Bill as Introduced

CACR 35 – AS INTRODUCED

2000 SESSION

00-2555
04/10

CONSTITUTIONAL AMENDMENT
CONCURRENT RESOLUTION ***35***

RELATING TO: malfeasance and crime in state agencies.

PROVIDING THAT: a permanent grand jury shall be established to review and investigate all actions by agencies of the state of New Hampshire and all indictments arising therefrom shall be prosecuted promptly and without delay.

SPONSORS: Rep. Marple, Merr 11

COMMITTEE: Judiciary

ANALYSIS

This constitutional amendment-concurrent resolution provides that a permanent grand jury shall be established to review and investigate all actions by agencies of the state of New Hampshire and shall meet as needed in response to citizen complaint petitions, and all indictments arising therefrom shall be prosecuted promptly and without delay.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CACR 35 – AS INTRODUCED

00-2555
04/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: malfeasance and crime in state agencies.

PROVIDING THAT: a permanent grand jury shall be established to review and investigate all actions by agencies of the state of New Hampshire and all indictments arising therefrom shall be prosecuted promptly and without delay.

Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:

I. That article 4 of the second part of the constitution be amended to read as follows:

[Art.] 4th [Power of General Court to Establish Courts.] The general court [~~(except as otherwise provided by Article 72-a of Part II)~~] shall forever have full power and authority to erect and constitute judicatories and courts of record, or other courts, to be holden, in the name of the state, for the hearing, trying, and determining, all manner of crimes, offenses, pleas, processes, plaints, action, causes, matters and things whatsoever arising or happening within this state, or between or concerning persons inhabiting or residing, or brought, within the same, whether the same be criminal or civil, or whether the crimes be capital, or not capital, and whether the said pleas be real, personal or mixed, and for the awarding and issuing execution thereon, ***a permanent grand jury shall be established to review and investigate all actions by agencies of the state of New Hampshire and shall meet as needed in response to citizen complaint petitions, and all indictments arising therefrom shall be prosecuted promptly and without delay***. [~~To which courts and judicatories, are hereby given and granted, full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy, or depending before them.~~]

II. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 2000.

III. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 2000 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 2000 session of the general court shall be approved.

IV. That the wording of the question put to the qualified voters shall be:

Are you in favor of amending Article 4, Part Second of the Constitution to provide that a permanent grand jury shall be established to review and investigate all actions by agencies of the state of New Hampshire and shall meet as needed in response to citizen complaint petitions and all indictments arising therefrom shall be prosecuted promptly and without delay?

V. That the secretary of state shall print the question to be submitted on a separate ballot or on the same ballot with other constitutional questions. The ballot containing the question shall include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made in either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words "Questions Relating to Constitutional Amendments proposed by the 2000 General Court" shall be printed in bold type at the top of the ballot.

VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.

Speakers

Fill in *ONLY* if *SPEAKING* on Bill

Bill # CR-35 Date 1/12/00

Committee Judiciary

I support the bill ✓

I oppose the bill ____ (8)

I have written testimony ____

(Number of copies) ____

Time needed to speak: 1½ Min

Name William Cushman

Address New Castle NH

Phone 436-8497

Representing Self

Fill in *ONLY* if *SPEAKING* on Bill

Bill # CACR35 Date 1-12-00

Committee Judiciary

I support the bill ____ (7)

I oppose the bill X

I have written testimony ____

(Number of copies) ____

Time needed to speak: 1 min (I promise!)

Name Claire Ebel

Address 18 Low Av Concord

Phone 225-3080

Representing NHCLU

Fill in *ONLY* if *SPEAKING* on Bill

Bill # ~~CACR~~ 35 Date 1-12-00

Committee Judiciary

I support the bill X (1)

I oppose the bill ____

I have written testimony ____

(Number of copies) ____

Time needed to speak: 7-10 min

Name Richard Marple

Address 21 Dartmouth St Hooksett N.H.

Phone 603-627-1857

Representing Myself

Fill in *ONLY* if *SPEAKING* on Bill

Bill # CACR35 Date 1/12/2000

Committee Judiciary

I support the bill ____

I oppose the bill ____ (9)

I have written testimony ____

(Number of copies) ____

Time needed to speak: 2m

Name John Martin

Address Concord NH

Phone ____

Representing NH Bar Assoc

Fill in *ONLY* if *SPEAKING* on Bill

Bill # CACR 35 Date 1/12/2000

Committee Judiciary

I support the bill ✓

I oppose the bill 10

I have written testimony ____

(Number of copies) ____

Time needed to speak: 2-3 minutes

Name Janet S. McLaughlin

Address 267 Mill Brook Rd
Landaff, N.H.

Phone 838-5220

Representing Self

Fill in *ONLY* if *SPEAKING* on Bill

Bill # CACR #35 Date 1-12-2000

Committee Judiciary

I support the bill ✓ 2

I oppose the bill ____

I have written testimony ____

(Number of copies) ____

Time needed to speak: 15 min

Name Edward L. Brown

Address 401 Center of Town Rd
Plainfield NH.

Phone 675-2909

Representing U.A.I.C. - N.H.
UNAMERICAN ACTIVITIES INVESTIGATION COMM.

Fill in *ONLY* if *SPEAKING* on Bill

Bill # CR. 35 Date 1-12-00

Committee Judiciary

I support the bill ✓ 3

I oppose the bill ____

I have written testimony ____

(Number of copies) ____

Time needed to speak: 10 min

Name Bradley Fenn.

Address North Main Box 113
Winchester NH.

Phone 603 239-4793

Representing My Business

Fill in *ONLY* if *SPEAKING* on Bill

Bill # CACR-35 Date _____

Committee _____

I support the bill ✓ (5)

I oppose the bill ____

I have written testimony ____

(Number of copies) ____

Time needed to speak: 5 Mins

Name Robert Nichols

Address 364 Dustin Rd
Contoocook

Phone 746-3587

Representing Public

Fill in *ONLY* if *SPEAKING* on Bill

Bill # CACR35 Date 1/12/00

Committee Judiciary

I support the bill ✓ (4)

I oppose the bill ____

I have written testimony ____

(Number of copies) ____

Time needed to speak: 1 Min

Name Karl Christiansen

Address Distr 23 Hudson

Phone _____

Representing Distr 23 Hudson

Fill in *ONLY* if *SPEAKING* on Bill

~~Bill #~~ CACR 35 Date 12 January 2000

Committee House Judiciary

→ I support the bill ✓ (6)

See also my PETITION FOR A FUNDAMENTAL RIGHT OF 22 Dec. 99

I oppose the bill ____

have written testimony ____

(Number of copies) ____

Time needed to speak: 2 minutes

Name Joseph S. Haas

Address P.O. Box 218
Ashland NH 03217

Phone None e-mail = JosephHaas53@HotMail.com

Representing myself

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # CACR 35 Date 1/12/2000

Committee Judiciary

** Please Print All Information **

Name	Address	Phone	Representing	(check one) Pro	Con
DENIS PARKER	CONCORD		SEA		✓
Michael Brewster	Pittsfield			✓	
David Hall	Rep. Grafton 13			✓	
Fred Rowden	Hillsboro			✓	
Lois H. Gardner	Etna			✓	
Allan C. Gardner	Etna			✓	

Hearing Minutes

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON CACR 35

BILL TITLE: relating to malfeasance and crime in state agencies. Providing that a permanent grand jury shall be established to review and investigate all actions by agencies of the state of New Hampshire and all indictments arising therefrom shall be prosecuted promptly and without delay.

DATE: 1/12/2000

LOB ROOM: 208 **Time Public Hearing Called to Order:** 1:10 P.M.

Time Adjourned: 2:30 P.M.

(please circle if present)

Committee Members: Reps. Mock, Peterson, Jacobson, Kean, Bergin, Dokmo, L. Jean, Rowe, Ford, Wither, Dudley, Piecuch, Sultani, Woods, Wall, DePecol, J. Praut, Craig, Lasky, Mitchell, Solow and Wood.

Bill Sponsors: Rep. Marple, Merr. 11

TESTIMONY

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

Rep. Marple, sponsor, supporting

-Explained general provisions of this bill. Explained the difficulty of citizens in dealing with various state entities acting under "Color of Law" and to better deal with the hearing as a whole. He went on to explain the further shortcomings in the various avenues open to the citizenry. Wants no public employee on grand jury perceived conflict permanent – indicates grand jury will exist in perpetuity as a constitutional structure

Edward Brown – representing UnAmerican Activities Investigation Committee

-Eight years of study – the 10 steps of the communist manifesto are in action in New Hampshire "right now". If we go forward the entire judiciary would be under indictment

***Mr. Terrance Qualters, Qualters Farm, Winchester**

-Mr. Qualters owns gravel business, in 1990 ran dairy farm, conflicted with construction business. He was jailed for 9 days in maximum security , had false papers. Citizens have no place to go against state agencies. Need system that holds state responsible for its employees.

Rep. Christiansen – supporting

-If people had had this system "Drega" (shooting of citizens and state police in Colebrook) would not have happened

Robert Nichols,Contoocook, supporting, representing public

-State prison system has neglected inmates through the years; e.g. (1) inspections only after announcement, (2) prisoners with heart conditions ignored, (3) mentally handicapped person imprisoned – couldn't fight system on false molestation charges

-Court system is under a cloud of secrecy

-DCYF is out of control – secret false charges

-Police Department – exculpatory evidence turned by county attorney

-Define Agency

*Joe Haas, supporting, representing himself

-Agree in principle, define agency, use appeal process. Sometimes these systems are hard to use. There is redress but not always effective. This supplements current.

Claire Ebel, Ex. Dir. NHCLU

-Takes no formal position, but lines 2,3 striking

-Was actually acted on, lines 13, 14, 15 are superfluous

Wm. Cushman, representing himself

-Man stopped paying child support, but child living with him- he would up in jail

-Plea bargaining – guilty plea – suppressed by county attorney – pollution

John MacIntosh, NH Bar Assn., neither supporting nor opposing

-This appears to institute a permanent grand jury – agencies must be defined

-Lines 2,3 with strike creates old tension between executive courts vs constitutional courts

Janet McLaughlin, Landaff – supporting

-Dispute of material facts is not addressed – only appeal is to Supreme Court on facts of law.

Respectfully submitted,

Rep.Sandra B. Keans, Clerk

SPEAKING - SUPPORTING

Terence Qualters, Qualters Farm, North Main St., Box 113, Winchester
Janet S. McLaughlin, 267 Mill Brook Rd. Landaff
Edward L. Brown, 401 Center of Town Rd., Plainfield, UnAmerican Activities Investigation Comm.
William Cushman, New Castle
Rep. Richard Marple, Merrimac #11
Robert Nichols, 369 Dustin Rd., Contoocook
Joseph S. Haas, P.O. Box 218, Ashland
Rep. Christiansen, Dist. 23 Hudson

SPEAKING - NEITHER SUPPORTING NOR OPPOSING

John McIntosh, NH Bar Assn.

SPEAKING - OPPOSING
Claire Ebel, NHCLU, Concord

CACR - 35

1.10

Rep Maple Introduced CACR 35 Spoke to General provisions of bills.

Explained the difficulty of citizens in dealing with various State entities acting under "Color of law" and better deal with the bureaucracy as a whole.

Went on to explain the further shortcomings in the various avenues open to the citizenry.

WANTS NO PUBLIC EMPLOYEE ON GRAND JURY - PERCEIVED CONFLICT PERMANENT" — INDICATES GRAND JURY WILL EXIST IN PERPETUITY. AS A CONSTITUTIONAL ~~STR~~ UCTURE

EDWARD BROWN - "UNAMERICAN ACTIVITIES INVESTIGATION COMM." EIGHTS YEARS OF STUDY THE 10 STEPS OF THE COMMUNIST MANIFESTO ARE IN ACTION ~~IN~~ IN NH "RIGHT NOW." IF WE GO FORWARD THE ENTIRE JUDICIARY WOULD BE UNDER INDICTMENT.

*MR WALTERS - WINCHESTER RUNS GRAVEL BUSINESS. 1990 RAN DAIRY FARM CONFLICTED W CONSTRUCTION BUSINESS. JAILED IN MAXIMUM SECURITY FOR 9 DAYS HAD FALSE PAPERS. CITIZENS HAVE NO PLACE TO GO AGAINST STATE AGENCIES. NEED SYSTEM THAT HOLDS STATE RESPONSIBLE FOR ITS EMPLOYEES.

REP CHRISTIANSEN: SUPPORT - IF PEOPLE HAD HAD THIS SYSTEM ~~DEEDEE~~ SITUATION WOULD NOT HAVE HAPPENED

ROBERT NICHOLS - A. STATE PRISON SYSTEM HAS NEGLECTED INMATES THROUGH YEARS ① INSPECTIONS ONLY AFTER ANNOUNCEMENT ② PRISONERS W HEART CONDITION IGNORED ③ & MENTALLY HANDICAPPED PERSON IMPRISONED - COULDN'T FIGHT SYSTEM ON FALSE MOLESTATION CHARGES.
B. COURT SYSTEM - UNDER CLOUD OF SECRECY.
C. DCYF - OUT OF CONTROL - SECRET FALSE CHARGES
D. POLICE DEPT. - EXCULPATORY EVIDENCE TURNED BY CO. ATTY.
~~IMPORTANT POINT~~ - DEFINE AGENCY

* JOE HAAS - AGREE IN PRINCIPLE, DEFINE AGENCY, USE APPEAL PROCESS SOMETIMES THESE SYSTEMS ARE HARD TO USE. THERE IS REDRESS BUT NOT ALWAYS EFFECTIVE. THIS SUPPLEMENTS CURRENT.

CLAIRE EBEL EXDIR NHCLU NO POSITION BUT LINES 2,3 STRIKING - WAS ACTUALLY ACTED ON. LINES 13,14,15 ARE NOT SUPERFLUOUS.

WM. CUSHMAN - JUSTICE UNAFFORDABLE ① MAN ~~STOPPED~~ PAYING CHILD SUPPORT BUT CHILD LIVING W HIM - WOUND UP IN JAIL ② PLEA BARGAINING - ~~PROBLEM~~ GUILTY PLEA SURPRESSED BY CO. ATTY ③ POLLUTION

JOHN MACINTOSH NHBAR APPEARS TO INSTITUTE A PERMANENT GRAND JURY - AGENCIES MUST BE DEFINED
LINES 2 3 WITH STRIKE CREATES OLD TENSION BETWEEN ~~EXECUTIVE COURT~~ EXECUTIVE · COURTS VS. CONSTITUTIONAL COURTS.

-OVER-

JANET McLAUGHLIN - LANDAFF DISPUTE OF MATERIAL FACTS IS NOT ADDRESSED - ONLY APPEAL IS TO SUPREME COURT ON FACTS OF LAW.

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON CACR 35

BILL TITLE: **relating to malfeasance and crime in state agencies. Providing that a permanent grand jury shall be established to review and investigate all actions by agencies of the state of New Hampshire and all indictments arising therefrom shall be prosecuted promptly and without delay.**

DATE: 1~~2~~/00 1/12/2000

LOB ROOM: 208 **Time Public Hearing Called to Order:** ~~1:10~~ 1:10

Time Adjourned: 2:30

(please circle if present)

Committee Members: Reps. Mock, Peterson, Jacobson, Keans, Bergin, Dokmo, L. Jean, Rowe, Ford, Withee, Dudley, Picconi, Soltani, Woods, Wall, DePecol, J. Pratt, Craig, Lasky, Mitchell, Solow and Wood.

Bill Sponsors:

TESTIMONY

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

~~*~~ MARPLE
BROWN
* QUALTERS
CHRISTIANSEN
NICHOLS
* HAAS – CHAPTER 9

Sub-Committee Minutes

HOUSE COMMITTEE ON JUDICIARY

SUBCOMMITTEE WORK SESSION ON CACR 35

BILL TITLE: relating to malfeasance and crime in state agencies. Providing that a permanent grand jury shall be established to review and investigate all actions by agencies of the state of New Hampshire and all indictments arising therefrom shall be prosecuted promptly and without delay.

DATE:

Subcommittee Members: Reps.

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep.

Seconded by Rep.

Vote:

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

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep.
Subcommittee Chairman/Clerk

Testimony

DICK MARPLE
State-Federal Relations & Veterans Affairs

Room 306
Legislative Office Building
Concord, NH 03301
(603) 271-2169
Fax: (603) 271-6689

21 Dartmouth Street
Hooksett, NH 03106
Fax/Phone: (603) 627-1837

FILE COPY

JUSTICE BRENNAN, with whom JUSTICE MARSHALL and JUSTICE BLACKMUN join, concurring.

I agree with the substantive standard announced by the Court today, imposing liability when a public-official defendant [457 U.S. 800, 821] "knew or should have known" of the constitutionally violative effect of his actions. Ante, at 815, 819. This standard would not allow the official who actually knows that he was violating the law to escape liability for his actions, even if he could not "reasonably have been expected" to know what he actually did know. Ante, at 819, n. 33. Thus the clever and unusually well-informed violator of constitutional rights will not evade just punishment for his crimes. I also agree that this standard applies "across the board," to all "government officials performing discretionary functions." Ante, at 818. I write separately only to note that given this standard, it seems inescapable to me that some measure of discovery may sometimes be required to determine exactly what a public-official defendant did "know" at the time of his actions. In this respect the issue before us is very similar to that addressed in Herbert v. Lando, 441 U.S. 153 (1979), in which the Court observed that "[t]o erect an impenetrable barrier to the plaintiff's use of such evidence on his side of the case is a matter of some substance, particularly when defendants themselves are prone to assert their goo[d f]aith . . . ." Id., at 170. Of course, as the Court has already noted, ante, at 818-819, summary judgment will be readily available to public-official defendants whenever the state of the law was so ambiguous at the time of the alleged violation that it could not have been "known" then, and thus liability could not ensue. In my view, summary judgment will also be readily available whenever the plaintiff cannot prove, as a threshold matter, that a violation of his constitutional rights actually occurred. I see no reason why discovery of defendants' "knowledge" should not be deferred by the trial judge pending decision of any motion of defendants for summary judgment on grounds such as these. Cf. Herbert v. Lando, supra, at 180, n. 4 (POWELL, J.,

http://caselaw.findlaw.com/scripts/getcase.pl?navby=case&court=US&vol=457&invol=800 4/12/99

NEIGHBORHOOD PUBLICATIONS, INC. MAY 6, 1999 A-11

The 'something-to-hustle-everyone tax bill' is unconstitutional

To the Editor:

They've done it again!

On Dec. 2, 1998, I took an oath to support and maintain the constitution of the United States and the state of New Hampshire along with all the other members of the Legislature. I took that oath with great respect and honor as I had done many years ago when I enlisted in the U.S. Navy for a four year hitch.

Last Thursday, April 29, 1999, I kept my word and honored my oath of office. I voted against the "something-to-hustle-everyone tax bill." Why? Simply because it is unconstitutional!

One glaring part that is unconstitutional is the extension of the 8 percent rooms and meals tax to rented automobiles. If one reads Article 6a of Part Two Form of Government, one finds that *all funds* generated from automobiles and their use is dedicated to the highway department for building and maintenance and repair of highways and bridges. These funds *cannot* be diverted by any means whatsoever. Read Article 6a and decide for yourself.

Everyone who voted for that tax bill violated their oath of office!

And you ask, "Why am I so ticked over such a small twisting of the supreme law of the land?" Well, this isn't the first time that public policy, not law, has been twisted by special interests. Last year, the same legislators passed the so-called "conservation plate" bill, another vanity plate to generate funds for programs other than those specifically enumerated in Article 6a.

This was a total violation of the constitutional mandates and all of my political attempts to have the violation addressed were met with arrogance and disdain, including the governor's office – at least in the male voice on the phone who identified himself as speaking for the Governor but would not identify himself to me when asked.

OK, Governor, Article #41, part Two is explicit. You now have public notice of not one but *two* blatant violations of the New Hampshire Constitution by those who should know better.

Will you impose the penalty that RSA 92:2 requires? If not, why not?

The trashing the constitution cannot go on and the fuzzy-feel-good public policy must cease. That is what the chains of the constitution were put in place to do.

If the reader reveres the supreme law of the land, as I do, please write me with your support.

Dick Marple
21 Dartmouth St.
Hooksett NH 03106
Rep., Merrimack #11

CHESHIRE COUNTY SHERIFF'S DEPARTMENT
UNIFORM STATEMENT FORM

FILE COPY

date _____ time, _____ place, _____

I, _____ give the following voluntary statement CACR35

to, _____ who has identified himself as a member

of the _____ Police Department. He has advised me of the following: QUALTERS

1. I have the right to remain silent;
2. Anything I say can and will be used against me in a court of law;
3. I have the right to talk to a lawyer for advice before any questioning and to have one with me during questioning;
4. If I cannot afford a lawyer; one will be appointed to me; and
5. If I decide to answer questions now without my lawyer present, I still have the right to stop answering at any time.
6. Do you understand each of the above rights?_____
7. Having these rights in mind, do you wish to give a statement?_____

witness, _____

witness, _____

To Attorney General Arnold.
I request to testify under oath
ASAP while confined in this
prison denying me a right to
work on our farm. This is my
second confinement and I wish to
expose criminal activity inside
the Dept of Safety.
Qualters Farm
3:30 p.m. Please Call Today! Jeanne R. Qualters

page 2 of _____ pages July 29, 1992

WHITE - Master File CANARY - Follow-up File PINK - Officer's File

CASE NO.

Voting Sheets

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on CACR 35

BILL TITLE: **relative to malfeasance and crime in state agencies. Providing that a permanent grand jury shall be established to review and Investigate all actions by agencies of the state of New Hampshire and all indictments arising therefrom shall be prosecuted promptly and without delay.**

DATE: 10/01/08

LOB ROOM: 208

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

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

Moved by Rep. Pratt

Seconded by Rep. Craig

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

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

Moved by Rep.

Seconded by Rep.

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

CONSENT CALENDAR VOTE: ~~11-2~~

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Loren J. Jean, Clerk

OFFICE OF THE HOUSE CLERK 2000 SESSION

JUDICIARY

Bill #: CACB 35 **Title:** relative to malfeasance & crime in state agencies

PH Date: ____/____/____ **Exec Session Date:** 20 / 01 / 00

Motion: ITL **Amendment #:**

MEMBER		YEAS	NAYS
Mock, Henry P, Chairman			
Peterson, Andrew R, V Chairman	✓		
Jacobson, Alf E	✓		
Keans, Sandra B	✓		
Bergin, Peter F			
Dokmo, Cynthia J	✓		
Jean, Loren J, Clerk	✓		
Rowe, Robert H	✓		
Ford, Nancy M			
Withee, Dennis J			
Dudley, Terri C			✓
Picconi, Al J	✓		
Soltani, Tony F			✓
Woods, Phyllis L	✓		
Wall, Janet G	✓		
DePecol, Benjamin J			
Pratt, John M	✓		
Craig, James W	✓		
Lasky, Bette R	✓		
Mitchell, McKim W	✓		
Solow, Martha S	✓		
Wood, Jane			
TOTAL VOTE:			
Printed: 12/30/1999	14		2

Committee Report

COMMITTEE REPORT

COMMITTEE: **Judiciary**

BILL NUMBER: **CACR 35**

TITLE: relating to malfeasance and crime in state agencies. Providing that a permanent grand jury shall be established to review and investigate all actions by agencies of the state of New Hampshire and all indictments arising therefrom shall be prosecuted promptly and without delay.

DATE: Jan. 20, 2000 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☒ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

Though well intentioned as an effort to insure that all divisions of state government hold themselves accountable to the people they serve, in the judgment of the committee, the proposed constitutional amendment is over broad in its language and could subject every employee of the state, who has taken an "action", to the possibility of a grand jury indictment.

Vote 14-2.

Rep. John M. Pratt
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Judiciary

CACR 35, relating to malfeasance and crime in state agencies. Providing that a permanent grand jury shall be established to review and investigate all actions by agencies of the state of New Hampshire and all indictments arising therefrom shall be prosecuted promptly and without delay.

INEXPEDIENT TO LEGISLATE

Rep. John M. Pratt for **Judiciary:** Though well intentioned as an effort to insure that all divisions of state government hold themselves accountable to the people they serve, in the judgment of the committee, the proposed constitutional amendment is over broad in its language and could subject every employee of the state, who has taken an "action", to the possibility of a grand jury indictment.

Vote 14-2.

CAER 35

Though well intentioned as an effort to insure that all divisions of state government hold themselves accountable to the people they serve, the proposed constitutional amendment is, in the judgment of the committee, overbroad in its language and would subject every employee of the State who takes an "action" to the possibility of a grand jury indictment.

COMMITTEE REPORT

COMMITTEE: **Judiciary**

BILL NUMBER: CACR 35

TITLE: relating to malfeasance and crime in state agencies. Providing that a permanent grand jury shall be established to review and investigate all actions by agencies of the state of New Hampshire and all indictments arising therefrom shall be prosecuted promptly and without delay.

DATE:

CONSENT CALENDAR YES ☐ NO ☑

☐ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☑ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

Vote: 14 – 2

Rep. Pratt
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT