

HB 1675 — Executive Session Transcript

NH House Committee on Executive Departments and Administration

March 3, 2026

Speaker attributions marked (?) indicate uncertain identification. Garbled name calls by the clerk are annotated [= correct name]. Known ASR misattributions have been corrected.

Segment 1: First Opening and Recess

[00:07:38:12] Erica Layon: Okay. Um, and so I'd like to open the executive session on House Bill 1675. Um, I have distributed an amendment. It is amend — not that one. Um. It is amendment 0946H. Uh, what this amendment does is in section one, it makes [00:08:00:00] so that whoever is the coordinator of the domestic violence, um, grant fund is, uh, clarifies that they are subject to 91-A as they are affecting state policy. Um, and if you look at the language and the exemptions that are — oh, sorry, I'll move, I'll move. Amendment 0946H. Is there a second?

[00:08:19:23] Glenn Bailey: Second.

[00:08:20:16] Erica Layon: Thank you. Um, and I'll go back to discussing this, um, in the language of 91-A, they're already broad exemptions for protection [00:08:30:00] of privacy, protection of individual information. Uh, because within all of this, you have to keep in mind that the New Hampshire hospital is a state agency that is subject to 91-A and has the exemptions in order to protect private personal privacy. And many, many other parts that are directly part of the government that deal with vulnerable people are subject to 91-A pursuant to those exemptions that are there. Um, in section two, in section two of this, it requires an annual report [00:09:00:00] from the Department of Health and Human Services about the programs funded by the Domestic Violence Grant program. And in section three, which is on page two, starting at line four, it directs the Department of Justice to also make an annual report of programs for the Victims Assistance Fund. Uh, with that and with the information that we have, we are um. We're [00:09:30:00] moving forward so that we can have that language in place so that we can make sure that what the state is doing and what the state is asking its, um, contracted groups to do is what is actually being done. Um, this is to ensure that all the contracts and all the information that we have are there and are available and, um. Yes. And so that's, uh, that's that amendment, although. Yes. Would [00:10:00:00] you like to speak to the second?

[00:10:03:02] Glenn Bailey: No.

[00:10:03:15] Erica Layon: Okay. No. Okay. Although, yes. You have a question.

[00:10:07:18] Jaci Grote: Yes. Perhaps you addressed this, but I just want to make sure. So this grant program would be for all programs, all organizations that basically receive aid and assistance for domestic violence victims. Is that correct?

[00:10:21:18] Erica Layon: Um, yes. All that receive that aid, um, for domestic violence victims, um, under the Department of Health and Human Services. Yes.

[00:10:31:17] Glenn Bailey: Okay. [00:10:30:00] Let's see.

[00:10:35:11] Erica Layon: Representative Schmidt. Oh, you weren't looking to speak to that at this point. Okay. Actually, sorry. And I thought that I'd have another person here as well.

[00:10:46:16] John Sellers: Um, we caucus until —

[00:10:48:20] Erica Layon: You know what? Let's, um. We'd had a few people out for both sides, but, uh, we don't have people out from both sides now. Um, and so I'll recess this with, uh, pending motion to adopt the amendment.

Segment 2: Main Discussion and Votes

[00:26:20] Erica Layon: — the executive session on House Bill 1609 is closed, and I will reopen the executive session on House Bill 1675. [00:26:30:00] We had had a few members, uh, upstairs at the other, um, at our usual meeting room. Uh, and, uh, so with that, I have moved, um, amendment 0946H. Um, and, um, this amendment requires two reports, one from the Department of Health and Human Services, one from the Department of Justice, and, uh, clarifies 91-A applies to the coordinator for the domestic violence grant program. Um, and is there a discussion on [00:27:00:00] this amendment? Um, I believe there should be one sitting on your desk, but if not, I will find that and hand that over to you.

[00:27:10:29] Glenn Bailey: Okay.

[00:27:15:06] Erica Layon: I identify.

[00:27:18:29] Stephen Pearson: Madam chair, I have a question for you.

[00:27:20:02] Glenn Bailey: Yes.

[00:27:20:25] Stephen Pearson: As the author of this, can you just kind of run through this real quick and explain, um. Because I believe it's a replace all. Yes. Can you just walk us through it just a little [00:27:30:00] bit?

[00:27:30:14] Erica Layon: Yes, yes, this is a replace all amendment. What this does in section one is it addresses the coordinator for the Domestic Violence Grant program, which is administered through the Department of Health and Human Services. Uh, the commissioner of the Department of Health and Human Services appoints a coordinator to do this and to take on a number of government functions, um, to make sure that victims are appropriately supported and they receive the assistance that we require through our statutes. [00:28:00:00] Um, as they are performing a government function, um, therefore, my reading of 91 suggests that they are already subject to 91. Uh, but I do know that there is discussion and debate as to whether that is true. By having the grant program coordinator there, their direct service grantees and their subcontractors, um, clarified as subject to 91, that clarifies the transparency that I believe already exists in law. And I believe that that is a good governance move to make sure that [00:28:30:00] the information that is appropriate is available in 91-A. This, this, this doesn't just say they're subject to 91-A, it specifies that they're subject to the requirements and exemptions of 91-A. Adding exemptions really isn't necessary. Uh, because if they're subject to 91-A, they do receive those exemptions. But there's there's issues around privacy.

[00:28:51:12] Erica Layon: Um, right now the the New Hampshire hospital are all state agencies subject to 91-A, but individual [00:29:00:00] privacy of patients is protected through the 91-A process. Um, it would be no different in applying this to whoever the grant program coordinator is, um, versus our other sensitive uses of information. Um, then in section two and section three, there are two funds, um, that are absolutely critical to ensuring that victims in our state get the services and the justice that they need and that they deserve. That is the domestic [00:29:30:00] violence grant program and that is the Victims Assistance Grant program. Uh, the first is administered through the Department of Health and Human Services under RSA 173-B and, um, this would require an annual report of all the programs pursuant to the fund, um, that

would have the terms and conditions of the state grants and federal awards and how those were met or unmet, um, oversight, monitoring, subrecipient management and performance evaluations of subcontractors and service providers [00:30:00:00] receiving pass-through funds. Procedures and controls for disbursing funds to subcontractors and service providers, including verification of allowable costs and activities. Identification, recovery and reporting of ineligible, improper or misused expenditures of state or federal funds.

[00:30:17:19] Erica Layon: Public reporting of grant activities, expenditures, outcomes, and use of funds. And demographics of individuals served. Covers outcomes, effectiveness, and achieving program goals related to domestic and sexual violence prevention, [00:30:30:00] intervention and support services, and any performance metrics required by granting agencies. Um, that language is both for the Domestic Violence Victims Assistance Grant program through the Department of Health and Human Services, and for the Victims Fund and the Department of Justice. This is so that people can see that what has been contracted is happening, and if not, that we can ensure that that is, in fact, happening. Um, there's there's been various times where various bills [00:31:00:00] come forward, and it's been told in the fiscal note that if we were to actually fulfill the letter of the law, it would cost more money, because there are currently people who, for example, don't get access to rape kits even though they meet the statutory definition for sexual assault. Um, this would just clarify that process. And if the state needs to have more funds in order to make sure that victims get the assistance they need, now we'll have the information to do that. Um, and this is one where simply [00:31:30:00] that transparency and clarity should be a way to make sure that they're all moving forward with our important, trusted partners and that we're able to pierce through some of —

[00:31:39:14] Erica Layon: We'll get to know if there is fire where there's smoke in a way that is constructive, so that we can make sure that we are, in fact, also making sure that the state is providing appropriate resources for victims. So that is the intent and the language of this amendment. It is very different than what was introduced with the commission to look into it and that investigation. [00:32:00:00] It doesn't remove the coalition from any positions. It doesn't change any funding. It removes all of those other parts. But it hits to that core issue of all of the people that came and testified, where there are people that said that they were denied services, there were other people that had other confusion. Sunlight is the best answer, and this brings sunlight and clarity as to what the state is doing and the state's partners are doing. And so I believe this is a way to restore, get the information we need, which should be able to restore trust. [00:32:30:00] And by doing that and working together, we can understand what the process is and make sure that people that we need to be assisting and victims that we need to be supporting are appropriately supported. Representative Howard.

[00:32:42:24] Heath Howard: Thank you, Madam Chair. I have a question. Uh, is 91-A — are non-governmental agencies and entities subject to 91?

[00:32:52:26] Erica Layon: Uh, there are times when they are, when they are selected by, um, the commissioners. That is one where, um, [00:33:00:00] they are a public body established, um, in order to fulfill the government requirements.

[00:33:07:24] Heath Howard: Okay. And and was, uh, the coalition formed by, uh, the — that agency?

[00:33:13:21] Erica Layon: The coalition has been selected by the commissioner of the Department of Health and Human Services as the grant program coordinator for the domestic violence grant program. That is a government function. That's not even done through an executive council [00:33:30:00] contractual approval. This is something that is done at the, um, at the pleasure of the commissioner. And as such, it arguably should be more transparent than those that are subject to a contract at the Executive Council. Um, if you were to look at an

executive council selecting somebody to operate something for the state, you already have that transparency and that check and balance, because the Executive Council could also take that away. When it's simply a commissioner's appointment, we need more sunlight and more transparency.

[00:34:00:12] **Heath Howard:** All right. Thank you.

[00:34:01:02] **Erica Layon:** Thank you, Representative — (to Grote) Oh, sorry.

[00:34:03:24] **Jaci Grote:** Oh, I'm so sorry.

[00:34:04:18] **Erica Layon:** Not a problem.

[00:34:06:13] **Glenn Bailey:** Okay.

[00:34:07:09] **Erica Layon:** Is there any further discussion on the amendment? Okay. He's allowed to hide.

[00:34:14:20] **Glenn Bailey:** That's all right.

[00:34:15:27] **Erica Layon:** Um. Thank you. And if there's no further discussion on the amendment, um, I'd ask the clerk to call the roll on the amendment.

Roll Call — Amendment 0946H (Unanimous, 16-0)

[00:34:23:29] **Jaci Grote:** Yes. Thank you, Chair. The motion is to adopt amendment 0946 to House Bill 1675. [00:34:30:00] And, um, Representative Shotsky [= Slottje].

[00:34:35:09] **Jeremy Slottje (?):** Yes.

[00:34:36:01] **Jaci Grote:** Representative Elko [= Nalevanko].

[00:34:37:13] **Rich Nalevanko:** Uh, it's — uh, Nalivaiko.

[00:34:39:13] **Jaci Grote:** Nalivaiko. Excuse me.

[00:34:40:25] **Rich Nalevanko:** That's okay.

[00:34:41:11] **Rich Nalevanko (?):** Yes.

[00:34:42:09] **Jaci Grote:** Representative Pearson.

[00:34:43:18] **Stephen Pearson:** Yes.

[00:34:44:08] **Jaci Grote:** Representative Bailey.

[00:34:48:07] **Glenn Bailey (?):** Aye.

[00:34:49:06] **Jaci Grote:** Okie dokey. Representative Sellers: Yes. Representative Tebow [= Thibault]: Yes. Representative Roy [= DeRoy]: Yes. Representative Kelly [= Kelley].

[00:34:57:00] **Diane Kelley:** Yes.

[00:34:58:14] **Jaci Grote:** I vote yes. Representative [00:35:00:00] Schmidt.

[00:35:00:23] **Peter Schmidt:** Yes.

[00:35:01:29] **Jaci Grote:** Representative Davis: Yes. Representative Darjee [= Dargie]: Yes. Representative Howard: Yes. Representative Rees [= de Vries]: Yes. Representative Gyrus [= Juris]: Yes. Okay. It is —

[00:35:14:24] **Erica Layon:** The —

[00:35:14:29] **Jaci Grote:** Chair. Oh, the chair. Sorry.

[00:35:16:21] **Erica Layon:** That's alright. You're out of practice. But I appreciate you serving as our clerk today.

[00:35:22:11] **Jaci Grote:** It's 16 to nothing, so it's a unanimous vote.

[00:35:26:03] **Erica Layon:** Thank you. With that, the amendment 0946H has [00:35:30:00] passed, and I move ought to pass with amendment 0946H on House Bill 1675. Is there a second?

[00:35:38:09] **Glenn Bailey:** Second.

[00:35:38:24] **Erica Layon:** Seconded by Representative DeRoy. Uh, given that this was a replace all amendment, um, I don't think — I'm not sure that there's further discussion. Uh, Representative Howard?

[00:35:50:25] **Heath Howard:** Yeah, I mean, I, I have some concern as to how we are just kind of not necessarily putting, uh, as many exemptions [00:36:00:00] into the 91 aspect as I think that we really should. I'm, uh, you know, if we were going to pursue this, I also have concerns about, um, a non-governmental entity being subject to 91-A. I think that there are a number of concerns related to that. Uh, you know, I mean, listening to a number of the victims — you know, people who are pro and opposed to this legislation. Uh, you know, I think that, you know, we need to find a way to, to help make sure that all [00:36:30:00] victims are being heard. But, uh, you know, and I just don't know if this is necessarily the vehicle to make that happen. Um, so with that, I'm planning on voting against the motion. Thank you.

[00:36:42:16] **Erica Layon:** Thank you. Is there further discussion? Uh, Representative Kelley.

[00:36:46:00] **Diane Kelley:** Hi. Thank you, Madam Chair. Um, I feel like the main thing about this one is the 98% funding. Public funding. Uh, if I pay tax dollars for this, I'd like sunlight. So I'll be voting yes [00:37:00:00] for that reason.

[00:37:01:13] **Erica Layon:** Thank you. Any further discussion? Seeing none, I'll have the clerk call the roll.

Roll Call — Ought to Pass with Amendment 0946H (10-6)

[00:37:08:07] **Jaci Grote:** Thank you. House Bill 1675. Ought to pass with amendment 0946. Representative Zlotky [= Slottje]: Yes. Representative Blencowe Nalivaiko [= Nalevanko] —

[00:37:19:13] **Rich Nalevanko:** Yes.

[00:37:22:06] **Jaci Grote:** Excuse me. Could you say that again?

[00:37:23:28] **Rich Nalevanko:** Nalivaiko.

[00:37:25:18] **Jaci Grote:** Okay, I will say it more slowly. Representative Nalivaiko.
[00:37:30:00] Okay. I see what I'm doing wrong.

[00:37:33:13] **Rich Nalevanko:** Yes.

[00:37:34:06] **Jaci Grote:** Okay. Representative Pearson.

[00:37:37:16] **Stephen Pearson:** Yes.

[00:37:39:12] **Jaci Grote:** Representative Bailey.

[00:37:40:23] **Glenn Bailey (?):** Aye.

[00:37:41:12] **Jaci Grote:** Representative Sellers: Yes. Representative Tebow [= Thibault]: Yes. Representative [DeRoy]: Yes. Representative Kelly [= Kelley]: Yes. Representative [Grote]: No. Representative Schmidt: No. Representative Davis: No. Representative Dargie: No. Representative Howard: No. Representative DeVries: No. Representative [00:38:00:00] Jairus [= Juris]: Yes.

[00:38:05:27] **[Speaker uncertain]:** And the chair.

[00:38:06:28] **Jaci Grote:** And the chair — I'm just putting in here — and the chair: Yes. Okay. It is — one, two, three, four — it's 10 to 6. There will be a minority report.

[00:38:17:15] **Erica Layon:** Thank you. The motion of ought to pass on House Bill 1675 with amendment 0946 passes. Um, there'll be a — a minority report will be inexpedient to legislate.

[00:38:28:28] **Jaci Grote:** Yes.

[00:38:29:20] **Erica Layon:** And who [00:38:30:00] will write that report?

[00:38:31:07] **Jaci Grote:** Representative Long.

[00:38:32:12] **Erica Layon:** Representative Long. And, uh, with that, I'll close the executive session on House Bill 1675. Thank you.

Segment 3: Reconsideration

[02:28:45:27] **Louis Juris:** Madam chair, if we could.

[02:28:47:07] **Erica Layon:** Thank you. I'll reopen the executive session on House Bill 1675. Um, I'll recognize you for a motion.

[02:28:53:19] **Louis Juris:** Yeah. I'd like to make a motion, madam chair, to — err — on voting on. After voting on the prevailing side, I'd like to reconsider my vote [02:29:00:00] and change my vote from yea to a nay, please.

[02:29:03:28] **Erica Layon:** Uh. Thank you. Um, I'll — I'll second your reconsideration. Um, and so with that, my understanding is you wanted to change your vote, so we'll do a reconsideration and then vote again. So with that, yes — so with that, um, the clerk will — and I don't think we need to call the roll on this reconsideration.

[02:29:21:12] **Heath Howard:** I think, yeah, I think we can do hands.

[02:29:23:08] **Erica Layon:** All those in favor of reconsidering. All those opposed. The reconsideration passes. And now we [02:29:30:00] will vote again on ought to pass on House Bill 1675 with amendment 0946H, and I'll ask the clerk to call the roll when she's ready.

[02:29:42:15] **[Speaker uncertain]:** Okay.

Roll Call — Reconsideration Vote (9-7)

[02:29:47:03] **Jaci Grote:** Okay. Um, let me just get myself. So this is the reconsideration. Okay. So. Representative Slushy [= Slottje].

[02:29:55:27] **Jeremy Slottje:** Yes.

[02:29:56:28] **Jaci Grote:** Representative Nalyvaichenko [= Nalevanko].

[02:29:59:15] **Rich Nalevanko**: Yes.

[02:29:59:28] **Jaci Grote**: Representative [02:30:00:00] Pearson: Yes. Representative —

[02:30:02:01] **Glenn Bailey (?)**: Bailey: Aye.

[02:30:03:07] **Jaci Grote**: Representative Sellers: Yes. Representative Tebow [= Thibault]: Yes. Representative Daroy [= DeRoy]: Yes. Representative Kelly [= Kelley]: Yes. Representative Grotto [= Grote]: No. Representative Schmidt —

[02:30:12:07] **Peter Schmidt (?)**: No.

[02:30:13:07] **Jaci Grote**: Representative Davis: No. Representative Darcy [= Dargie]: No. Representative Howard: No. Representative Rees [= de Vries]: No. Representative Juris: No. And the chair: Yes. Okay. It is 9 to 7. Okay.

[02:30:26:09] **Erica Layon**: Um. Motion passes 9 to 7. Uh, we will stick with the same [02:30:30:00] report author and minority report author. Correct. And I will close the executive session on House Bill 1675.

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