

Bill as Introduced

SB 330 - AS INTRODUCED

2010 SESSION

10-2867

09/10

SENATE BILL **330**

AN ACT relative to the court accreditation commission and the interbranch criminal and juvenile justice council.

SPONSORS: Sen. Reynolds, Dist 2

COMMITTEE: Judiciary

ANALYSIS

This bill reinstates the court accreditation commission and the interbranch criminal and juvenile justice council. The bill also adds members to the court accreditation commission.

This bill was requested by the supreme court.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Ten

AN ACT relative to the court accreditation commission and the interbranch criminal and juvenile justice council.

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

1 1 Supreme Court; New Hampshire Court Accreditation Commission. Amend RSA 490:5-a to
2 read as follows:

3 490:5-a New Hampshire Court Accreditation Commission. There is hereby established the New
4 Hampshire court accreditation commission consisting of [9] 12 members [~~to be appointed~~] as follows:
5 one shall be appointed by the governor, one shall be a member of the house appointed by the speaker,
6 one shall be a member of the senate appointed by the senate president, ***one shall be the***
7 ***commissioner of administrative services, one shall be the director of security for the***
8 ***administrative office of the courts, one shall be a county sheriff appointed by the president***
9 ***of the New Hampshire Sheriffs' Association***, and 6 shall be appointed by the supreme court. Of
10 the 6 members appointed by the supreme court, one shall be a justice of the supreme court or a
11 designee of the supreme court, one shall be a justice of the superior court, one shall be a justice of a
12 probate court, one shall be a justice of a district court, one shall be a lawyer of experience in the trial
13 of cases at all court levels, and one shall be a layman. The supreme court shall designate one of the
14 members as chairman.

15 2 Court Accreditation Commission Reinstated. Pursuant to 2009, 144:87, I(a), the
16 New Hampshire court accreditation commission established in RSA 490:5-a is hereby reinstated.

17 3 Interbranch Criminal and Juvenile Justice Council Reinstated. Pursuant to 2009, 144:87, I(a),
18 the interbranch criminal and juvenile justice council established in RSA 651-E:1 is hereby
19 reinstated.

20 4 Effective Date. This act shall take effect upon its passage.

Hearing Minutes

Rep. William Smith: Is security the heart of the issue? Ans: Yes, because new members have security responsibilities.

Claire Ebel, serves on ICJJC - supports

Says committee works to save state money and reduce recidivism. Strongly supports as a backstop to House bills.

Respectfully submitted,

A handwritten signature in black ink that reads "Philip Preston". The signature is written in a cursive, slightly slanted style.

Philip Preston, Clerk

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON SB 330

BILL TITLE: relative to the court accreditation commission and the interbranch criminal and juvenile justice council.

DATE: *March 17, 2010*

LOB ROOM: 208

Time Public Hearing Called to Order: *11:05*

Time Adjourned: *11:30*

(please circle if present)

Committee Members: Reps. D. Cote, Wall, Potter, Gacke, P. Preston, G. Richardson, L. Weber, Nixon, Thompson, Watrous, Read, Rowe, N. Elliott, DiFruscia, W. O'Brien, Hagan, L. Perkins, Silva, W. Smith, Mead and Read.

Bill Sponsors: Sen. Reynolds, Dist 2

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

FROM: Rep. Philip Preston, Clerk
DATE: Public hearing March 17, 2010
SUBJECT: Meeting minutes on SB 330, relative to the court accreditation commission and the interbranch criminal and juvenile justice council.

SB 330

Michael Rollo, legislative aide to Senator Reynolds, introducing bill
10:15 am

Howard Zibel, General Council to Supreme Court

Sections 2 & 3: Last year in HB 2, the legislature sunsetted all legislatively adopted commissions and boards unless reauthorized on or before June 30, 2011. This bill requests reauthorization for the Court Accreditation Commission in RSA 590 Section 5 a-e and the ICJJC in RSA 651. Both these are in the House passed re-enactment bill HB 1689. Section 1 expands membership of the commission that deals with court facilities (including setting standards), except for the Supreme Court and administrative offices which are run by the Bureau of Court Facilities. Court security is run by the Court Accreditation Commission, to which this bill adds 4 members (3 involved with security responsibilities) to make a total of 13. New members: 1) Commissioner of Administrative Services or designee; 2) a designee from the Department of Safety; 3) the Courts' Director of Security or designee; and 4) a county sheriff appointed by the president of the Sheriffs Association.

Rep. Lucy Weber: Wants comments from members that time of the commission is well spent.

Rep. Nancy Elliott: What will be the legislative oversight? Ans. In some cases. The legislature controls the budget.

Rep. Will Smith: Is security the heart of the issue? Ans: Yes, because new members have security responsibilities.

Claire Ebel, serves on ICJJC - supports

Says committee works to save state money and reduce recidivism. Strongly supports as a backstop to House bills. 11:30 pm

Voting Sheets

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on SB 330

BILL TITLE: relative to the court accreditation commission and the interbranch criminal and juvenile justice council.

DATE: April 20, 2010

LOB ROOM: 208

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Weber

Seconded by Rep. Wall

Vote: 11-7 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: NO

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Philip Preston, Clerk

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on SB 330

BILL TITLE: relative to the court accreditation commission and the interbranch criminal and juvenile justice council.

DATE: April 20, 2010

LOB ROOM: 208

Amendments:

Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:

Motions: OTP OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Weber*

Seconded by Rep. *Wall*

Vote: *11/7* (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: *No*

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Philip Preston, Clerk

Philip Preston

JUDICIARY

Bill #: SB 330 Title: _____

PH Date: ____/____/____

Exec Session Date: 04 / 20 / 10

Motion: OTP

Amendment #: _____

MEMBER	YEAS	NAYS
Cote, David E, Chairman	Y	
Wall, Janet G, V Chairman	Y	
Potter, Frances D	Y	
Hackel, Paul L	Y	
Preston, Philip, Clerk	Y	
Richardson, Gary B	Y	
Weber, Lucy M	Y	
Browne, Brendon S	Y	
Nixon, David L	Y	
Thompson, Robert B	Y	
Watrous, Rick H	Y	
Rowe, Robert H		N
Elliott, Nancy J		N
DiFruscia, Anthony R	-	N
Mead, Robert D		X
O'Brien, William L		N
Hagan, Joseph M		N
Perkins, Lawrence B	-	
Silva, Peter L		N
Smith, William B		N

TOTAL VOTE:

11Y

7N

Committee Report

REGULAR CALENDAR

April 21, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on JUDICIARY to which was referred SB330,

AN ACT relative to the court accreditation commission and the interbranch criminal and juvenile justice council. Having considered the same, report the same with the recommendation that the bill OUGHT TO PASS.

Rep. Lucy M Weber

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

Committee: JUDICIARY
Bill Number: SB330
Title: relative to the court accreditation commission and the interbranch criminal and juvenile justice council.
Date: April 21, 2010
Consent Calendar: NO
Recommendation: OUGHT TO PASS

STATEMENT OF INTENT

The bill increases from 9 to 13 the members of the Court Accreditation Commission. It adds the commissioner of administrative services or designee, the commissioner of safety or designee, the director of security for the administrative office of the courts, and one county sheriff appointed by the president of the New Hampshire Sheriffs' Association. The majority believed that the addition of these persons, all of whom are particularly involved in the safe and smooth operation of the courts, is desirable. Two further provisions of the bill reinstate the Court Accreditation Commission and the Interbranch Criminal and Juvenile Justice Council, both of which have been previously reinstated by the so-called committee on committees in HB 1609.

Vote 11-7

Rep. Lucy M Weber
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

JUDICIARY

SB330, relative to the court accreditation commission and the interbranch criminal and juvenile justice council. **OUGHT TO PASS.**

Rep. Lucy M Weber for the **Majority** of JUDICIARY. The bill increases from 9 to 13 the members of the Court Accreditation Commission. It adds the commissioner of administrative services or designee, the commissioner of safety or designee, the director of security for the administrative office of the courts, and one county sheriff appointed by the president of the New Hampshire Sheriffs' Association. The majority believed that the addition of these persons, all of whom are particularly involved in the safe and smooth operation of the courts, is desirable. Two further provisions of the bill reinstate the Court Accreditation Commission and the Interbranch Criminal and Juvenile Justice Council, both of which have been previously reinstated by the so-called committee on committees in HB 1609. Vote 11-7.

Original: House Clerk
Cc: Committee Bill File

Rep. Lucy M. Weber Majority Report

SB 330, relative to the court accreditation commission and the interbranch criminal and juvenile justice council.

The bill increases from 9 to 13 the members of the Court Accreditation Commission. It adds the commissioner of administrative services or designee, the commissioner of safety or designee, the director of security for the administrative office of the courts, and one county sheriff appointed by the president of the New Hampshire Sheriffs' Association. The majority believed that the addition of these persons, all of whom are particularly involved in the safe and smooth operation of the courts, is desirable. Two further provisions of the bill reinstate the Court Accreditation Commission and the Interbranch Criminal and Juvenile Justice Council, both of which have been previously reinstated by the so-called committee on committees in HB 1609.

OK - [Signature]

COMMITTEE REPORT

COMMITTEE: Judiciary

BILL NUMBER: SB 330

TITLE: relative to the court accreditation commission and the interbranch criminal an

DATE: 20 Apr 2010

CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- RE-REFER
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

The bill increases from 9 to 13 the members of the Court Accreditation Commission. It adds the commissioner of administrative services or designee, the commissioner of safety or designee, the director of services security for the administrative office of the courts and one County Sheriff appointed by the President of the NH Sheriff's Association. The majority believed that the addition of these persons, all of whom are particularly involved in the ^{safe and} smooth operation of the courts is desirable. Two further provisions of the bill ~~will~~ reinstate the Court Accreditation Commission and the Interbranch Criminal and Juvenile

COMMITTEE VOTE: 11-7

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Leo Weber

For the Committee/
50-1111

Rev. 07/30/99 Justice Council, both of which have been previously reinstated by the committees in HB 1609. D.H. 100

REGULAR CALENDAR

April 21, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on JUDICIARY to which was referred SB330,

AN ACT relative to the court accreditation commission and the interbranch criminal and juvenile justice council. Having considered the same, and being unable to agree with the Majority, report with the following Resolution: RESOLVED, That it is INEXPEDIENT TO LEGISLATE.

Rep. William L O'Brien

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee: JUDICIARY
Bill Number: SB330
Title: relative to the court accreditation commission and the
interbranch criminal and juvenile justice council.
Date: April 21, 2010
Consent Calendar: NO
Recommendation: INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill expands the membership of the New Hampshire Court Accreditation Commission from 9 to 13 members, adding three (3) new executive branch employees and a sheriff and thereby diluting the representation of the two (2) legislative appointees on the commission. As the size of the commission grows, it will be more difficult to achieve a quorum, while the expense of the commission through the new participators of state and county employees grows. The bill was recommended as giving stakeholders a greater voice, but it does so by diminishing the role of the people represented by their legislators.

Rep. William L O'Brien
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

JUDICIARY

SB330, relative to the court accreditation commission and the interbranch criminal and juvenile justice council. **INEXPEDIENT TO LEGISLATE.**

Rep. William L O'Brien for the **Minority** of JUDICIARY. This bill expands the membership of the New Hampshire Court Accreditation Commission from 9 to 13 members, adding three (3) new executive branch employees and a sheriff and thereby diluting the representation of the two (2) legislative appointees on the commission. As the size of the commission grows, it will be more difficult to achieve a quorum, while the expense of the commission through the new participators of state and county employees grows. The bill was recommended as giving stakeholders a greater voice, but it does so by diminishing the role of the people represented by their legislators.

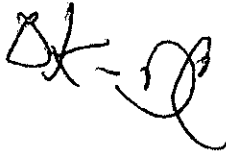
Original: House Clerk
Cc: Committee Bill File

Rep. William L. O'Brien

Minority report

SB 330, relative to the court accreditation commission and the interbranch criminal and juvenile justice council.

This bill expands the membership of the New Hampshire Court Accreditation Commission from 9 to 13 members, adding three (3) new executive branch employees and a sheriff and thereby diluting the representation of the two (2) legislative appointees on the commission. As the size of the commission grows, it will be more difficult to achieve a quorum, while the expense of the commission through the new participators of state and county employees grows. The bill was recommended as giving stakeholders a greater voice, but it does so by diminishing the role of the people represented by their legislators.

A handwritten signature or set of initials, possibly "WLO", written in black ink.

Minority
COMMITTEE REPORT

COMMITTEE: Judiciary

BILL NUMBER: SB 330

TITLE: An act relative to the court accreditation commission and the inter branch criminal and juvenile justice council

DATE: 04-20-2010 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

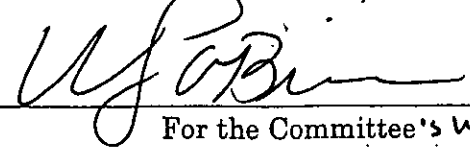
STATEMENT OF INTENT:

This bill expands the membership of the NH Court Accreditation Commission from 9 to 13 members, adding 3 new executive branch employees and a ~~new~~ sheriff and thereby ~~reducing~~ diluting the representation of the 2 legislative appointees on the commission. As the size of the commission grows, it will be more difficult to achieve a quorum, while the expense of the commission through the ^{new} participation of state and county employees, grows. The bill was recommended as giving stakeholders a greater voice, but it does so by diminishing the role of the people represented by their legislators.

COMMITTEE VOTE: 11-7

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. 
For the Committee's Minority

OK-101