

Bill as Introduced

HB 572-FN - AS INTRODUCED

2011 SESSION

11-0392
04/09

HOUSE BILL

572-FN

AN ACT

relative to official oppression.

SPONSORS:

Rep. Itse, Rock 9; Rep. Ingbretson, Graf 5; Rep. D. McGuire, Merr 8;
Sen. Barnes, Jr., Dist 17

COMMITTEE:

Criminal Justice and Public Safety

ANALYSIS

This bill revises the offense of official oppression by making it either a class B misdemeanor or a violation, depending on whether a public servant acted with a purpose to benefit oneself or another or to harm another.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to official oppression.

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

1 1 Official Oppression. Amend RSA 643:1 to read as follows:

2 643:1 Official Oppression.

3 ***I.*** A public servant, as defined in RSA 640:2, II, is guilty of a ***class B*** misdemeanor if, with a
4 purpose to benefit ~~himself~~ ***oneself*** or another or to harm another, he ***or she*** knowingly commits an
5 unauthorized act which purports to be an act of his ***or her*** office; or knowingly refrains from
6 performing a duty imposed on him ***or her*** by law or clearly inherent in the nature of his ***or her***
7 office.

8 ***II.*** ***A public servant, as defined in RSA 640:2, II, is guilty of a violation if, without a***
9 ***purpose to benefit oneself or another or to harm another, he or she knowingly commits an***
10 ***unauthorized act which purports to be an act of his or her office; or knowingly refrains***
11 ***from performing a duty imposed upon him or her by law or clearly inherent in the nature***
12 ***of his or her office.***

13 2 Effective Date. This act shall take effect January 1, 2012.

LBAO
11-0392
01/04/11

HB 572-FN - FISCAL NOTE

AN ACT relative to official oppression.

FISCAL IMPACT:

The Judicial Branch states this bill may increase state expenditures by an indeterminable amount in FY 2012 and each year thereafter. The New Hampshire Association of Counties states this bill may decrease county expenditures in FY 2012 and each year thereafter. There is no fiscal impact on local expenditures or state, county and local revenue.

METHODOLOGY:

The Judicial Branch states this bill amends RSA 643:1, the offense of official oppression, to change the current offense from an unspecified misdemeanor to a class B misdemeanor. It also adds a new violation level offense for a public servant who knowingly commits an unauthorized act or refrains from performing a duty imposed on him or her, where the action or inaction is without purpose to benefit or harm anyone. The Branch states the change of the offense from an unspecified misdemeanor to a class B misdemeanor will have no fiscal impact on the Branch. The Branch states this bill could result in an increase in costs to the Branch by adding the violation offense. The Branch has no information to estimate how many cases will be brought but a review of FY 2005 through FY 2010 shows only 12 charges of official oppression have been brought to the district courts, therefore the Branch estimates this bill to have little fiscal impact. The Branch states a violation level offense is estimated to cost \$42.27 per case in FY 2012 and \$43.02 per case in FY 2013 and each year thereafter.

The New Hampshire Association of Counties states to the extent less individuals are incarcerated in county facilities; county expenditures may decrease by an indeterminable amount. The average annual cost to incarcerate an individual in a county correctional facility is approximately \$35,000.

The Judicial Council states the class B misdemeanor and the violation carry no right to counsel because there is no potential loss of liberty. As a result there is no fiscal impact on indigent defense expenditures.

Committee Minutes

**SENATE CALENDAR NOTICE
JUDICIARY**

Senator Matthew Houde Chairman
 Senator Sharon Carson V Chairman
 Senator Fenton Groen
 Senator Jim Luther

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

Date: March 30, 2011

HEARINGS

Thursday

4/7/2011

JUDICIARY

LOB 101

1:00 PM

(Name of Committee)

(Place)

(Time)

		EXECUTIVE SESSION MAY FOLLOW	
1:00 PM	HB572-FN ✓	relative to official oppression.	
1:15 PM	HB210-FN	relative to the use of deadly force to protect oneself.	
1:30 PM	HB378-FN	(New Title) inserting an exception to the criminal threatening statute, relative to the minimum mandatory sentence for a felony conviction involving the possession, use, or attempted use of a firearm, and relative to the definition of "non-deadly" force.	
1:45 PM	HB524-FN	(New Title) relative to the release of prisoners on probation or parole.	

Sponsors:

HB572-FN

Rep. Daniel Itse

Rep. Paul Ingbretson

Rep. Dan McGuire

Sen. John Barnes, Jr.

HB210-FN

Rep. Richard Okerman

Rep. J.R. Hoell

Rep. Guy Comtois

Rep. Robert Malone

Sen. Jeb Bradley

HB378-FN

Rep. Betsey Patten

Sen. Jeanie Forrester

Rep. David Welch

Rep. Dennis Fields

Rep. Franklin Sterling

Rep. J. David Knox

HB524-FN

Rep. Jennifer Coffey

Rep. Gene Chandler

Rep. William O'Brien

Rep. Alfred Baldasaro

Rep. Elaine Swinford

Sen. Peter Bragdon

Sen. Sharon Carson

Susan Duncan 271-8631

Sen. Matthew Houde

Chairman

Judiciary Committee

Hearing Report

TO: Members of the Senate

FROM: Susan Duncan, Senior Legislative Aide

RE: Hearing report on HB 572-FN – relative to official oppression.

HEARING DATE: April 7, 2011

MEMBERS OF THE COMMITTEE PRESENT: Senators Houde, Carson, Luther and Groen

MEMBERS OF THE COMMITTEE ABSENT: No one

Sponsor(s): Representatives Itse, Ingbretson, D. McGuire; Senator Barnes

What the bill does: This bill revises the offense of official oppression by making it either a Class B misdemeanor or a violation, depending on whether a public servant acted with a purpose to benefit oneself or another or to harm another.

Who supports the bill: Representatives Steve Shurtleff; Kreis; Itse; Gagne; Tasker; Sorg; Welch; Charron; McGuire; Mr. Keith Carlsen; Peter Bearse; Ralph Demicco for Gun Owners of NH; Attorney Penny Dean;

Who opposes the bill: Attorney John Williams, DHHS; Attorney Michael Walls, DES; Attorney Cordell Johnston, NHMA; Attorney Jeff Strelzen, Department of Justice; Chris Dornin; Assistant Commissioner Earl Sweeney, Dept. of Safety; Attorney Marie Bailinson, NHES; Chief David B. Goldstein, NH Police Chiefs' Assoc.; Andrew Shagoury, NH Police Chiefs; Attorney Betsy Miller, NH Association of Counties (opposed to paragraph 5)

Summary of testimony received:

- **Senator Houde** opened the hearing at 1:01 p.m.
- **Representative Itse** explained that the reason he brought the bill was in having watched events around the state, there have been occasions when public servants have not performed the duties required by law. He gave as an example a local building inspector who wouldn't issue a permit. He felt that we should require that if an application is not acted upon within the statutory timeframe, then it should be automatically granted.

- In discussing the two paragraphs of the bill, he said that amendments proposed to paragraph I should be able to stand on their own, regardless of what might happen to the second paragraph. He said that he has had some conversations with Senators and that he would be happy to work on an amendment to get it to a place that the Senate would approve.
- He commented that one improvement would be to define exactly what a public servant is – perhaps most easily achieved in looking at people who are not subject to election (because the citizens obviously have the power to express their displeasure).
- He asked for an open-ended, clearly inherent, subjective evaluation which could result in someone being removed. It should show what a public servant ought to be doing, or is prevented from doing – just to make it pretty straight-forward.
- He used as an example a house in his area which had fallen into disrepair and the family lacked the means to be able to get the work done. He said that a local group raised the money to do the repairs, but the building inspector refused to issue a permit. Insider word was that there was someone who wished to purchase the property at a condemnation sale, but that it's often hard to connect the dots.
- **Senator Houde** asked Representative Itse to please provide suggested language to the committee for consideration.
- **Representative Sorg**, as Vice Chairman of the Judiciary Committee, noted that they don't have the same problems in the small northern towns that could happen down south. He felt that larger towns provide some remoteness and that small towns provide for more checks and balances.
- **Representative Dan McGuire** explained that this proposal just fixes a problem and adds a bit more flexibility in terms of prosecuting – provides an intermediate step.
- **Attorney Strelzen** testified in opposition and explained that the Attorney General's office respectfully opposes the bill. He said that they are concerned that by changing this statute, we take away the ability of judges to defer jail time – and that the statute is actually stronger with the jail time in appropriate cases.
- He said that their concern is that this eliminates a purpose – and allows it to be clear that a public official is acting with criminal intent – and would allow individuals to bring complaints in when folks are just unhappy with a person's action. He said that this will increase litigation and then the local officials will have to go into court to defend these cases. He noted that the definition of a public official is not just the judges, but also jurors, and someone could bring charges against a juror if they were unhappy with a verdict. He said that a constituent could bring charges against a legislator for not being present for a certain vote. He said that there are possibilities for unintended consequences.

- **Chris Dornin** remarked that charges could be levied against the Attorney General if he refused to bring forward a suit against the President against “*Obama care*.” He commented about the tension in many towns within Select Board members who have threatened to sue one another over tense matters.
- **Assistant Commissioner Sweeney** testified in opposition. He said that the bill does two things – reduces the penalty and creates a second category, even if the action had no intent to benefit the individual. He felt that the legislation will create more problems than it could solve. He testified that these statutes came about a few years back when we adopted the model penal code – in order to prevent and punish abuse of official office in order to deal with public corruption. He felt it is much better to leave the determination of how charges are brought with the local prosecutors.
- In commenting on the second part of the bill, the more troubling part, he said that any individual on the street can sign a violation offense – and that in today’s litigious society, he can see numerous court actions being filed. In sharing a story about how he handled a complaint, he said that this would perhaps made him “guilty” of official oppression because he solved an internal problem in a way that made good sense and respected a long-term public servant.
- **Attorney Cordell Johnston** (NHMA); **Franklin Police Chief David Goldstein** and **Andrew Shagoury** (NH Chiefs of Police); and **Attorney Michael Walls** (Assistant Commissioner of Environmental Services) along with **19 Commissioners** and the **Attorney General’s** office all agreed with testimony received in opposition to the bill.
- **Ralph Demicco** appeared in support of the legislation.
- **Senator Houde** closed the hearing at 1:32 p.m.

Funding: See fiscal note

Future Action: The Committee took the bill under advisement.

sfd

[file: HB 0572-FN report]

Date: April 8, 2011

Speakers

SENATE JUDICIARY COMMITTEE

Date: April 7, 2011

Time: 1:00 p.m. Public Hearing on

HB 572-FN - relative to official oppression.

Please check box(es) that apply:

Please check if

SPEAKING FAVOR OPPOSED

NAME (Please print)

REPRESENTING

	SPEAKING FAVOR <input type="checkbox"/>	OPPOSED <input type="checkbox"/>	NAME (Please print)	REPRESENTING
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Steve Shurtleff	Merrimack 10
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	KEN KRUIS	MERRIMACK 6
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Keith Carlson	Self
✓	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Rep John ^{Fary} Wade	Rock 9
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	REP LARRY GAGNE	HILLS 13
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Rep John ^{John} Tuskar	Rock 1
✓	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Rep GREG SORGE	GRAF 3
	<input type="checkbox"/>	<input type="checkbox"/>	Attorney John Williams	DHS
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Michael Walls	Commissioners Group
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PETER BEARSE	Self.
✓	<input checked="" type="checkbox"/>	<input type="checkbox"/>	CHRIS DORNIN	SELF
✓	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Cordell Johnston	NH Municipal Ass'n
✓	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Jeff Strelzin	AG's office
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Rep David Welch	Rock-8
✓	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Earl Sweeney	Dept of Safety
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	REP CHARROD	ROCK-7
✓	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Rep Dan McGuire	Merrimack 8
	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>		

SENATE JUDICIARY COMMITTEE

Date: April 7, 2011

Time: 1:00 p.m. Public Hearing on

HB 572-FN - relative to official oppression.

Please check box(es) that apply:

Please check if

SPEAKING FAVOR OPPOSED

NAME (Please print)

REPRESENTING

Marie-H Bailinson NHES

✓ DAVID B. GILBERTSON NH POLICE CHIEFS' ASSN

✓ Andrew Shogoury NH Chiefs of Police

SENATE JUDICIARY COMMITTEE

Date: April 7, 2011

Time: 1:00 p.m. Public Hearing on

HB 572-FN - relative to official oppression.

Please check box(es) that apply:

Please check if

SPEAKING FAVOR **OPPOSED**

NAME (Please print)

REPRESENTING

Penny Dean

Sen Warren Carroll NH

Betsy Miller

NH Assn of Counties / opposed to 105

Testimony

Department of Safety Comments on HB_572-FN ___ SB ___ as Introduced (x) as amended()

[This bill redefines official oppression to make it either a Class B misdemeanor or a Violation depending on whether a public servant acts to benefit him or herself or harm another.]

This bill does two things. First, it reduces the penalty for official oppression from a misdemeanor to a Class B misdemeanor. Second, it creates an additional category of official oppression which it makes a violation. Under present law a public servant commits official oppression with a purpose to benefit him or herself or a third party, he or she knowingly commits an unauthorized act which purports to be an official one, or knowingly refrains from performing a duty imposed on him or her by law or clearly inherent in the nature of the office he or she holds. This bill would create second category that constitutes official oppression even if the public servant had no purpose to benefit him or herself or to harm another.

We can understand the sponsors' desire to find a way to punish improper acts, but we believe this bill will create more problems than it hopes to solve.

Official oppression statutes came about years ago when the Model Penal Code was developed and began to be adopted by various states. The New Hampshire criminal laws were redefined nearly a half century ago and NH adopted this and many other portions of the Model Penal Code.

The purpose of official oppression statutes is to prevent and punish "**abuse of office**" or **abuse of official capacity**. It deals with **public corruption**. Typically, official oppression is charged when a public official deliberately misuses government property or services, or commits an official act under color of law. Police brutality would be an example, or a police officer pulling over a female driver and asking for sexual favors in return for not issuing a ticket, or engaging in a ticket fixing scandal. Another example would be abusing prisoners in a penal institution. We arrested one of our own officers this year for *allegedly* running a scam where he was issuing motor vehicle salvage inspection stickers for a dealer who was a friend of his without actually looking at the vehicles.

A welfare official who conspired to remove an elderly person *from* their home and place them in a nursing home to benefit someone who stood to inherit the person's property would be another example, or a Liquor Commissioner who denied a license to a restaurant because it was going to go into competition with one of the Commissioner's friends, or a Supervisor of the Checklist who kept a qualified person from voting in a close election because he knew the person favored the other party.

Currently by making the offense an unclassified misdemeanor, the prosecutor has the option whether to charge the official with a Class A misdemeanor, which calls for a jail sentence of up to a year, or a Class B misdemeanor. HB 572-FN removes that discretion from the prosecutor and makes it strictly a Class B misdemeanor, for which no jail sentence is possible. It would be better to leave this discretion in the hands of the prosecutor because there are some cases of official oppression that are so egregious that the Judge should be able to impose a jail sentence.

The second part of the bill is more troubling. It removes the requirement that the official has to have an intention to benefit himself or harm someone else in order to be charged with official oppression and makes a new violation-level offense for knowingly committing an unauthorized act or refraining from performing a duty of the office. Because people can sign violation level criminal complaints against other people, we believe this could lead to anyone who is unhappy with any discretionary act by a public servant, charging that public servant with official oppression and in today's litigious society we can see hundreds of frivolous court actions coming about just because someone is unhappy with a decision or action of a public official. Even if the complaint is a frivolous one, the courts will be tied up with hearing these cases and the public officials will have to appear in criminal court to defend themselves.

Because the implications are so serious if they should be found guilty – it might destroy their careers and reputations – most will feel they have to hire an attorney to represent them. In some cases the cost of the attorney will come out of the official's pocket but in other cases the government agency that employs them will bear the cost, either out of taxpayer funds or through their liability insurance policies. In either case there will be a cost – to the State, which is self-insured, if it is a state official who is being charged, or to the town, city or county if it is a local official. The end result will be to make these liability insurance policies more costly and hard to obtain, thereby passing an unfunded mandate along to the local communities. The fiscal note to this bill should have an "L" on it to take into account that there will be a cost to the cities and towns, but this was apparently overlooked.

Because it will be so easy for people who are dissatisfied with any action of an official to bring these charges, many public officials will be hesitant to do their duty for fear of having frivolous criminal charges brought against them. If this bill passes, little old Sadie the Town Clerk can be charged if she rushes out of the office to attend her granddaughter's school play and knows she was supposed to post the Town Warrant on the bulletin board outside the Town Hall before she leaves but decides to wait until tomorrow. The police officer who tries to mediate a dispute between two neighbors and decides not to make an arrest even though he knows he could, and decides to try and settle the situation informally, could be charged by ~~the~~ one of the parties, even though his decision was not to improperly benefit himself or anyone else.

At the very least if this bill was to pass, we would suggest amending the *mens rea* or required criminal intent to the highest intent under the criminal code, "purposely" instead of merely "knowingly." However, we believe the bill will cause far more mischief than it will solve problems.



April 7, 2011

The Honorable Matthew S. Houde, Chairman
Senate Judiciary Committee
Legislative Office Building Room 101
Concord, NH 03301

Re: HB 572-FN, relative to official oppression

Dear Chairman Houde and Members of the Committee:

Thank you for the opportunity to testify on HB 572-FN, relative to official oppression. The undersigned state agency commissioners and directors oppose the bill because it would subject public servants, including state agency officials and employees, to unreasonably broad criminal liability.

RSA 643:1 makes it a crime for a public official to misuse his or her position by knowingly committing an unauthorized act which purports to be an official act, or by refraining from performing a duty imposed by law or clearly inherent in the office, for the purpose of benefiting himself or benefitting or harming another person. HB 572-FN would add a paragraph to establish the new violation of knowingly committing an unauthorized act or knowingly refraining from performing a duty without regard to whether the actor's purpose was to benefit him/herself or another, or cause harm to another.

It is our strongly-held view that it would be bad public policy to criminalize governmental actions that are not tainted by some element of improper motive, such as wrongfully benefiting or harming another. Deleting the requirement that an act be undertaken with the intent to create benefit or cause harm would allow anyone who disagrees with a governmental action or decision to accuse a public servant of committing a violation for exercising governmental discretion to take or not take a particular action even in good faith and in the ordinary course of business.

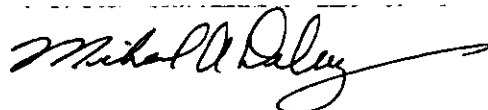
The effect of Section II of the bill would be to subject every public servant (as defined in RSA 640:2, II) to potential criminal liability for every discretionary decision to act, or not to act, when there is some controversy or opposition to the decision. Such unreasonably broad liability will have a severely negative and chilling effect on the willingness of highly qualified people to serve in state government. We respectfully recommend that HB 572-FN be voted out as Inexpedient to Legislate.

Thank you again for the opportunity to comment on this bill. If you have any questions about the nature of our concerns, please do not hesitate to contact any of us.

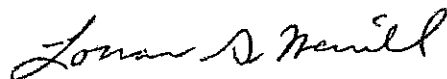
Sincerely,



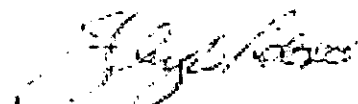
Tara Reardon, Commissioner
Department of Employment Security



Michael A. Delaney, Attorney General
Department of Justice



Lorraine Stuart Merrill, Commissioner
Department of Agriculture, Markets & Food



Stanley Rogers, Commissioner
Department of Information Technology



Linda M. Hodgdon, Commissioner
Department of Administrative Services



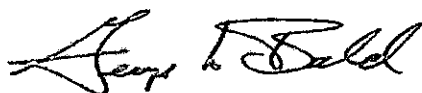
Roger A. Sevigny, Commissioner
Insurance Department



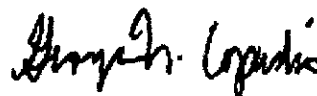
William L. Wrenn, Commissioner
Department of Corrections



Thomas S. Burack, Commissioner
Department of Environmental Services



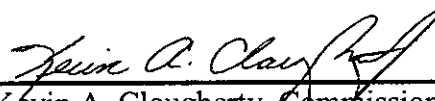
George Bald, Commissioner
Dept of Resources & Economic Development



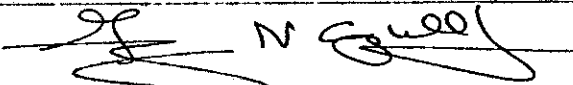
George N. Copadis, Commissioner
Department of Labor



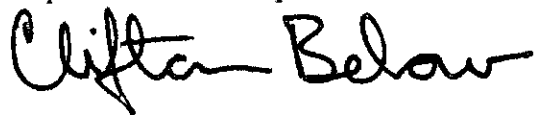
Van McLeod, Commissioner
Department of Cultural Resources



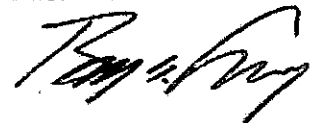
Kevin A. Clougherty, Commissioner
Department of Revenue Administration



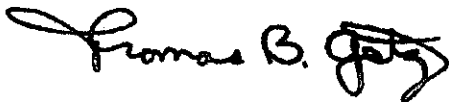
George N. Campbell, Commissioner
Department of Transportation



Clifton C. Below, Commissioner
Public Utilities Commission



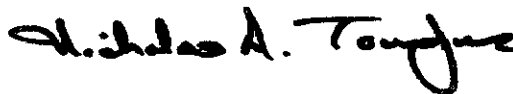
Barry Conway, Commandant
NH Veterans Home



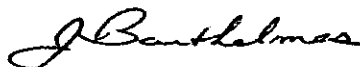
Thomas B. Getz, Chairman
Public Utilities Commission



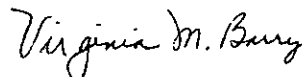
Glenn D. Normandeau, Executive Director
Fish & Game Department



Nicholas A. Toumpas, Commissioner
Department of Health & Human Services



John Barthelmes, Commissioner
Department of Safety



Virginia Barry, Commissioner
Department of Education

cc: Representative Itse
Representative Ingbretson
Representative D. McGuire
Senator Barnes

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Date: April 14, 2011

THE COMMITTEE ON Judiciary

to which was referred House Bill 572-FN

AN ACT relative to official oppression.

Having considered the same, the committee recommends that the Bill:

IS INEXPEDIENT TO LEGISLATE

BY A VOTE OF: 3 - 0

AMENDMENT # s

Senator Jim Luther
For the Committee

Susan Duncan 271-8631

New Hampshire General Court - Bill Status System

Docket of HB572

Docket Abbreviations

Bill Title: relative to official oppression.*Official Docket of HB572:*

Date	Body	Description
1/24/2011	H	Introduced 1/6/2011 and Referred to Criminal Justice and Public Safety; HJ 11 , PG. 191
2/9/2011	H	Public Hearing: 2/17/2011 1:30 PM LOB 204
2/16/2011	H	Executive Session: 2/22/2011 10:00 AM LOB 204
2/22/2011	H	Committee Report: Ought to Pass for Mar 2 (Vote 9-5; RC); HC 18 , PG.391
3/2/2011	H	Ought to Pass: MA VV; HJ 25 , PG.679
3/16/2011	S	Introduced and Referred to Judiciary
3/31/2011	S	Hearing: 4/7/11, Room 101, LOB, 1:00 p.m.; SC18
4/18/2011	S	Committee Report: Inexpedient to Legislate, 4/27/11; SC21
4/27/2011	S	Inexpedient to Legislate, MA, VV === BILL KILLED ===; SJ 14

NH House

NH Senate

Other Referrals

COMMITTEE REPORT FILE INVENTORY

✓ ORIGINAL REFERRAL _____ RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

- ✓ DOCKET (Submit only the latest docket found in Bill Status)
- ✓ COMMITTEE REPORT
- ✓ CALENDAR NOTICE
- ✓ HEARING REPORT
- ✓ PREPARED TESTIMONY AND OTHER SUBMISSIONS HANDED IN AT THE PUBLIC HEARING

✓ SIGN-UP SHEET(S) (4)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

_____ - AMENDMENT # _____	_____ - AMENDMENT # _____
_____ - AMENDMENT # _____	_____ - AMENDMENT # _____

ALL AVAILABLE VERSIONS OF THE BILL:

<u>✓</u> AS INTRODUCED	_____ AS AMENDED BY THE HOUSE
_____ FINAL VERSION	_____ AS AMENDED BY THE SENATE

_____ OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

_____ *Ø*

DATE DELIVERED TO SENATE CLERK

7/21/11

BY:

Susan A. Duncan
COMMITTEE AIDE