

Bill as Introduced

SB 68 - AS INTRODUCED

2011 SESSION

11-0985

10/05

SENATE BILL **68**

AN ACT relative to records of disciplinary actions taken by the electricians' board.

SPONSORS: Sen. Gallus, Dist 1; Rep. Gimas, Hills 12

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill requires that records of actions taken in disciplinary proceedings by the electricians' board shall not be retained or considered after 5 years.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eleven

AN ACT relative to records of disciplinary actions taken by the electricians' board.

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

1 1 New Paragraph; Electricians' Board; Disciplinary Actions; Records. Amend RSA 319-C:12 by
2 inserting after paragraph III the following new paragraph:

3 IV. The board shall not retain any record of an action taken in a disciplinary proceeding
4 under this section for longer than 5 years from the date of final decision of the action and shall not
5 consider such disciplinary action more than 5 years after the final decision in any future disciplinary
6 proceeding concerning the same licensee.

7 2 Effective Date. This act shall take effect 60 days after its passage.

Amendments

Rep. Sytek, Rock, 4
April 26, 2011
2011-1569h
10/05

Amendment to SB 68

1 Amend RSA 319-C:12, IV as inserted by section 1 of the bill by replacing it with the following:

2

3 IV. The board shall not retain any record of an action taken in a disciplinary proceeding
4 under this section for longer than 10 years from the date of final decision of the action and shall not
5 consider such disciplinary action more than 10 years after the final decision in any future
6 disciplinary proceeding concerning the same licensee.

NOT ADOPTED



2011-1569h

AMENDED ANALYSIS

This bill requires that records of actions taken in disciplinary proceedings by the electricians' board shall not be retained or considered after 10 years.

Rep. Bowers, Sull. 3
May 10, 2011
2011-1844h
10/04

Amendment to SB 68

1 Amend RSA 319-C:12, IV as inserted by section 1 of the bill by replacing it with the following:

2

3 IV. The board shall retain the record of an action taken in a disciplinary proceeding under
4 this section for 10 years from the date of final decision of the action and shall not consider such
5 disciplinary action more than 10 years after the final decision in any future disciplinary proceeding
6 concerning the same licensee.



2011-1844h

AMENDED ANALYSIS

This bill requires that records of actions taken in disciplinary proceedings by the electricians' board shall not be considered after 10 years.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON SB 68

BILL TITLE: relative to records of disciplinary actions taken by the electricians' board.

DATE: 3/22/11

LOB ROOM: 306 **Time Public Hearing Called to Order:** 10:45 am

Time Adjourned: 11:05 am

(please circle if present)

Committee Members: Reps. McGuire, Hawkins, Sytek, Day, Gould, Pratt, Vita, Perkins, Winter, Bowers, Hansen, Proulx, Whitehead, P. Schmidt, Pilotte, Jeudy and Sullivan.

Bill Sponsors: Sen. Gallus, Dist 1; Rep. Gimas, Hills 12

TESTIMONY

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

Rep. Gimas Introduced = A lot of laws are old – need attention

Rep. McGuire – Does election board keep records?

Rep. Gimas – He likes to think they do – Doesn't know

Rep. Hansen – Seems prudent that we not know – Take away authority

Rep. Gimas – The board does have freedom to create disciplinary action

Rep. Pilotte – Not that many reprimands/discipline done by the board

Rep. Gimas – State inspectors do a very good job

Rep. Pilotte – Why 5 years?

Rep. Gimas – Was supposed to be 7 years – Rep. Gimas didn't bring amendment to senate in time

Rep. Winter – Are you aware if licensing board endorses this bill?

Rep. Gimas – Doesn't know

Rep. Pilotte – Rep. Gimas get more proof?

Rep. Gimas – Definitely!

Respectfully submitted,

Carol M. Vita, Clerk

Carol M. Vita

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON SB 68

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Bill Sponsors: Sen. Gallus, Dist 1; Rep. Gimás, Hills 12

TESTIMONY

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

- REP GIMAS. INTRO. - A LOT OF LAWS ARE OLD - NEED ATTENTION
- REP MCGUIRE DOES ELECTION BD KEEP RECORDS
- REP GIMAS - HE LIKES TO THINK THEY DO - DOESN'T
- REP HANSON - SEEMS PRUDENT THAT WE NOT TAKE KNOW - TAKE AWAY AUTHORITY
- REP GIMAS - THE BOARD DOES HAVE FREEDOM TO CREATE DISCIPLINARY ACTION
- REP PILOTTE - NOT THAT MANY REPRIMANDS DONE BY THE BOARD
- REP GIMAS - STATE INSPECTORS DO A VERY GOOD JOB
- REP PILOTTE - WHY 5 YEARS
- REP GIMAS - WAS SUPPOSED TO BE 7 YRS - GIMAS DIDN'T BRING AMENDMENT TO SENATE IN TIME
- REP WINTER - ARE YOU AWARE IF LIC. BD. ~~OKS~~ THIS BILL ENDORSES
- REP GIMAS - DOESN'T KNOW
- REP PILOTTE - REP GIMAS GET MORE PROOF?
- REP GIMAS - DEFINITELY!

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on SB 68

BILL TITLE: relative to records of disciplinary actions taken by the electricians' board.

DATE: April 26, 2011

LOB ROOM: 306

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. Bowers

Seconded by Rep. Winter

Vote: (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:

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carol Vita, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on SB 68

BILL TITLE: relative to records of disciplinary actions taken by the electricians' board.

DATE: 4/26/11

LOB ROOM: 306

Amendments:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Sponsor: Rep.

OLS Document #:

Motions:

OTP, ~~OTPA~~, ITL, Interim Study (Please circle one.)

Moved by Rep. *BOWERS*

Seconded by Rep. *WINTERS*

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

Motions:

OTP, ~~OTPA~~, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.) *7-8*

CONSENT CALENDAR VOTE:

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carol Vita, Clerk

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: SB68 Title: RECORDS & DISCIPLINARY ACTIONS TAKEN BY THE ELECTRICIANS BD

PH Date: 3/22/11 Exec Session Date: 4/26/11

Motion: OTP Amendment #: 1569H

MEMBER	YEAS	NAYS
McGuire, Carol M, Chairman	✓	
Hawkins, Kenneth, V Chairman		✓
Sytek, John J	✓	
Day, Russell C <i>KAPPLER</i>		✓
Gould, Kenneth H	✓	
Pratt, Calvin D		✓
Vita, Carol M, Clerk		✓
Perkins, Lawrence B <i>SILVA</i>		✓
Winter, Steven J	✓	
Bowers, Spec	✓	
Hansen, Peter T		✓
Proulx, Mark L	A	
Whitehead, Randall A	✓	
Schmidt, Peter B		✓
Pilotte, Maurice L	✓	
Jeudy, Jean L		✓
Sullivan, Daniel J	A	

TOTAL VOTE:
Printed: 1/22/2011

7 8

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on SB 68

BILL TITLE: relative to records of disciplinary actions taken by the electricians' board.

DATE: 5/17/11

LOB ROOM: 306

Amendments:

Sponsor: Rep. OLS Document #: 2011 1844h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. Bowers

Seconded by Rep. Winter

Vote: (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: 14-0

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carol Vita, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on SB 68

BILL TITLE: relative to records of disciplinary actions taken by the electricians' board.

DATE: 5/17/11

LOB ROOM: 306

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. *BOWERS*

Seconded by Rep. *WATERS*

Vote: (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:

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Carol Vita, Clerk

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: SB68 Title: RELATIVE TO RECORDS OF DISCIPLINARY ACTIONS TAKEN BY THE ELECTRICIANS BD

PH Date: 3 / 22 / 11 Exec Session Date: 5 / 17 / 11

Motion: OTP Amendment #: 1844H

MEMBER	YEAS	NAYS
McGuire, Carol M, Chairman	✓	
Hawkins, Kenneth, V Chairman	✓	
Sytek, John J	✓	
Day, Russell C	✓	
Gould, Kenneth H	✓	
Pratt, Calvin D	✓	
Vita, Carol M, Clerk	✓	
Perkins, Lawrence B	A	
Winter, Steven J	✓	
Bowers, Spec	✓	
Hansen, Peter T	✓	
Proulx, Mark L	✓	
Whitehead, Randall A	✓	
Schmidt, Peter B	✓	
Pilotte, Maurice L	✓	
Jeudy, Jean L	A	
Sullivan, Daniel J	A	

TOTAL VOTE: 15 0

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: SB 68 Title: RELATIVE TO SEVERALS OF DISCIPLINARY ACTIONS TAKEN BY THE ELECTORS B.D.

PH Date: 3, 22, 11 Exec Session Date: 5, 17, 11

Motion: OTF/A Amendment #: _____

MEMBER	YEAS	NAYS
Chairman, No Active, Chairman	✓	
Hawkins, Kenneth, V Chairman	✓	
Sytek, John J	✓	
Day, Russell C	✓	
Gould, Kenneth H	✓	
Pratt, Calvin D	✓	
Vita, Carol M	✓	
Perkins, Lawrence B	A	
Winter, Steven J	✓	
Bowers, Spec	✓	
Brown, Paul E <u>RAWDY WHITEHEAD</u>	✓	
Hansen, Peter T	✓	
Proulx, Mark L	✓	
Schmidt, Peter B	✓	
Pilotte, Maurice L	✓	
Jeudy, Jean L	A	
Sullivan, Daniel J	A	
TOTAL VOTE:	14	0

Committee Report

CONSENT CALENDAR

May 19, 2011

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on EXECUTIVE DEPARTMENTS AND
ADMINISTRATION to which was referred SB68,**

**AN ACT relative to records of disciplinary actions taken
by the electricians' board. Having considered the same,
report the same with the following amendment, and the
recommendation that the bill OUGHT TO PASS WITH
AMENDMENT.**

Rep. Spec Bowers

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	EXECUTIVE DEPARTMENTS AND ADMINISTRATION
Bill Number:	SB68
Title:	relative to records of disciplinary actions taken by the electricians' board.
Date:	May 19, 2011
Consent Calendar:	YES
Recommendation:	OUGHT TO PASS WITH AMENDMENT

STATEMENT OF INTENT

SB 68 creates a sort of "statute of limitations" for disciplinary hearings by the electrician's board. Records of such hearings shall not be retained or considered after 10 years. The committee amendment increased the retention period to 10 years.

Vote 14-0.

Rep. Spec Bowers
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB68, relative to records of disciplinary actions taken by the electricians' board. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Spec Bowers for EXECUTIVE DEPARTMENTS AND ADMINISTRATION. SB 68 creates a sort of "statute of limitations" for disciplinary hearings by the electrician's board. Records of such hearings shall not be retained or considered after 10 years. The committee amendment increased the retention period to 10 years. **Vote 14-0.**

Original: House Clerk
Cc: Committee Bill File

SB 68

OTP/A

SB 68 creates a sort of "statute of limitations" for disciplinary hearings by the electrician's board. Records of such hearings shall not be retained or considered after 10 years. The committee amendment increased the retention period to 10 years.

Spec Bowers for the Committee

Carol M. Davis