HB 1679 - AS INTRODUCED

2024 SESSION

24-2705
02/08

HOUSE BILL ***1679***

AN ACT relative to changing to Atlantic Standard Time.

SPONSORS: Rep. Yokela, Rock. 32; Rep. A. Lekas, Hills. 38; Rep. Phillips, Rock. 7; Sen. Murphy, Dist 16

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill urges Congress to authorize New England states to adopt year round Atlantic Standard Time, establishes an interstate commission between northern New England states to study the transition to Atlantic Standard Time, and transitions the state to Atlantic Standard time if Maine, Massachusetts, and Vermont also enact laws doing the same.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to changing to Atlantic Standard Time.

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

1 Legislative Findings. The general court finds that:

I. In 2022 Congress failed to pass Senate Bill 623, a bill that would make daylight saving time permanent. In Massachusetts, the 2017 Special Commission on the Commonwealth's Time Zone found that "Based on its research and findings, and after weighing the costs and benefits associated with the observance of time in Massachusetts, the Commission believes that, under certain circumstances, the Commonwealth could make a data-driven case for moving to the Atlantic Time Zone year round (effectively observing year-round DST). Although there are appreciable costs associated with making this change, on balance the Commission finds that doing so could have positive benefits that largely stem from the absence of a spring transition to DST and the additional hour of winter evening daylight."

II. It is the intent of the New Hampshire legislature that New Hampshire should only move to year-round DST if a majority of other Northeast states do. The legislature believes that stopping the change of clocks would benefit health and safety by ending the negative effects on sleep loss caused by the time changing twice a year, and that having more daylight in the evening would benefit commerce in the region. Without action by Congress, the only way New Hampshire can move time zones is with the consent of the US Department of Transportation Secretary's approval.

2 Standard Time; Change to Atlantic Standard Time. Amend RSA 21:36 to read as follows:

21:36 Standard Time. The standard time within the state, except as hereinafter provided, shall be [~~based on the mean astronomical time of the seventy-fifth degree of longitude west from Greenwich, known and designated by the federal statute as "Eastern Standard Time." At 2 o'clock ante-meridian of the second Sunday in March of each year, the standard time in this state shall be advanced one hour, at 2 o'clock ante-meridian of the first Sunday in November of each year, the standard time in this state shall, by the retarding of one hour, be made to coincide with the astronomical time hereinbefore described as Eastern Standard Time, so that between the second Sunday in March at 2 o'clock ante-meridian and the first Sunday in November at 2 o'clock ante-meridian in each year the standard time in this state shall be one hour in advance of the United States Standard Time~~] ***known and designated by the federal statute as Atlantic Standard Time***. In all laws, statutes, orders, decrees, rules, and regulations relating to the time of performance by any officer or department of this state, or of any county, city, town, or district thereof, or relating to the time in which any rights accrue or determine, or within which any act shall or shall not be performed by any person subject to the jurisdiction of this state, or of any

county, city, town, or district thereof, and in all contracts or choses in action made or to be performed in this state, it shall be understood and intended that the time shall be as set forth in this section.

3 New Section; Interstate Commission on Atlantic Standard Time. Amend RSA 21 by inserting after section 36 the following new section:

21:36-a Interstate Commission on Atlantic Standard Time. The member states hereby create the "Interstate Commission on Atlantic Standard Time." The activities of the Interstate Commission are the formation of public policy and are a discretionary state function. The Interstate Commission shall:

I. Be a body corporate and joint agency of the member states and shall have all the responsibilities, powers and duties set forth herein, and such additional powers as may be conferred upon it by a subsequent concurrent action of the respective legislatures of the member states in accordance with the terms of this compact.

II. Consist of two Interstate Commission voting representatives from each member state, one of whom shall be chosen by the state's house of representatives, and one of whom shall be chosen by the state's senate.

(a) Each voting representative represented at a meeting of the Interstate Commission is entitled to one vote.

(b) A majority of the total number of voting representatives shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Interstate Commission.

(c) A representative shall not delegate a vote to another representative. In the event a representative is unable to attend a meeting of the Interstate Commission, the governor or state council may delegate voting authority to another person from their state for a specified meeting.

(d) The bylaws may provide for meetings of the Interstate Commission to be conducted by telecommunication or electronic communication.

III. Meet at least once each calendar year. The chairperson may call additional meetings and, upon the request of a simple majority of representatives, shall call additional meetings.

IV. Establish bylaws and rules that provide for conditions and procedures under which the Interstate Commission shall make its information and official records available to the public for inspection or copying. The Interstate Commission may exempt from disclosure information or official records to the extent they would adversely affect personal privacy rights or proprietary interests.

V. Give public notice of all meetings and all meetings shall be open to the public, except as set forth in the rules or as otherwise provided in the compact. The Interstate Commission and its committees may close a meeting, or portion thereof, where it determines by 2/3 vote that an open meeting would be likely to:

(a) Relate solely to the Interstate Commission's internal personnel practices and procedures;

(b) Disclose matters specifically exempted from disclosure by federal and state statute;

(c) Disclose trade secrets or commercial or financial information which is privileged or confidential;

(d) Involve accusing a person of a crime, or formally censuring a person;

(e) Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(f) Disclose investigative records compiled for law enforcement purposes; or

(g) Specifically relate to the Interstate Commission's participation in a civil action or other legal proceeding.

VI. Cause its legal counsel or designee to certify that a meeting may be closed and shall reference each relevant exemptible provision for any meeting, or portion of a meeting, which is closed pursuant to this provision. The Interstate Commission shall keep minutes which shall fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefor, including a description of the views expressed and the record of a roll call vote. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Interstate Commission.

VII. Collect standardized data concerning how a transition to Atlantic Standard Time would serve or harm the convenience of commerce under this compact as directed through its rules which shall specify the data to be collected, the means of collection, and data exchange and reporting requirements. Such methods of data collection, exchange, and reporting shall, in so far as is reasonably possible, conform to current technology and coordinate its information functions with the appropriate custodian of records as identified in the bylaws and rules.

VIII. Report annually to the legislatures, governors, judiciary, and state councils of the member states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include any recommendations that may have been adopted by the Interstate Commission.

4 Application to the United States Department of Transportation. Within 180 days of the adoption of similar legislation by the states of Massachusetts, Maine, and Vermont, or on the date specified for similar action by either the state of Maine or Massachusetts, whichever is earlier, the governor shall petition the United States Secretary of Transportation to move the state of New Hampshire to the Atlantic Time Zone and include the supporting information produced by the interstate commission.

5 Contingency. Section 2 of this act shall take effect on the first July 1 after section 3 takes effect or the effective date specified by similar action by either the state of Maine, Vermont, or

Massachusetts, whichever is earlier. Section 4 of this act shall take effect on the date that the states of Massachusetts, Vermont, and Maine enact similar legislation moving from the Eastern Time Zone to the Atlantic Time Zone. If Massachusetts, Vermont and Maine do not adopt such legislation, sections 2, 3 and 4 of this act shall not take effect.

6 Effective Date.

I. Sections 2, 3 and 4 of this act shall take effect as provided in section 5 of this act.

II. The remainder of this act shall take effect 60 days after its passage.