

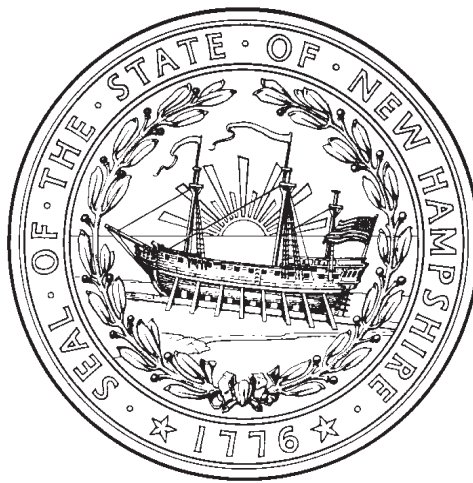
Important Notice

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**May 22, 2020
No. 20A**

STATE OF NEW HAMPSHIRE

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



**Second Year of the 166th Session of the
New Hampshire General Court**

SENATE CALENDAR ADDENDUM

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REMOTE HEARING

FRIDAY, MAY 29, 2020

TRANSPORTATION

Sen. Watters (C), Sen. Birdsell (VC), Sen. Hennessey, Sen. Levesque, Sen. Ward

1:00 p.m.

HB 1135, naming a portion of route 49 in honor of Specialist Marc P. Decoteau.

1:05 p.m.

Hearing on proposed Amendment #1259s, naming a portion of route 49 in honor of Specialist Marc P. Decoteau; designating a portion of state route 125 as Officer Stephen Arkell Memorial Highway; declaring June 6 as D-Day Remembrance Day; naming certain courtrooms in the tenth circuit district court and relative to circuit court, district and family division cases in Rockingham county; and relative to Holocaust and genocide studies legislation and establishing a commission to study genocide education, to **HB 1135**, naming a portion of route 49 in honor of Specialist Marc P. Decoteau.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. To sign-in and/or speak in support or opposition to the bill and/or amendment, please register in advance by using this link:

https://zoom.us/webinar/register/WN_4WsEKm4vRN6jbJpQAacONSA

2. To submit your testimony to the committee, please send all documents via email to remotesenate@leg.state.nh.us

3. 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

4. Or iPhone one-tap: 13017158592,,92293617264# or 13126266799,,92293617264#

5. Webinar ID: 922 9361 7264

6. To view/listen to this hearing on YouTube, use this link:

<https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>

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 (603-271-3043).

EXECUTIVE SESSION MAY FOLLOW

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AMENDMENT

Sen. Watters, Dist 4
Sen. Birdsell, Dist 19
May 26, 2020
2020-1259s
04/05

Amendment to HB 1135

Amend the title of the bill by replacing it with the following:

AN ACT naming a portion of route 49 in honor of Specialist Marc P. Decoteau; designating a portion of state route 125 as Officer Stephen Arkell Memorial Highway; declaring June 6 as D-Day Remembrance Day; naming certain courtrooms in the tenth circuit district court and relative to circuit court, district and family division cases in Rockingham county; and relative to Holocaust and genocide studies legislation and establishing a commission to study genocide education.

Amend the bill by replacing all after the enacting clause with the following:

1 Specialist Marc P. Decoteau Memorial Highway. Pursuant to RSA 4:43, the portions of New Hampshire route 49 in the towns of Campton, Thornton, and Waterville Valley shall be named the Specialist Marc P. Decoteau memorial highway. A suitable marker or markers may be placed along the highway.

2 The Officer Stephen Arkell Memorial Highway. Pursuant to RSA 4:43, the section of New Hampshire route 125 in the town of Brentwood shall be named the Officer Stephen Arkell Memorial Highway. A suitable marker or markers may be placed along the highway.

3 Signage. The cost of design, construction, maintenance, and installation of any signage, replacement signage, or other markers authorized under sections 1 and 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 New Section; D-Day Remembrance Day. Amend RSA 4 by inserting after section 13-aa the following new section:

4:13-bb New Hampshire D-Day Remembrance Day.

I. The governor shall proclaim June 6 of each year as New Hampshire D-Day Remembrance Day.

II. The proclamation issued by the governor shall call on the people of New Hampshire to observe the day with appropriate ceremonies and activities and shall urge all state agencies and academic institutions, and interested organizations, groups, and individuals, to fly the flag of the United States at half-staff each June 6 in honor of the individuals who died as a result of their service in the invasion of Normandy in World War II.

5 Findings. The general court finds that:

I. Since Hampton became a town in 1639, a system of appointed persons to hear disputes and maintain law and order has been in place. In 1919, the police court was replaced by the municipal court. In 1964, Hampton became a district court location serving Hampton, Hampton Falls, North Hampton, South Hampton, and Seabrook, the same communities that it serves today.

II. In 1972, Governor Walter Peterson appointed H. Alfred Casassa to serve as a part-time judge. Judge Casassa served through 1979 when the number of cases increased to 1,400 related to the protest demonstrations of the Seabrook nuclear power station and it was determined that the court needed to move to a full-time judge.

III. In 1980, Francis J. "Whitey" Frasier was appointed as the first full-time judge of the court. He served as a special judge under Judge Casassa. Judge Frasier served 28 years on the bench of the Hampton district court until his retirement in 2008.

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IV. Because of the exemplary leadership of these individuals, and their demonstrated commitment to the community, the courtrooms in the new tenth circuit district court located at 2 Timber Swamp Road, Hampton shall be named in their honor.

6 Tenth Circuit Court, District Division; Courtrooms Named. Courtroom One of the new tenth circuit district court building is hereby named after Francis “Whitey” Frasier, the first full-time judge for the court, and Courtroom Two in the new tenth circuit district court building is hereby named after H. Alfred Casassa, the last part-time judge serving the court. Appropriate signage may be placed in the court house and at each courtroom.

7 Removal of Name for Misconduct. The chief justice of the supreme court may, upon his or her own initiative or upon written complaint of any person which charges that a person whose name appears on a courtroom pursuant to section 6 of this act committed misconduct and which specifies the grounds therefor, remove the name of such person from the courtroom. Misconduct sufficient to support removal of a name under this section shall include:

I. The practice of fraud or deceit;

II. Conviction of a felony or any offense involving moral turpitude;

III. Any unprofessional conduct, or dishonorable conduct unworthy of, and affecting the judicial profession; or

IV. Unfitness or incompetency by reason of negligent habits or other causes; or negligent or willful acts performed in a manner inconsistent with the interests of persons relying on the judicial profession.

8 Signage. The cost of design, construction, maintenance, and installation of any signage, replacement of signage, or other markers authorized under section 6 of this act shall not be a charge to the state. However, the design, construction, and installation of any signage or other markers authorized under section 6 of this act shall be approved by the judicial branch.

9 Judicial Districts; Rockingham County. RSA 502-A:1, I-VI is repealed and reenacted to read as follows:

I. PORTSMOUTH DISTRICT. The Portsmouth district shall consist of the city of Portsmouth and the towns of Newington, Greenland, Rye, and New Castle. The district court for the district shall be located in Portsmouth, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Portsmouth District Court.

II. HAMPTON DISTRICT. The Hampton district shall consist of the towns of Hampton, Hampton Falls, North Hampton, South Hampton, and Seabrook. The district division for the district shall be located in Hampton, holding sessions regularly therein and elsewhere in the district as justice may require.

III. BRENTWOOD DISTRICT. The Brentwood district shall consist of the towns of Exeter, Newmarket, Stratham, Newfields, Fremont, East Kingston, Kensington, Epping, Brentwood, Danville, Kingston, and Newton. The district division for the district shall be located in Brentwood, holding sessions regularly therein and elsewhere in the district as justice may require.

IV. DERRY DISTRICT. The Derry district shall consist of the towns of Derry, Londonderry, Chester, and Sandown. The district court for the district shall be located in Derry, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Derry District Court.

V. AUBURN-CANDIA-RAYMOND DISTRICT. The Auburn-Candia-Raymond district shall consist of the towns of Auburn, Candia, Deerfield, Nottingham, Raymond, and Northwood. The court shall be located in Auburn, Candia, or Raymond. The court shall hold sessions regularly at the principal court location and elsewhere in the district as justice may require. The court shall bear the name of the town in which it is located.

VI. SALEM DISTRICT. The Salem district shall consist of the towns of Salem, Windham, Atkinson, Hampstead, and Plaistow in Rockingham county and the town of Pelham in Hillsborough county. The district court for the district shall be located in Salem, holding sessions regularly therein and elsewhere in the district as justice may require. The name of the court shall be Salem District Court.

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10 Judicial Branch Family Division; Sites. Amend RSA 490-D:4, IV(d) to read as follows:

(d) Matters arising in municipalities located within the [Exeter] **Brentwood** district [and the Plaistow district] shall be heard in the court facility in Brentwood.

11 Findings and Purpose. The general court finds that intolerance, bigotry, antisemitism, and national, ethnic, racial, and religious hatred and discrimination are incompatible with the fundamental principles of democracy, and that such ideologies and practices, when unchallenged, can lead to genocide. Recognizing that democratic institutions and values are not automatically sustained, but need active civic responsibility and engagement, the general court finds that it is necessary, as part of an adequate education, to ensure that students are taught the historical facts about the Holocaust and other genocides and how intolerance, bigotry, antisemitism, and national, ethnic, racial, and religious hatred and discrimination have evolved in the past, and can evolve, into genocide and mass violence. The general court further finds that through education about the Holocaust and other forms of genocide, their causes, the consequences of intolerance, bigotry, antisemitism, and hate, and the lessons to be drawn for the present, students will understand the fragility of democracy, the importance of democratic principles, and the power of individual choices in preventing genocide.

12 Criteria for an Adequate Education. Amend RSA 193-E:2, IV to read as follows:

IV. Knowledge of civics and government, economics, geography, [and] history, **and Holocaust and genocide education** to enable them to participate in the democratic process and to make informed choices as responsible citizens.

13 New Paragraphs; Adequate Public Education; Definitions. Amend RSA 193-E:3-a by inserting after paragraph II the following new paragraphs:

II-a. "Genocide" means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; or forcibly transferring children of the group to another group.

II-b. "Holocaust" means the systematic, bureaucratic, state-sponsored persecution and murder of approximately 6,000,000 Jews by the Nazi regime and its collaborators.

II-c. "Holocaust and genocide education" means studies on the Holocaust, genocide, and other acts of mass violence.

14 New Subparagraph; Instruction in National and State History and Government; Genocide Education. Amend RSA 189:11, I by inserting after subparagraph (i) the following new subparagraph:

(j) How intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious hatred and discrimination have evolved in the past, and can evolve, into genocide and mass violence, such as the Holocaust, and how to prevent the evolution of such practices.

15 New Hampshire Genocide Awareness Month. Amend RSA 4:13-t to read as follows:

4:13-t New Hampshire Genocide Awareness Month. The governor shall annually proclaim the month of April as New Hampshire Genocide Awareness Month and shall urge cities and towns throughout the state to observe this month in an appropriate manner commemorating the victims of genocides and educating the public about the [evils of genocide and commemorating victims of genocide] **importance of preventing intolerance, bigotry, antisemitism, and national, ethnic, racial, and religious hatred and genocide against any group of people.**

16 State Board of Education; Rulemaking. Following the receipt of the preliminary report of the commission on Holocaust and genocide education, established in RSA 193-E:2-f, the state board of education shall initiate rulemaking, pursuant to RSA 541-A, relative to the recommendations of the commission.

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17 New Section; Commission on Holocaust and Genocide Education. Amend RSA 193-E by inserting after section 2-e the following new section:

193-E:2-f Commission on Holocaust and Genocide Education.

I. There is established a commission to study best practices for teaching students how intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious hatred and discrimination have evolved in the past, and can evolve into mass violence and genocide, such as the Holocaust.

II. The members of the commission shall be as follows:

- (a) One member of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The commissioner of education, or designee.
- (d) One high school teacher, appointed by the governor.
- (e) One middle school teacher, appointed by the governor.
- (f) One school administrator, appointed by the New Hampshire School Administrators Association.
- (g) One school curriculum coordinator, appointed by NEA-NH.
- (h) The Roman Catholic bishop of Manchester, or designee.
- (i) A representative of the New Hampshire Council of Churches, appointed by the council.
- (j) A representative of the Keene state college Cohen Center for Holocaust and Genocide Studies, appointed by the college president.
- (k) Two members appointed by the Jewish Federation of New Hampshire, one of whom shall be a religious leader.
- (l) Two survivors or direct descendants of a survivor of either the Holocaust or another genocide, one appointed by the president of the senate and one appointed by the speaker of the house of representatives.
- (m) A representative appointed by the Anti-Defamation League, New England region.

III. The commission shall:

- (a) Recommend model school district policies for Holocaust and genocide education.
- (b) Recommend to the state board of education rules for fulfilling the Holocaust and genocide education requirement.
- (c) Identify best practices for teaching Holocaust and genocide education and the appropriate number of hours of instruction at multiple grade levels.
- (d) Identify existing teaching materials and curriculum as well as strategies and content for providing and enhancing genocide education to students.
- (e) Identify in-service education opportunities for educators.
- (f) Promote, within the schools and the general population of the state, implementation of Holocaust and genocide education.

IV. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

V. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the senate member. The first meeting of the commission shall be held within 45 days of the effective date of this section. Eight members of the commission shall constitute a quorum.

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VI. Report. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the chairpersons of the senate and house committees with jurisdiction over education, the senate clerk, the house clerk, the state board of education, the governor, and the state library. A preliminary report shall be submitted on or before January 1, 2021. An annual report shall be submitted on or before November 1, 2021 and each year thereafter. The commission shall monitor the implementation by grade, curriculum, and hours of instruction. A final report shall be submitted on or before November 1, 2024.

18 Repeal. RSA 193-E:2-f, relative to the commission on genocide education, is repealed.

19 Effective Date.

I. Sections 1-16 of this act shall take effect 60 days after its passage.

II. Section 18 of this act shall take effect November 1, 2024.

III. The remainder of this act shall take effect upon its passage.

2020-1259s

AMENDED ANALYSIS

This bill:

I. Names a portion of route 49 in Campton, Thornton, and Waterville Valley in honor of Specialist Marc P. Decoteau.

II. Names the section of state route 125 in Brentwood the Officer Stephen Arkell Memorial Highway.

III. Requires the governor to annually proclaim June 6 as D-Day Remembrance Day.

IV.(a) Provides for naming of the 2 courtrooms in the tenth circuit district court house in Hampton after Justice H. Alfred Casassa and Justice Francis J. "Whitey" Frasier; and

(b) Provides that the name of a person may be removed from the courtroom for certain acts of misconduct; and

(c) Reassigns circuit court district and family division cases from certain towns in Rockingham county.

V. Requires Holocaust and genocide prevention education to be included in the criteria for an adequate education and establishes a commission on Holocaust and genocide education.