

Committee Report

CONSENT CALENDAR

March 2, 2021

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Judiciary to which was referred HB
212,**

**AN ACT relative to drug courts and alternative drug
offender grant programs. Having considered the same,
report the same with the following resolution:**

RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Charlotte DiLorenzo

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Judiciary
Bill Number:	HB 212
Title:	relative to drug courts and alternative drug offender grant programs.
Date:	March 2, 2021
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

In order to be eligible to participate in the drug court alternate sentencing program, offenders must agree to participate in mental health and social service counseling components of the drug court program. The committee agrees that adequate mental health and social service counseling are already available to offenders who have agreed to participate in the New Hampshire Drug Court System.

Vote 21-0.

Rep. Charlotte DiLorenzo
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Judiciary

HB 212, relative to drug courts and alternative drug offender grant programs. **INEXPEDIENT TO LEGISLATE.**

Rep. Charlotte DiLorenzo for Judiciary. In order to be eligible to participate in the drug court alternate sentencing program, offenders must agree to participate in mental health and social service counseling components of the drug court program. The committee agrees that adequate mental health and social service counseling are already available to offenders who have agreed to participate in the New Hampshire Drug Court System. **Vote 21-0.**

Original: House Clerk

Cc: Committee Bill File

Voting Sheets

STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK



1/22/2021 10:07:24 AM
Roll Call Committee Registers
Report

2021 SESSION

Judiciary

Bill #: **HB 212** Motion: ITL AM #: _____ Exec Session Date: 3/2/2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Gordon, Edward M. Chairman	21		
McLean, Mark Vice Chairman	1		
Sylvia, Michael J.	2		
Wuelper, Kurt F. Clerk	3		
Alexander, Joe H.	4		
Rice, Kimberly A.	5		
Silber, Norman J. Smith, Steven	6		
Greene, Bob J.	7		
Kelley, Diane E.	8		
Tausch, Lindsay	9		
Trottier, Douglas R.	10		
Smith, Marjorie K.	11		
Berch, Paul S.	12		
Horrigan, Timothy O.	13		
DiLorenzo, Charlotte I.	14		
Chase, Wendy	15		
Kenney, Cam E.	16		
Langley, Diane M.	17		
McBeath, Rebecca Susan	18		
Paige, Mark	19		
Simpson, Alexis	20		
TOTAL VOTE:	21		

Rep Kurt Wuelper *Kurt Wuelper*

Public Hearing

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 212

BILL TITLE: relative to drug courts and alternative drug offender grant programs

DATE: 2/23/2021

LOB ROOM: 208/Remote **Time Public Hearing Called to Order:** 1:00 PM
Time Adjourned: 1:15 PM

Committee Members: Reps. Gordon, McLean, Wuelper, Sylvia, Alexander Jr., Rice, Silber, Greene, D. Kelley, Tausch, Trottier, M. Smith, Berch, Horrigan, DiLorenzo, Chase, Kenney, Langley, McBeath, Paige and Simpson

Bill Sponsors: Rep Spillane


Blue sheet Support 16 Oppose 14

TESTIMONY

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

***Rep. Spillane Sponsor** HB212 was crafted as a result of a constituent who found a problem with the Drug Court program. It allows the judge to authorize a social worker to visit with someone in the program one or more times to help reduce recidivism. Some participants have a lot of difficulty joining normal society during the recovery process.

Judge Tina Nadeau I did talk with the sponsor and while I don't have strong opposition; I do think it may create some confusion. We have 10 operating drug courts and each participant in the program is required to a highly individualized plan. Each graduate is still on probation for 10 months. We do provide mental health services, social work services as part of the program. The bill includes language which indicates funding, but these services are already funded, and no new funding is expected. Once one enters the drug court program the program has very specific national standards to which we comply. Q DiLorenzo: Services are available while in the program. Are those chargeable to person's medical insurance? A It could be, but 90% or more of drug court people don't have any or are Medicaid eligible.


Rep Kurt Wuelper

House Remote Testify

Judiciary Committee Testify List for Bill HB212 on 2021-02-23

Support: 20 Oppose: 15 Neutral: 0 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Benton, Emily	Emily.r.benton3@gmail.com	A Member of the Public	Myself	Support	No	No	2/12/2021 11:48 PM
LITTLEFIELD, SHANNON	shshshannon@hotmail.com	A Member of the Public	Myself	Support	No	No	2/13/2021 12:14 PM
Chase, Wendy	wendy.chase@leg.state.nh.us	An Elected Official	Myself	Support	No	No	2/13/2021 1:56 PM
Zboya, Patrice	pzboya654@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2021 10:49 AM
Guggisberg, Karen	optimist246@gmail.com	A Member of the Public	Myself	Support	No	No	2/14/2021 9:29 AM
Matthews, James	matthews@mac.com	A Member of the Public	Myself	Support	No	No	2/14/2021 2:28 PM
Matthews, Marjorie	marjoriemattthews@me.com	A Member of the Public	Myself	Support	No	No	2/15/2021 1:32 PM
Brazeau, Pam	cdnabroad@comcast.net	A Member of the Public	Myself	Support	No	No	2/15/2021 6:03 PM
Brazeau, Pierre	Jazz4brazo@comcast.net	A Member of the Public	Myself	Support	No	No	2/15/2021 6:06 PM
Brackett, JB	jbrackett@naminh.org	A Member of the Public	NAMI NH	Support	No	No	2/16/2021 7:38 AM
Tentarelli, Liz	LWV@kenliz.net	A Member of the Public	Myself	Support	No	No	2/16/2021 12:55 PM
Fordey, Nicole	Litchfield, NH nikkif610@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/19/2021 12:45 PM
Manseau, Joline	Hollis, NH joline.manseau@gmail.com	A Member of the Public	Myself	Support	No	No	2/20/2021 9:04 AM
Casino, Joanne	Concord, NH joannecasino@comcast.net	A Member of the Public	Myself	Support	No	No	2/20/2021 3:45 PM
Sinclair, Jill	Rochester, NH rsinky@yahoo.com	A Member of the Public	Myself	Support	No	No	2/20/2021 11:40 AM
DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/21/2021 2:40 PM
Larson, Ruth	Alton, NH	A Member of the Public	Myself	Oppose	No	No	2/21/2021 10:24 PM

	ruthlarson@msn.com							
Cutshall, Catherine	Bedford, NH vivadofamily@aol.com	A Member of the Public	Myself	Oppose	No	No	2/22/2021 5:42 AM	
Vivado, Mauricio	Bedford, NH maumajo@aol.com	A Member of the Public	Myself	Oppose	No	No	2/22/2021 5:42 AM	
Carole, Kimberly	Bedford, NH Mskimberlycarole@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/22/2021 8:17 AM	
Donovan, Julie	BEDFORD, NH julie.donovan@juno.com	A Member of the Public	Myself	Oppose	No	No	2/22/2021 9:59 AM	
Bailey, Cheryl	Franconia, NH cheryl_Bailey11@aol.com	A Member of the Public	Myself	Support	No	No	2/22/2021 6:44 AM	
Graham, Nancy	West Lebanon, NH nancygraham806@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/22/2021 7:08 AM	
Wyatt, Timothy	HUDSON, NH timwyatt1@juno.com	A Member of the Public	Myself	Oppose	No	No	2/22/2021 9:58 AM	
Hayden, Sam	Hopkinton, NH hayden.sam@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/22/2021 11:11 AM	
Thomas, Sally	Bedford, NH Sallythomas@comcast.net	A Member of the Public	Myself	Oppose	No	No	2/22/2021 1:41 PM	
Wiggins, Richard	Sanbornton, NH rwiggins@naminh.org	A Member of the Public	Myself	Support	No	No	2/22/2021 1:43 PM	
Aronson, Laura	MANCHESTER, NH laura@mlans.net	A Member of the Public	Myself	Oppose	No	No	2/22/2021 8:46 PM	
Jones, Stephanie	Bedford, NH stephaniermjones@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/22/2021 9:40 PM	
Mooney, Bridget	Wilton, NH bridget@moonchick.com	A Member of the Public	Myself	Oppose	No	No	2/22/2021 11:24 PM	
Groetzinger, Tonda	Farmington, NH groetzinger6@aol.com	A Member of the Public	Myself	Support	No	No	2/23/2021 8:55 AM	
Vogt, Robin	Portsmouth, NH robin.w.vogt@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/23/2021 9:32 AM	
Love, Rep.David	Derry, NH davidlove4rep@gmail.com	An Elected Official	Rockingham 6	Support	No	No	2/23/2021 10:26 AM	
SPILLANE, JAMES	Deerfield, NH james@jamesspillane.org	An Elected Official	Rockingham 2 - Bill Sponsor	Support	No	No	2/23/2021 11:18 AM	
Byam, Martha	Exeter, NH	A Member of the Public	Myself	Support	No	No	2/23/2021 4:38 PM	

martha.byam@gmail.com

Testimony

HB212 Testimony

Good afternoon Chairman Gordon, Vice Chairman McLean and Clerk Wuelper

I am writing with regard to House Bills 212 and 569, which are scheduled for hearing with House Judiciary next Tuesday (2/23) at 1:00 and 1:30 respectively, both of which are sponsored by Representative Spillane. Judge Tina Nadeau, the Chief Justice of the Superior Court, is planning on providing testimony on these bills, but she has to be on the bench for hearings at 1:30. We are hoping that she can testify on both bills between 1 and 1:30 in the HB212 time slot, and I would testify in the 1:30 House Bill 569 hearing to put on the record that Judge Nadeau's testimony during the HB212 hearing applies to the 569 hearing and would I would provide a short summary for the record on HB569.

Judge Nadeau and I have discussed these bills with Representative Spillane and the fact the changes to the Drug Court programs he is proposing with these bills already exist in the existing Drug Court, so the bills are not necessary. Representative Spillane seemed appreciative of the conversation, but we also understand he has constituents he wants to serve so the bills are going forward.

My question is whether this arrangement of having Judge Nadeau testify on both bills at the same time, with me following up on the HB569 hearing, is agreeable to you. I am happy to talk anytime if you have any questions or concerns.

Thank you.

Richard W. Head Government Affairs Coordinator New Hampshire Judicial Branch

One Granite Place, Suite N400 Concord, NH 03301

rhead@courts.state.nh.us Direct dial: 603-415-0779 Cell: 603-716-8235

Bill as
Introduced

HB 212 - AS INTRODUCED

2021 SESSION

21-0347
04/05

HOUSE BILL **212**

AN ACT relative to drug courts and alternative drug offender grant programs.

SPONSORS: Rep. Spillane, Rock. 2; Rep. Bershtein, Rock. 2; Rep. Roy, Rock. 32; Sen. Reagan, Dist 17; Sen. Avard, Dist 12

COMMITTEE: Judiciary

ANALYSIS

This bill allows a drug court to order an offender to participate in social work or mental health consultations as a condition of sentence completion.

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.

21-0347
04/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to drug courts and alternative drug offender grant programs.

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

1 New Subparagraph; Implementation of Drug Courts; Additional Programming. Amend RSA 490-G:2, I by inserting after subparagraph (b) the following new subparagraph:

(c) In addition to the components set forth in subparagraph (b), the drug court may, as a condition of sentence completion, order an offender to participate in social work or mental health consultations, including any follow-up consultations deemed necessary by the social work or mental health professional. A county operating a drug court that establishes such social work or mental health referrals shall be eligible for funding under the statewide drug offender grant program pursuant to RSA 490-G:4.

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