

# Senate Judiciary Committee

*Pete Mulvey 271-4063*

**SB 259**, creating an exception to physical attendance and quorum requirements under the right-to-know law for individuals with disabilities.

**Hearing Date:** March 4, 2025

**Time Opened:** 1:12 p.m.

**Time Closed:** 1:42 p.m.

**Members of the Committee Present:** Senators Gannon, Abbas and Reardon

**Members of the Committee Absent :** Senators Carson and Altschiller

**Bill Analysis:** This bill creates an exception to physical attendance and quorum requirements under the right-to-know law for individuals with disabilities.

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**Sponsors:**

Sen. Ricciardi

Sen. Rosenwald

Sen. Pearl

Sen. Gannon

Rep. Thackston

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**Who supports the bill:** 90 individuals signed in support. Contact [peter.mulvey@gc.nh.gov](mailto:peter.mulvey@gc.nh.gov) for further details.

**Who opposes the bill:** seven individuals signed in opposition. Contact [peter.mulvey@gc.nh.gov](mailto:peter.mulvey@gc.nh.gov) for further details.

**Who is neutral on the bill:** N/A

**Summary of testimony:**

**Senator Denise Ricciardi**

**Senate District 9**

- SB 259 ensured disabled individuals had equal opportunity to participate in public meetings and access information relative to RSA 91-A.
- SB 259 made an exception to physical quorum requirements for those with disabilities or a family member who was considered disabled under the Americans with Disabilities Act.
- Sen. Ricciardi believed that the ability to participate in person should not be a requirement.
- SB 259 preserved the integrity of the open meeting and the right to know law.
- Sen. Ricciardi believed modifying quorum requirements strengthened inclusivity and accessibility for government proceedings

## **Elizabeth Tatro**

### **Swanzy School Board**

- Ms. Swanzy stated that she was a public educator for 40 years, eventually becoming a principal.
- Age progression presented difficulties and changes in mobility.
- A fellow Swanzy School Board member broke their hip and could not attend a meeting for another six weeks.
- Ms. Tatro asserted that lack of a physical quorum requirement would enable their participation.
- SB 259 would be applicable for inclement weather scenarios as well.

## **Rep. Timothy Horrigan**

### **Strafford – District 10**

- Rep. Horrigan identified himself as a member of the Association for Better Living and Education, or ABLE.
- Rep. Horrigan actively sat on the House Judiciary Committee and spoke in support of SB 259.
- Remote participants currently did not count toward a quorum in some circumstances.
- Rep. Horrigan believed that while in-person attendance was preferable, remote attendance was ultimately preferable to no attendance
- Rep. Horrigan supported the bill as drafted but hoped to expand upon ADA language within it.

## **Christa Evans**

### **Policy Director – ABLE**

- Ms. Evans spoke on behalf of Dr. Randy Peirce
- Mr. Peirce is blind and president of Future in Sight.
- Ms. Evans spoke in support on behalf of Mr. Peirce. SB 259 was a critical step toward ensuring equal participation for those with disabilities.
- For much of the community, especially in rural areas, physical attendance was a non-starter.
- Remote participation was a necessity for equitable engagement.
- True accessibility meant that public meetings must recognize remote participants as full and equal members of the conversation.
- Ms. Evans identified herself as the policy director for ABLE.
- The current law failed those with disabilities.
- Ms. Evans maintained the current physical attendance requirement as an outdated and discriminatory policy.
- 24 other states had updated their quorum requirement laws already.

## **Vignia Cannon**

### **Member, NH council for Autism Spectrum Disorder**

- Ms. Cannon spoke in support.
- It was very difficult to hold valid meetings without a quorum.
- Caretaking responsibilities could prevent in-person attendance for members of the community.

- Financial and caretaking respite was hard to come by making personal accommodation in order to attend in-person quite difficult.

**Karen Rosenberg**

**Policy Director – Disability Rights Center**

- Ms. Rosenberg spoke in strong support
- Local participation was imperative for these bodies.
- Disabilities should not be disincentives for participation.
- Ms. Rosenberg clarified that individuals are not eligible under the ADA but rather have a qualifying disability or care for someone with a qualifying disability under the ADA.
- There were limits to how much personal medical information people could provide so if the ADA were built into SB 259, that would handle those things.
- Ms. Rosenberg offered an amendment to the committee.

**Isadora Rodriguez**

**Executive Director, NH Council of Developmental Disabilities**

- Ms. Rodriguez spoke in support.
- Other councils had employed remote quorum exemptions with success.
- Ms. Rodriguez served as interim vice chair for the autism spectrum council, and experienced significant issues getting a quorum.
- Ms. Rodriguez recalled that last time only three members could attend in person.
- Most of the council were participating, albeit remotely
- In the absence of a quorum, no work can be done, there for the purpose of the committee, its composition and expertise are made redundant.
- Ms. Rodriguez provided written testimony from both herself and members of the Council of Developmental Disabilities.

**Will Walker**

**Hollis resident**

- Mr. Walker spoke in support of SB 259.
- Mr. Walker developed software for individuals with disabilities.
- Exclusion was wrong, especially regarding public engagement.
- Mr. Walker shared that he was the father of an adult son with autism.

**Andrew Harmon**

**New Hampton resident**

- Mr. Harmon served on a number of boards and spoke in support independently.
- Mr. Harmon attested that many times smaller groups had issues with meeting.
- Mr. Harmon had received different interpretations of 91-A regarding the concept of a quorum anytime he asked.

- Mr. Harmon supported the previously suggested changes to SB 259.

**Sarah Sadowski**

**Concord resident**

- Ms. Sadowski is an elected School Board member and member of the NH council of Developmental Disabilities.
- Ms. Sadowski spoke in support.
- Parent perspectives were not enough, disabled colleagues and friends must participate and engage as well.
- Showing up in public life was challenging for the disabled community.

**Lisa Steadman**

**Troy resident**

- Ms. Steadman was a local school board member for 15 years.
- Ms. Steadman is mother and caregiver to Max, who was homebound at times when he was little.
- The Developmental Disability Council employed the practice under consideration without issue.
- Otherwise qualified individuals have neglected considering participation because of in person commitments – subject matter experts, nonetheless.

PM

Date Hearing Report completed: March 7, 2025