LEGISLATIVE COMMITTEE MINUTES

HB595

Bill as Introduced

HB 595-FN - AS AMENDED BY THE HOUSE

22Mar2023... 0808h

2023 SESSION

23-0498 04/05

HOUSE BILL

595-FN

AN ACT

relative to the oversight of the public deposit investment pool.

SPONSORS:

Rep. Hunt, Ches. 14; Rep. Lascelles, Hills. 14; Sen. Rosenwald, Dist 13

COMMITTEE:

Commerce and Consumer Affairs

ANALYSIS

This bill changes the oversight of the public deposit investment pool from the banking department to the state treasurer.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

23-0498 04/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT

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relative to the oversight of the public deposit investment pool.

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

1 New Subdivision; Public Deposit Investment Pool. Amend RSA 6 by inserting after section 44 the following new subdivision:

Public Deposit Investment Pool

6:45 Public Deposit Investment Pool.

- I. The state treasurer shall, with the assistance of the advisory committee created under RSA 6:47, establish and operate a public deposit investment pool, for the purpose of investing funds of the state, and funds under the custody of governmental units, pooled risk management programs established pursuant to RSA 5-B, agencies, authorities, commissions, boards, political subdivisions and all other public units within or instrumentalities of the state.
- II. The public deposit investment pool shall be operated under contract with a private investment advisor, approved by the state treasurer and advisory committee. The state treasurer and advisory committee shall choose an investment advisor by requesting proposals from advisors and reviewing such proposals based on criteria adopted by rule under RSA 6:46.
- III. The state treasurer shall make available to prospective depositors detailed information on the public deposit investment pool, similar to that information generally contained in a securities prospectus. The state treasurer shall also ensure that periodic statements of accounts and reports on holdings are provided to pool participants relative to their proportionate share of the pool.
- IV. The state treasurer shall cause an independent audit of the pool to be conducted on an annual basis. The auditor shall be selected by the advisory committee.
- V. The state treasurer shall charge the public deposit investment pool any actual costs incurred by the department for the operation of the pool as well as any expenses of department personnel assisting in the operation of the pool. The private investment advisor retained under paragraph II shall be responsible for processing any invoice submitted for the actual costs incurred by the department and the expenses of department personnel under this paragraph.
- 6:46 Rulemaking. The state treasurer shall, with the approval of the advisory committee, adopt rules, pursuant to RSA 541-A, relative to:
- I. Formulation of a disclosure policy and materials to be included in a prospectus and in periodic reports to participants, including:
 - (a) A written statement of policy and pool objectives;
 - (b) Investment objectives designed to meet the pool objectives;
- 31 (c) A description of eligible investment instruments;

HB 595-FN - AS AMENDED BY THE HOUSE - Page 2 -

1	(d) The credit standard of investment;
2	(e) Allowable maturity range of investments;
3	(f) The limits of portfolio concentration permitted for each type of security;
4	(g) Safekeeping practices;
5	(h) Definition of pool participant eligibility;
6	(i) Disclosure of size of accounts, size of transactions and administrative costs; and
7	(j) Instructions for establishing and utilizing accounts.
8	II. Investment and administrative policies, practices, and restrictions, including the
9	frequency and method used for calculating valuation, yields, and earnings.
10	III. Requests for proposals from investment managers and criteria for reviewing such
11	proposals.
12	6:47 Public Deposit Investment Pool Advisory Committee.
13	I. There is established an advisory committee on the public deposit investment pool,
14	consisting of the following members:
15	(a) The state treasurer.
16	(b) The commissioner of the department of revenue administration or designee.
17	(c) Two members appointed by the New Hampshire Government Finance Officers
18	Association.
19	(d) Two members appointed by the New Hampshire Bankers Association.
20	(e) One county finance officer appointed by the New Hampshire Association of Counties.
21	(f) One city finance officer, appointed by the New Hampshire Municipal Association.
22	(g) One school district finance officer, appointed by the New Hampshire School Boards
23	Association.
24	II. The advisory committee shall assist and advise the treasurer on the establishment and
25	operation of the investment pool, including:
26	(a) Formulating the disclosure policy.
27:	(b) Determining eligible investment vehicles.
28	(c) Establishing performance standards.
29	(d) Monitoring the outflow of funds from financial institutions.
30	(e) Determining compliance with written investment policies.
31	(f) Conducting periodic reviews of the public deposit investment pool.
32	2 Public Deposit Investment Pool; Cross References Amended. Amend the following RSA
33	sections by replacing RSA 383:22 with RSA 6:45: RSA 6:8; the introductory paragraph in RSA 29:1,
34	I; RSA 29:1, IV; RSA 29:3; RSA 31:25; RSA 31:27; RSA 34:5; RSA 35:9; the introductory paragraph in
35	RSA 41:29, II; RSA 41:29, IV; the introductory paragraph in RSA 48:16, I; RSA 48:16, III; the
36	introductory paragraph in RSA 197:23-a, I; and RSA 197:23-a, IV.
37	3 Repeal. The following are repealed:

HB 595-FN - AS AMENDED BY THE HOUSE - Page 3 -

1 I. RSA 383::	2. relative to th	e public dep	oosit investment	pool.
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- 2 II. RSA 383:23, relative to rulemaking for the public deposit investment pool.
- 3 III. RSA 383:24, relative to the advisory committee for the public deposit investment pool.
- 4 4 Effective Date. This act shall take effect 60 days after its passage.

HB 595-FN- FISCAL NOTE AS INTRODUCED

AN ACT

relative to the oversight of the public deposit investment pool.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation, as introduced, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2023 through 2026.

AGENCIES CONTACTED:

Banking Department and State Treasury

LBA 23-0498 Amended 3/28/23

HB 595-FN FISCAL NOTE AS AMENDED BY THE HOUSE (AMENDMENT #2023-0808h)

AN ACT

relative to the oversight of the public deposit investment pool.

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The Legislative Budget Assistant has determined that this legislation, as amended, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2023 through 2026.

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HB 595-FN - VERSION ADOPTED BY BOTH BODIES

22Mar2023... 0808h

2023 SESSION

23-0498 04/05

HOUSE BILL

595-FN

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Commerce and Consumer Affairs

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23-0498 04/05

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- II. The public deposit investment pool shall be operated under contract with a private investment advisor, approved by the state treasurer and advisory committee. The state treasurer and advisory committee shall choose an investment advisor by requesting proposals from advisors and reviewing such proposals based on criteria adopted by rule under RSA 6:46.
- III. The state treasurer shall make available to prospective depositors detailed information on the public deposit investment pool, similar to that information generally contained in a securities prospectus. The state treasurer shall also ensure that periodic statements of accounts and reports on holdings are provided to pool participants relative to their proportionate share of the pool.
- IV. The state treasurer shall cause an independent audit of the pool to be conducted on an annual basis. The auditor shall be selected by the advisory committee.
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HB 595-FN - VERSION ADOPTED BY BOTH BODIES - Page 2 -

(d) The credit standard of investment:

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2 (e) Allowable maturity range of investments: 3 (f) The limits of portfolio concentration permitted for each type of security; 4 (g) Safekeeping practices; (h) Definition of pool participant eligibility: 5 6 (i) Disclosure of size of accounts, size of transactions and administrative costs; and 7 (j) Instructions for establishing and utilizing accounts. 8 Investment and administrative policies, practices, and restrictions, including the 9 frequency and method used for calculating valuation, yields, and earnings. 10 Requests for proposals from investment managers and criteria for reviewing such 11 proposals. 12 6:47 Public Deposit Investment Pool Advisory Committee. 13 There is established an advisory committee on the public deposit investment pool, 14 consisting of the following members: 15 (a) The state treasurer. 16 (b) The commissioner of the department of revenue administration or designee. 17 Two members appointed by the New Hampshire Government Finance Officers 18 Association. 19 (d) Two members appointed by the New Hampshire Bankers Association. 20 (e) One county finance officer appointed by the New Hampshire Association of Counties. 21(f) One city finance officer, appointed by the New Hampshire Municipal Association. 22 (g) One school district finance officer, appointed by the New Hampshire School Boards 23 Association. 24 II. The advisory committee shall assist and advise the treasurer on the establishment and 25 operation of the investment pool, including: 26 (a) Formulating the disclosure policy. 27 (b) Determining eligible investment vehicles. 28 (c) Establishing performance standards. 29 (d) Monitoring the outflow of funds from financial institutions. 30 (e) Determining compliance with written investment policies. 31 (f) Conducting periodic reviews of the public deposit investment pool. 32 2 Public Deposit Investment Pool; Cross References Amended. Amend the following RSA 33 sections by replacing RSA 383:22 with RSA 6:45: RSA 6:8; the introductory paragraph in RSA 29:1, 34 I; RSA 29:1, IV; RSA 29:3; RSA 31:25; RSA 31:27; RSA 34:5; RSA 35:9; the introductory paragraph in RSA 41:29, II; RSA 41:29, IV; the introductory paragraph in RSA 48:16, I; RSA 48:16, III; the 35 36 introductory paragraph in RSA 197:23-a, I; and RSA 197:23-a, IV. 37 3 Repeal. The following are repealed:

HB 595-FN - VERSION ADOPTED BY BOTH BODIES - Page 3 -

- I. RSA 383:22, relative to the public deposit investment pool.
- 2 II. RSA 383:23, relative to rulemaking for the public deposit investment pool.
- 3 III. RSA 383:24, relative to the advisory committee for the public deposit investment pool.
- 4 4 Effective Date. This act shall take effect 60 days after its passage.

LBA 23-0498 Amended 3/28/23

HB 595-FN- FISCAL NOTE

AS AMENDED BY THE HOUSE (AMENDMENT #2023-0808h)

AN ACT

relative to the oversight of the public deposit investment pool.

FISCAL IMPACT:

The Legislative Budget Assistant has determined that this legislation, as amended, has a total fiscal impact of less than \$10,000 in each of the fiscal years 2023 through 2026.

AGENCIES CONTACTED:

Banking Department and State Treasury

CHAPTER 36 HB 595-FN - FINAL VERSION

22Mar2023... 0808h

2023 SESSION

23-0498 04/05

HOUSE BILL

595-FN

AN ACT

relative to the oversight of the public deposit investment pool.

SPONSORS:

Rep. Hunt, Ches. 14; Rep. Lascelles, Hills. 14; Sen. Rosenwald, Dist 13

COMMITTEE:

Commerce and Consumer Affairs

ANALYSIS

This bill changes the oversight of the public deposit investment pool from the banking department to the state treasurer.

Explanation:

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CHAPTER 36 HB 595-FN - FINAL VERSION

22Mar2023... 0808h

23-0498 04/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT

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relative to the oversight of the public deposit investment pool.

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

36:1 New Subdivision; Public Deposit Investment Pool. Amend RSA 6 by inserting after section 44 the following new subdivision:

Public Deposit Investment Pool

6:45 Public Deposit Investment Pool.

- I. The state treasurer shall, with the assistance of the advisory committee created under RSA 6:47, establish and operate a public deposit investment pool, for the purpose of investing funds of the state, and funds under the custody of governmental units, pooled risk management programs established pursuant to RSA 5-B, agencies, authorities, commissions, boards, political subdivisions and all other public units within or instrumentalities of the state.
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- III. The state treasurer shall make available to prospective depositors detailed information on the public deposit investment pool, similar to that information generally contained in a securities prospectus. The state treasurer shall also ensure that periodic statements of accounts and reports on holdings are provided to pool participants relative to their proportionate share of the pool.
- IV. The state treasurer shall cause an independent audit of the pool to be conducted on an annual basis. The auditor shall be selected by the advisory committee.
- V. The state treasurer shall charge the public deposit investment pool any actual costs incurred by the department for the operation of the pool as well as any expenses of department personnel assisting in the operation of the pool. The private investment advisor retained under paragraph II shall be responsible for processing any invoice submitted for the actual costs incurred by the department and the expenses of department personnel under this paragraph.
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- I. Formulation of a disclosure policy and materials to be included in a prospectus and in periodic reports to participants, including:
 - (a) A written statement of policy and pool objectives;
 - (b) Investment objectives designed to meet the pool objectives:

CHAPTER 36 HB 595-FN - FINAL VERSION - Page 2 -

1	(c) A description of eligible investment instruments;
2	(d) The credit standard of investment;
3	(e) Allowable maturity range of investments;
4	(f) The limits of portfolio concentration permitted for each type of security;
5	(g) Safekeeping practices;
6	(h) Definition of pool participant eligibility;
7	(i) Disclosure of size of accounts, size of transactions and administrative costs; and
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9	II. Investment and administrative policies, practices, and restrictions, including the
10	frequency and method used for calculating valuation, yields, and earnings.
11	III. Requests for proposals from investment managers and criteria for reviewing such
12	proposals.
13	6:47 Public Deposit Investment Pool Advisory Committee.
14	I. There is established an advisory committee on the public deposit investment pool,
15	consisting of the following members:
16	(a) The state treasurer.
17	(b) The commissioner of the department of revenue administration or designee.
18	(c) Two members appointed by the New Hampshire Government Finance Officers
19	Association.
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21	(e) One county finance officer appointed by the New Hampshire Association of Counties.
22	(f) One city finance officer, appointed by the New Hampshire Municipal Association.
23	(g) One school district finance officer, appointed by the New Hampshire School Boards
24	Association.
25	II. The advisory committee shall assist and advise the treasurer on the establishment and
26	operation of the investment pool, including:
27	(a) Formulating the disclosure policy.
28	(b) Determining eligible investment vehicles.
29	(c) Establishing performance standards.
30	(d) Monitoring the outflow of funds from financial institutions.
31	(e) Determining compliance with written investment policies.
32	(f) Conducting periodic reviews of the public deposit investment pool.
33	36:2 Public Deposit Investment Pool; Cross References Amended. Amend the following RSA
34	sections by replacing "RSA 383:22" with "RSA 6:45": RSA 6:8; the introductory paragraph in RSA
35	29:1, I; RSA 29:1, IV; RSA 29:3; RSA 31:25; RSA 31:27; RSA 34:5; RSA 35:9; the introductory
36	paragraph in RSA 41:29, II; RSA 41:29, IV; the introductory paragraph in RSA 48:16, I; RSA 48:16
37	III; the introductory paragraph in RSA 197:23-a, I; and RSA 197:23-a, IV.

CHAPTER 36 HB 595-FN - FINAL VERSION - Page 3 -

1	36:3 Repeal. The following are repealed:
.2	I. RSA 383:22, relative to the public deposit investment pool.
3	II. RSA 383:23, relative to rulemaking for the public deposit investment pool.
4	III. RSA 383:24, relative to the advisory committee for the public deposit investment pool.
5	36:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 17, 2023 Effective Date: July 16, 2023

Committee Minutes

SENATE CALENDAR NOTICE Commerce

Sen Bill Gannon, Chair

Sen Denise Ricciardi, Vice Chair

Sen Daniel Innis, Member

Sen Donna Soucy, Member

Sen Shannon Chandley, Member

Date: March 30, 2023

HEARINGS

	Tuesday	04/04/209	23	
	(Day)	(Date)		
Commerce	e	State House 100	9:00 a.m.	
(Name of Committee)		(Place)	(Time)	
9:00 a.m.	HB 520	relative to escrow accounts maintained by licensed nondeposit mortgage bankers, brokers, and servicers.		
9:10 a.m.	HB 522-FN	relative to money transmitters.		
9:20 a.m.	HB 595-FN	relative to the oversight of the public deposit investment pool		
9:30 a.m.	HB 248	relative to revenue from commemorative bottles of liquor.		
9:40 a.m.	HB 407	relative to regulations on alcohol.		
	:	EXECUTIVE SESSION MAY FOLLOW		

Sponsors:			
HB 520			
Rep. Hunt	Rep. McAleer		
HB 522-FN	-		
Rep. Hunt	Rep. McAleer		
HB 595-FN			
Rep. Hunt	Rep. Lascelles	Sen. Rosenwald	
HB 248			
Rep. Hunt	Sen. Carson	Sen. Ward	Sen. Watters
Sen. D'Allesandro			
HB 407			
Rep. Hunt			

Aaron Jones 271-2609

Bill M. Gannon Chairman

Senate Commerce Committee

Aaron Jones 271-2609

HB 595-FN, relative to the oversight of the public deposit investment pool.

Hearing Date:

April 4, 2023

Time Opened:

9:21 a.m.

Time Closed:

9:24 a.m.

Members of the Committee Present: Senators Ricciardi, Innis, Soucy and

Chandley

Members of the Committee Absent: Senator Gannon

Bill Analysis:

This bill changes the oversight of the public deposit investment

pool from the banking department to the state treasurer.

Sponsors:

Rep. Hunt

Rep. Lascelles

Sen. Rosenwald

Who supports the bill: Representative John Hunt

Who opposes the bill: No one

Who is neutral on the bill: Commissioner Emelia Galdieri (NH Banking

Department), Lauren Warner (NH Treasury Department)

Summary of testimony presented in support:

Representative John Hunt

- This bill was based on unanimous recommendations from a study committee.
- Currently, the Banking Department has oversight over the investment pool. In most states, however, these investments are overseen by the treasury.
- Senator Soucy asked about the changes made in Roman II and Roman V.
 - Representative Hunt believed those changes were from the Banking Department to the State Treasurer.

Summary of testimony presented in opposition: None

Neutral Information Presented:

Lauren Warner, Deputy Treasurer, Treasury Department

• As requested by the Treasury Department, the House amendment made technical changes.

- o In Section V, a sentence was removed about the Banking Department calculating their costs based on per diem calculations.
- o In Roman II, the advisory committee was changed from "the commissioner" to "the treasurer".

AJ
Date Hearing Report completed: April 5, 2023

Speakers

PLEASE PRINT NEATLY

Senate Commerce Committee

SIGN-IN SHEET

Date: 04/4/2023

Time: 9:20 a.m.

HB 595-FN An ACT relative to the oversight of the public deposit investment pool.

PRIME: Rep. John Hunt

NAME (PLEASE PRINT NEATLY)	REPRESENTING	SUBM TESTI			_			
Emelia Galdieri	NH Banking Dept	Yes	No 🔼	Support	Neutral	Oppose	Speaking?	Yes
Solan B How		Yes	No	Support	Neutral	Oppose	Speaking?	Yes (X C
Lauren Warner	Treasury	Yes	No Œ	Support	Neutral	Oppose	Speaking?	Yes
		Yes	No	Support	Neutral	Oppose	Speaking?	Yes
		Yes	No □	Support	Neutral	Oppose	Speaking?	Yes
		Yes	No □	Support	Neutral	Oppose	Speaking?	Yes
		Yes	No	Support	Neutral	Oppose	Speaking?	Yes
		Yes	No	Support	Neutral	Oppose	Speaking?	Yes
		Yes	No	Support	Neutral	Oppose	Speaking?	Yes
		Yes	No	Support	Neutral	Oppose	Speaking?	Yes
		Yes	No	Support	Neutral	Oppose	Speaking?	Yes

Senate Remote Testify

Commerce Committee Testify List for Bill HB595 on 2023-04-04 Support: 0 Oppose: 0

Voting Sheets

Senate Commerce Committee

EXECUTIVE SESSION RECORD

2023-2024 Session

Hearing date: 4/4/65 Executive Session date: 4/4/27 Motion of: Vote: 4-C Committee Member Made by Second Yes No	<u>) </u>
Motion of: Vote: 4-0	<u>) </u>
Committee Member Made by Second Yes No	
Sen. Gannon, Chair □	
Motion of: Vote:	
Committee Member Made by Second Yes No Sen. Gannon, Chair Sen. Ricciardi, V-Chair Sen. Innis Sen. Soucy Sen. Chandley	
Motion of: Vote:	
Committee Member Made by Second Yes No Sen. Gannon, Chair	
Reported out by: Standby Notes:	

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Tuesday, April 4, 2023

THE COMMITTEE ON Commerce

to which was referred HB 595-FN

AN ACT

relative to the oversight of the public deposit investment pool.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF:

4-0

Senator Shannon Chandley For the Committee

Aaron Jones 271-2609

<u>COMMERCE</u>
HB 595-FN, relative to the oversight of the public deposit investment pool. Ought to Pass, Vote 4-0.
Senator Shannon Chandley for the committee.

General Court of New Hampshire - Bill Status System

Docket of HB595

Docket Abbreviations

Bill Title: relative to the oversight of the public deposit investment pool.

Official Docket of HB595.:

Date	Body	Description
1/12/2023	Н	Introduced (in recess of) 01/05/2023 and referred to Commerce and Consumer Affairs HJ 3 P. 22
2/2/2023	Н	Public Hearing: 02/07/2023 10:30 am LOB 210-211
2/23/2023	Н	Public Hearing: 02/07/2023 10:30 am LOB 210-211
2/23/2023	Н	Executive Session: 03/08/2023 01:15 pm LOB 302-304
2/23/2023	Н	Subcommittee Work Session: 03/07/2023 10:00 am LOB210-211
3/14/2023	Н	Committee Report: Ought to Pass with Amendment #2023-0808h (Vote 03/14/2023; 19-0) HC 16 P. 5
3/22/2023	Н	Amendment #2023-0808h: AA VV 03/22/2023 HJ 10
3/22/2023	Н	Ought to Pass with Amendment 2023-0808h: MA VV 03/22/2023 HJ 10
3/24/2023	S	Introduced 03/23/2023 and Referred to Commerce; SJ 12
3/30/2023	S	Hearing: 04/04/2023, Room 100, SH, 09:20 am; SC 16
4/4/2023	S	Committee Report: Ought to Pass, 04/13/2023; SC 17
4/13/2023	S	Ought to Pass: MA, VV; OT3rdg; 04/13/2023; SJ 13
5/12/2023	S	Enrolled Adopted, VV, (In recess 05/11/2023); SJ 15
5/15/2023	Н	Enrolled (in recess of) 05/04/2023
5/19/2023	Н	Signed by Governor Sununu 05/17/2023; Chapter 36; Eff: 07/16/2023

NH House	NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HD 575-FN Senate Committee: CMMFU'E
Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside
Final docket found on Bill Status
Bill Hearing Documents: {Legislative Aides}
Bill version as it came to the committee
Bill version as it came to the committee All Calendar Notices
Hearing Sign-up sheet(s)
Prepared testimony, presentations, & other submissions handed in at the public hearing
Hearing Report
Revised/Amended Fiscal Notes provided by the Senate Clerk's Office
Committee Action Documents: {Legislative Aides}
All amendments considered in committee (including those not adopted):
(H amendment # amendment #
- amendment # amendment #
Executive Session Sheet
Committee Report
Floor Action Documents: {Clerk's Office}
All floor amendments considered by the body during session (only if they are offered to the senate):
amendment # amendment #
amendment # amendment #
Post Floor Action: (if applicable) {Clerk's Office}
Committee of Conference Report (if signed off by all members. Include any new language propose by the committee of conference):
Enrolled Bill Amendment(s)
Governor's Veto Message
All available versions of the bill: {Clerk's Office}
as amended by the senate as amended by the house
final version
Completed Committee Report File Delivered to the Senate Clerk's Office By:
ARTON JONES
Committee Aide Date

Senate Clerk's Office