

Rep. Kuttab, Rock. 17
Rep. Potenza, Straf. 19
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March 4, 2026
2026-1033h
09/08

Floor Amendment to HR 38

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

2

3 A RESOLUTION authorizing and directing the house judiciary committee to investigate
4 whether cause exists for the impeachment of Gordon J. McDonald, chief
5 justice of the New Hampshire supreme court.
6

7 Amend the bill by replacing all after the title with the following:

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9 Whereas, on February 11, 2026 the house judiciary committee was presented testimony and
10 evidence raising concerns about the conduct of Gordon J. MacDonald, chief justice of the New
11 Hampshire supreme court; and

12 Whereas, under part II, article 38 of the New Hampshire constitution, a public officer may be
13 removed by impeachment for bribery, corruption, malpractice, or maladministration of office, or any
14 combination thereof; and

15 Whereas, under part II, articles 17 and 38 of the New Hampshire constitution, impeachments
16 are made by the house of representatives, and then heard and tried by the senate; and

17 Whereas, the conduct reported in the testimony and evidence presented on February 11, 2026 to
18 the house judiciary committee may be cause for the house of representatives to find that
19 impeachment proceedings should be initiated against chief justice Gordon J. MacDonald of the New
20 Hampshire supreme court; now, therefore, be it

21 Resolved by the House of Representatives:

22 That the house of representatives authorizes and directs the house judiciary committee, acting
23 as a whole or by any subcommittee thereof appointed by the chairman for the purposes hereof and in
24 accordance with the rules of the house and rules that may be adopted by the committee, to
25 investigate whether grounds exist, based on the testimony and evidence the house judiciary
26 committee was presented and any information arising out of the judiciary committee investigation,
27 for the house of representatives to exercise its constitutional power to impeach chief justice Gordon
28 J. MacDonald of the New Hampshire supreme court; and

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1 That the committee shall report to the house of representatives such resolutions, articles of
2 impeachment, or other recommendations as it deems proper; and

3 That for the purposes of making such an investigation, the committee is authorized to compel by
4 subpoena the attendance and giving of testimony by any person, and the committee is further
5 authorized to compel the production of such things as it deems necessary. Such testimony may be
6 taken under oath, either in the form of an interrogatory, deposition, or oral testimony at a hearing.
7 Counsel for the committee may be authorized to ask any or all questions on behalf of the committee.
8 For purposes of this section, "things" includes, without limitation, books, records, correspondence,
9 electronic mail, logs, journals, memoranda, papers, documents, writings, reproductions, recordings,
10 tapes, transcripts, printouts, data compilations from which information can be obtained, tangible
11 objects, and other things of any kind; and

12 That such authority of the committee may be exercised by the chairman or by the committee
13 acting as a whole or by subcommittee. Subpoenas or interrogatories so authorized may be issued
14 over the signature of the chairman or any member so designated by the chairman and may be served
15 by any person designated by the chairman.

UNAPPROVED

2026-1033h

AMENDED ANALYSIS

This resolution authorizes and directs the house judiciary committee to investigate whether cause exists for the impeachment of Gordon J. McDonald, chief justice of the New Hampshire supreme court.

UNAPPROVED