony presented in opposition:
None

jch
Date Hearing Report completed: January 15, 2021

Speakers

Judiciary Committee Testify List for Bill SB28 on 2021-01-12					
Support: 6 Oppose: 0 Neutral: 0 Total to Testify: 3					
Name	**Title**	**Representing**	**Position**	**Testifing**	**Signed Up**
Giuda Bob	An Elected Official	Senate District 2	Support	Yes	1/11/2021 15:22
Rappa Thomas	A Member of the Public	Myself	Support	Yes	1/12/2021 9:25
King David	A Member of the Public	NH Judicial Branch	Support	No	1/11/2021 16:11
Gordon Ned	An Elected Official	Myself	Support	Yes	1/12/2021 11:05
Smith Suzanne	An Elected Official	Grafton 8 - Plymouth	Support	No	1/12/2021 12:15
Fellows sallie	An Elected Official	Myself	Support	No	1/12/2021 13:05

Testimony

New Hampshire State Senate
107 North Main Street
Concord, NH 03301

January 12, 2021

Senator Sharon Carson, Chair
Senate Judiciary Committee
New Hampshire State House
107 North Main Street
Concord, NH 03301

Re: Senate Bill 28

Dear Senator Carson and Members of the Committee:

- I am here today to introduce my SB 28. This bill names a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly. I was contacted by Senior Judge Thomas Rappa who wanted to recognize the more than thirty years of service that Judge Edwin W. Kelly has given to our State.

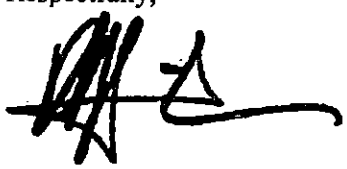
- Judge Kelly recently retired but served both the State of New Hampshire and our judicial system with distinction. He has garnered wide praise throughout the Plymouth and legal communities for his demeanor, his fairness, and knowledge of the law.

- Some of his accomplishments include helping to create the Family Division within the court system and working on bail reform. Most notably, Judge Kelly helped create the Circuit Court in 2011, which then Chief Justice Robert Lynn noted was a "Herculean task."

- Throughout his various roles in the judicial system, Judge Kelly has left an indelible mark and earned the respect of staff, judges, and other stakeholders at the court. He helped define the role of an administrative judge in responding to citizens and other stakeholders who had less than positive experiences with the judicial system.

- I believe Judge Kelly exhibits all the attributes that one would look for in a great judge. I hope the committee will look favorably upon this bill and vote the bill "ought to pass." Thank you, Senator Carson and members of the committee.

Respectfully,



Senator Bob Giuda
State Senator
NH District 2
Phone: (603) 271-3042
E-mail: bob.giuda@leg.state.nh.us

Voting Sheets

Senate Judiciary Committee
EXECUTIVE SESSION RECORD
2021-2022 Session

Bill # SB28

Hearing date: _____

Executive Session date: _____

Motion of: OTP **Vote:** 5-0

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair			X	
Sen. Gannon, V-Chair	X		X	
Sen. French			X	
Sen. Kahn		X	X	
Sen. Whitley			X	

Motion of: _____ **Vote:** _____

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair				
Sen. Gannon, V-Chair				
Sen. French				
Sen. Kahn				
Sen. Whitley				

Motion of: _____ **Vote:** _____

Committee Member	Made by	Second	Yes	No
Sen. Carson, Chair				
Sen. Gannon, V-Chair				
Sen. French				
Sen. Kahn				
Sen. Whitley				

Reported out by: Kahn

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Wednesday, January 13, 2021

THE COMMITTEE ON Judiciary

to which was referred **SB 28**

AN ACT naming a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Jay Kahn
For the Committee

Jennifer Horgan 271-2609

JUDICIARY

SB 28, naming a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly.

Ought to Pass, Vote 5-0.

Senator Jay Kahn for the committee.

General Court of New Hampshire - Bill Status System

Docket of SB28

Docket Abbreviations

Bill Title: (New Title) naming a courtroom in the second circuit courthouse in Plymouth in honor of Judge Edwin W. Kelly and naming a roundabout in New London in honor of Jessie Levine.

Official Docket of **SB28.**:

Date	Body	Description
1/7/2021	S	**Introduced** 01/06/2021 and Referred to Judiciary; **SJ 3**
1/7/2021	S	Remote **Hearing:** 01/12/2021, 01:15 pm; Links to join the hearing can be found in the Senate Calendar; **SC 6**
1/14/2021	S	Committee Report: Ought to Pass, 02/04/2021; **SC 9**
2/4/2021	S	**Ought to Pass: RC** 24Y-0N, MA; OT3rdg; 02/04/2021; **SJ 3**
3/10/2021	H	Introduced (in recess of) 02/25/2021 and referred to Public Works and Highways **HJ 4** P. 48
4/21/2021	H	Public Hearing: 05/05/2021 10:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/94154238304 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
4/21/2021	H	Public Hearing on non-germane Amendment **#2021-1112h:** 05/05/2021 10:15 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/94154238304 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
5/18/2021	H	Committee Report: Ought to Pass with Amendment **#2021-1112h** (Vote 20-0; CC) **HC 26** P. 10
6/3/2021	H	Amendment **#2021-1112h**: AA VV 06/03/2021
6/3/2021	H	**Ought to Pass with Amendment** 2021-1112h: MA VV 06/03/2021
6/10/2021	S	Sen. Carson Moved to Concur with the House Amendment, MA, VV; 06/10/2021; **SJ 19**
6/22/2021	H	Enrolled (in recess of) 06/10/2021
6/22/2021	S	Enrolled Adopted, VV, (In recess 06/10/2021); **SJ 20**
6/23/2021	S	Signed by the Governor on 06/23/2021; Chapter 0089; Effective 08/22/2021

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB28 **Senate Committee:** Judiciary

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee

X All Calendar Notices

X Hearing Sign-up sheet(s)

X Prepared testimony, presentations, & other submissions handed in at the public hearing

X Hearing Report

___ Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

X Executive Session Sheet

X Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # _____ ___ - amendment # _____

___ - amendment # _____ ___ - amendment # _____

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate X as amended by the house

X final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Jennifer Horgan 8/12/21

Committee Aide **Date**

Senate Clerk's Office