

# Committee Report

**CONSENT CALENDAR**

**March 2, 2021**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on Judiciary to which was referred HB  
569,**

**AN ACT relative to offering vocational training as part  
of the drug court and alternative drug offender grant  
program. Having considered the same, report the same  
with the following resolution: RESOLVED, that it is  
INEXPEDIENT TO LEGISLATE.**

**Rep. Rebecca McBeath**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>Judiciary</b>
Bill Number:	<b>HB 569</b>
Title:	<b>relative to offering vocational training as part of the drug court and alternative drug offender grant program.</b>
Date:	<b>March 2, 2021</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

### STATEMENT OF INTENT

The majority of the committee appreciated the motivation of the prime sponsor to introduce legislation to correct an issue identified by a concerning experience of a constituent; however, after considering the testimony of the numerous individuals including prosecutors, probation officers, and the Chief Justice of the New Hampshire Superior Court, members believed the issue had received fair hearing and the underlying concerns of this bill were being presently addressed by court protocol and the NH Judicial Branch.

Vote 20-0.

Rep. Rebecca McBeath  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

### Judiciary

**HB 569**, relative to offering vocational training as part of the drug court and alternative drug offender grant program. **INEXPEDIENT TO LEGISLATE.**

Rep. Rebecca McBeath for Judiciary. The majority of the committee appreciated the motivation of the prime sponsor to introduce legislation to correct an issue identified by a concerning experience of a constituent; however, after considering the testimony of the numerous individuals including prosecutors, probation officers, and the Chief Justice of the New Hampshire Superior Court, members believed the issue had received fair hearing and the underlying concerns of this bill were being presently addressed by court protocol and the NH Judicial Branch. **Vote 20-0.**

# 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 569** Motion: ITL AM #: \_\_\_\_\_ Exec Session Date: 3/2/2021

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
<b>Gordon, Edward M. Chairman</b>	20		
<b>McLean, Mark Vice Chairman</b>	1		
<b>Sylvia, Michael J.</b>	2		
<b>Wuelper, Kurt F. Clerk</b>	3		
<b>Alexander, Joe H.</b>	4		
<b>Rice, Kimberly A.</b>	5		
<del>Silber, Norman J.</del> <b>Smith, Steven</b>			
<b>Greene, Bob J.</b>	6		
<b>Kelley, Diane E.</b>	7		
<b>Tausch, Lindsay</b>	8		
<b>Trottier, Douglas R.</b>	9		
<b>Smith, Marjorie K.</b>	10		
<b>Berch, Paul S.</b>	11		
<b>Horrigan, Timothy O.</b>	12		
<b>DiLorenzo, Charlotte I.</b>	13		
<b>Chase, Wendy</b>	14		
<b>Kenney, Cam E.</b>	15		
<b>Langley, Diane M.</b>	16		
<b>McBeath, Rebecca Susan</b>	17		
<b>Paige, Mark</b>	18		
<b>Simpson, Alexis</b>	19		
<b>TOTAL VOTE:</b>	<b>20</b>	<b>0</b>	

Rep Kurt Wuelper *Kurt Wuelper*

# Public Hearing



HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 569

**BILL TITLE:** relative to offering vocational training as part of the drug court and alternative drug offender grant program.

**DATE:** 2/23/2021

**LOB ROOM:** 208/Remote      **Time Public Hearing Called to Order:** 1:30 PM  
**Time Adjourned:** 1:45 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 1 Oppose 5

TESTIMONY

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

**\*Rep. Spillane Sponsor** HB569 intends to improve our drug courts This enables the judge to order a participant to participate in vocational training programs to provide an opportunity for them to find meaningful work. I understand some of this is being done now, but we think it is important that the participant be required to complete, as oppose to participate in, and occupational training component. We think it advisable that participants understand the program includes completion of a vocational component. That completion should provide benefits to the state far above its cost. Q McLean: On pre-adjudication: does that constrain the judge's flexibility? A I wish Judge Nadeau could answer that. My understanding is if the Judge says you will be required to take and complete vocational training. Q Horrigan:

**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.

**Richard Head** Judicial Branch Gov't Affairs Coordinator As Judge Nadeau said these are long programs with frequent adjustments and may have a wide variety of services with them. Drug Court does not come into play "pre-adjudication". It only comes in after a plea bargain. Rep Spillane: Using the word "may" is intended to allow all the flexibility the drug court needs, and Judge Nadeau indicated it would not interfere with what they do now.



Rep Kurt Wuelper

# House Remote Testify

## Judiciary Committee Testify List for Bill HB569 on 2021-02-23

Support: 4 Oppose: 6 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>
Hayden, Sam	Hopkinton, NH hayden.sam@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/22/2021 11:13 AM
Aronson, Laura	MANCHESTER, NH laura@mlans.net	A Member of the Public	Myself	Oppose	No	No	2/22/2021 8:49 PM
Groetzinger, Tonda	Farmington, NH groetzinger6@aol.com	A Member of the Public	Myself	Support	No	No	2/23/2021 8:56 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 10:27 AM
SPILLANE, JAMES	Deerfield, NH james@jamespillane.org	An Elected Official	Rockingham 2 - Bill Sponsor	Support	No	No	2/23/2021 11:18 AM
Chase, Wendy	wendy.chase@leg.state.nh.us	An Elected Official	Myself	Support	No	No	2/13/2021 1:56 PM
Fordey, Nicole	Litchfield, NH nikkif610@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/19/2021 12:45 PM
DeMark, Richard	Meredith, NH demarknh114@gmail.com	A Member of the Public	Myself	Oppose	No	No	2/21/2021 2:41 PM
Larson, Ruth	Alton, NH ruthlarson@msn.com	A Member of the Public	Myself	Oppose	No	No	2/21/2021 10:25 PM

# Testimony

Bill as  
Introduced

HB 569 - AS INTRODUCED

2021 SESSION

21-0334  
04/05

HOUSE BILL **569**

AN ACT relative to offering vocational training as part of the drug court and alternative drug offender grant program.

SPONSORS: Rep. Spillane, Rock. 2; Rep. Bershtein, Rock. 2; Rep. Verville, Rock. 2; Rep. Roy, Rock. 32; Rep. Abbas, Rock. 8; Sen. Reagan, Dist 17; Sen. Avard, Dist 12

COMMITTEE: Judiciary

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ANALYSIS

This bill authorizes a drug court to order a drug offender to a complete a program offering career-focused vocational or technical education courses.

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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.

21-0334  
04/05

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT relative to offering vocational training as part of the drug court and alternative drug offender grant program.

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

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

(c) In addition to the programming under subparagraphs (a) and (b), a drug court may, as a condition for completion of sentence, order a drug offender to a complete a program offering vocational or technical education courses. The drug court may order such education courses as a component of a pre-adjudication, post-adjudication, or a combination program. A county operating a drug court that offers vocational or technical educational courses offered pursuant to this subparagraph shall be eligible to receive funding for such courses from 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.