Bill as Introduced

1999 SESSION

99-0353
05/10

HOUSE BILL ***631-FN***

AN ACT authorizing the department of safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes.

SPONSORS: Rep. Welch, Rock 18; Rep. Pepino, Hills 40; Rep. Mikowlski, Rock 29

COMMITTEE: Criminal Justice and Public Safety

ANALYSIS

This bill authorizes the department of safety to issue photographic identification cards for persons who have undergone criminal background checks. These cards can be used when applying for other safety-related clearance matters.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

99-0353
05/10

STATE OF NEW HAMPSHIRE

In the Year of Our Lord One Thousand Nine Hundred and Ninety-Nine

AN ACT authorizing the department of safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes.

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

1 New Section; Criminal Background Check Identification Cards. Amend RSA 260 by inserting after section 21 the following new section:

260:21-a Criminal Background Check Identification Cards. Individuals required to undergo criminal background checks for employment or for any other lawful purpose may apply for and be issued a photographic identification card by the department of safety which shall be renewable every 4 years. Permissible usage of such identification cards shall include proof of right to possess, carry, or acquire a firearm. Such cards shall only be issued after department of safety personnel have verified, via review of National Instant Criminal Background Check System (NICS) records, that no data exists to indicate that possession of a firearm by the individual requesting the card would be in violation of federal, state or local law.

2 Effective Date. This act shall take effect January 1, 2000.

LBAO
99-0353
2/10/99

HB 631-FN - FISCAL NOTE

AN ACT authorizing the department of safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes.

FISCAL IMPACT:

The Department of Safety stated this bill may increase state highway fund expenditures by an indeterminable amount in FY 2000 and each year thereafter. There will be no fiscal impact on county and local expenditures or state, county and local revenue.

METHODOLOGY:

The Department cannot estimate the number of individuals required to undergo background checks who may apply for and be issued a photographic identification card, therefor, the Department cannot estimate the cost of issuing the cards.

Committee Minutes

REVISED

CRIMINAL JUSTICE & PUBLIC SAFETY COMMITTEE

1999 Re-Referred Bills

7/2/99

HB 202	legalizing the possession and cultivation of marijuana for medicinal purposes.	**Rep. Sargent, Chair** Rep. Flora Rep. MacDonald Rep. McCarthy Rep. O'Keefe Rep. Robertson
HB 359	establishing a committee to study the rights of a private citizen to pursue a criminal investigation if he or she believes it is not being pursued vigorously.	
HB 427	relative to the laws requiring a prescription to possess hypodermic needles and modifying the drug paraphernalia laws applying to syringes.	
SB 029	relative to the proper sheltering of dogs.	

HB 522	relative to the public's access to sex offender registry information.	**Rep. Christie, Chair** Rep. Andrews Rep. Callaghan Rep. Hansen Rep. Knowles Rep. Rodd Rep. Weare
HB 683	requiring teachers and school administrators to report incidents of disruptive behavior by students.	
HB 713	relative to penalties for multiple DWI offenses.	
SB 088	relative to penalties for third driving while intoxicated offenses.	
SB 143	relative to penalties for incest.	

HB 254	relative to restricting the fire marshal's authority in certain municipalities.	**Rep. Welch, Chair** Rep. Berube Rep. Doucette Rep. Mikowlski Rep. Pepino Rep. Schanda
HB 282	relative to bomb dogs and making an appropriation therefor.	
HB 312	restricting the carrying of firearms in courthouses.	
HB 478	prohibiting smoking in all areas of prisons.	
HB 631	authorizing the department of safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes.	

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 631 Date 3-10-99

Committee CJ + PS

**** Please Print All Information ****

Name	Address	Phone	Representing	(check one) Pro	Con
James Joyce	19 Country Club Drive S-27	Manchester	627-3299 Self	✓	

Hearing Minutes

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

PUBLIC HEARING ON HB 631-FN

BILL TITLE: authorizing the department of safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes.

DATE: March 10, 1999

LOB ROOM: 204 **Time Public Hearing Called to Order:** 1:02 PM

Time Adjourned: 1:30 PM

(please circle if present)

Committee Members: Reps. Welch, Christie, Hansen, Dunham, Sargent, Pepino, Flora, Mikowlski, Fesh, MacDonald, Weare, Andrews, J. Johnson, Knowles, Doucette, Berube, Schanda, O'Keefe, McCarthy, Robertson, Callaghan and Rodd.

Bill Sponsors: Rep. Welch, Rock 18; Rep. Pepino, Hills 40; Rep. Mikowlski, Rock 29

TESTIMONY

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

See attachment

New Hampshire House of Representatives
Criminal Justice and Public Safety Committee
Committee Minutes

Bill Number - HB 631-FN **Date of meeting** - March 10, 1999
Presiding - Rep. F. Schanda, Acting -Chairman, then Rep. A. Christie, Jr., Vice-Chairman

Testifying:

1. Rep. D. Welch, Rockingham District. #18, prime sponsor, in support. Bill needs work because there are some unknowns they weren't aware of. Filed bill in response to many petitions. People who already volunteer for a photo for background check probably should be able to get a photo id to prevent them from getting another one in a certain time period. Current concealed weapon permit has no photo.

Rep. Andrews: What about the young fellow who just turned 21? How much record check can be done? Response: I hope it would turn up anything that had occurred.

Rep. Fesh: What if he got the id card, and got into trouble 4 weeks later? Response: Treat it like a driver's license: scan data base and revoke.

Rep. Sargent: What about the confidentiality of underage records? Response: If the youth had committed a felony, it would show. Also, local police might know of things that happened and deny the permit.

Rep. Berube: How much would this cost? Response: Understand it would be minimal. A couple of dollars, maybe, paid for by the individual.

2. Rep. W. Mikowlski, Rockingham Dist. # 29, co-sponsor, in support. Card would simplify background check. This would be voluntary.

*3. Jean Krochmal, 445 Brown Ave., Manchester, NH (623-7936), Executive Director, GO-NH, no position. **(See written testimony.)** Lines 6 & 7 re: proof of right. How does this affect current law? Is willing to work with a sub-committee.

4. Ralph Demmico, Riley's Sport Shop, Candia, NH. (485-9515), in support. Have been delays in issuing o.k. for firearms purchase. He and others submitted petitions to initiate this bill to Rep. Welch. These permits are also called certificates of suitability. They would like the issuance turned over to local chiefs of police. Local chief would have more information and it would be faster. Before selling a firearm, seller must have a govt. issued photo id.

Doesn't have an answer to what if a permit is falsified. Never experienced this in his business.

Rep. Christie, Jr.: What if depts.-don't have photo capabilities? Response: Would agree to photo id rather than none, even if it had to happen at Dept. of Safety.

Rep. Welch: Could get local chief's o.k.; then send info into Dept. of Safety for photo and issuing card.

Letter in support from James H. Joyce, 19 Country Club Drive, Suite 27, Manchester, NH.
Written testimony in opposition from Harold Wilson, P.O. Box 91, Andover, NH (735-5427)

Maxwell D. Sargent

Rep. Maxwell D. Sargent - Clerk

Sub-Committee Minutes

State of New Hampshire

HOUSE OF REPRESENTATIVES
Legislative Office Building, 33 North State Street
Concord, NH 03301-6328

TEL: (603) 271-3418
TDD Access: Relay NH 1-800-735-2964

COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

MEMORANDUM

TO: **Subcommittee Members of Re-referred Bills:**
HB 254-L, HB 282-FN-A, HB 312, HB 478, HB 631-FN

FROM: **Representative David A. Welch, Subcommittee Chair**
PO Box 570, Kingston, NH 03848-0570
(603) 642-4402 / repdawelch@aol.com

DATE: **August 19, 1999**

SUBJ: **Reminder of Subcommittee Work Session**

SUBCOMMITTEE WORK SESSION

Tuesday, August 24, 1999

1:00 p.m. (note time change)

Room 204, LOB

HB 254 -L	relative to restricting the fire marshal's authority in certain municipalities.	**Rep. Welch, Chair** Rep. Berube Rep. Doucette Rep. Mikowlski Rep. Pepino Rep. Schanda
HB 282 -FN-A	relative to bomb dogs and making an appropriation therefor.	
HB 312	restricting the carrying of firearms in courthouses.	
HB 478	prohibiting smoking in all areas of prisons.	
HB 631 -FN	authorizing the department of safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes.	

Testimony



Gun Owners of New Hampshire, Inc. P. O. Box 6358
Manchester, N. H. 03108-6358
Tel. (603) 225-GONH / Fax (603) 621-4150

Gun Owners of New Hampshire has no official position as of yet on HB 631, but we do have some questions regarding the language in this bill as drafted by Legislative Services. One line in the text reads "Permissible usage of such identification cards shall include proof of right to possess, carry, or acquire a firearm." We are unsure of the impact this legislation as written would have on the current system. The photo identification card should be voluntary for those who wish to apply for it, and possibly only after holding a carry license issued under the current system.

Gun Owners of New Hampshire would be happy to work with the Committee or Sub-Committee to address these matters, especially after its next Board meeting, at which time this bill will be discussed.

Howard L. Wilson
POBOx 91
Andover,NH 03216
735-5427 after 7PM
stone@sugar-river.net

Criminal Justice & Public Safety
204 LOB March 9,1999 1PM

Re: HB 631

Why not take this plan,one step further,to include everybody who has a NH Drivers License,then replace all those current drivers License,with a combined drivers + background check card,then,for those who do not drive,but do need a photo ID,to buy alcohol,prescription medication and needles,and,as the bill notes,firearms.
How soon will it be,that such ID,will be required to buy a home,or a car,or even groceries?Especially with the FDIC program that might come on line,wherein your bank will spy on you,and your account,and report transactions to the police agencies?

Is this not the One World proposal,writ large,of an Universal Identifier,to be issued to everyone,at birth,loss or damage to be punished,if not available to the (Secret)Police request,on demand (to see)? Despite the seeming utility,of weeding out the unmarked criminals,both current and released ,who are presumed to be victims,because of thier prior status,even worse than the remainder of the citizenry, of whom the Liberals wish to make all citizens,does this not mark all of us,permanently? And make us easier to find,come the day of firearms confiscation,whether we own firearms or not,because we have applied for such an ID? Just as the Current Concealed Carry permit form,do the same job ? But now,if HB 631,becomes law,could not this be the base for confiscation?

I would prefer that sponsors,withdraw this bill,or lacking that courage,for the whole committee,to find this proposal,Inexpedient To Legislate.

For Liberty,

Howard L. Wilson

James H. Joyce
19 Country Club Drive, Suite 27
Manchester, NH 03102-8804
March 10, 1999

Honorable David A. Welch, Chairman
Criminal Justice and Public Safety Committee
New Hampshire House of Representatives
Concord, NH 03301

Dear Chairman Welch:

I am writing to you and your committee in complete ***SUPPORT of HB631***, providing for a New Hampshire Department of Safety-issued photographic identification card for, among other purposes, proof of the right to possess, carry, or acquire a firearm.

This is a long overdue measure which should, in my opinion, address the problems often encountered in purchasing a firearm because the Federal Bureau of Alcohol, Tobacco, and Firearms does not recognize New Hampshire's existing permit regime as satisfying Federal criteria, and current Department of Safety procedures do not allow an expeditious approval of firearms purchases where it cannot readily access the subsidiary data bases of the other States.

In approving the bill, I would also hope that the cost for the card will be a reasonable one, although I realize that this is another Committee's decision.

Sincerely,

James H. Joyce

James H. Joyce

P.S. I am also a life member of the NRA, and a life member of G.O.-N.H.

Voting Sheets

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on HB 631-FN

BILL TITLE: **authorizing the department of safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes.**

DATE: March 17, 1999

LOB ROOM: 204

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. Christie, Jr.

Seconded by Rep. Knowles

Vote: 12-0 (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: 12-0

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Maxwell D. Sargent, Clerk

CRIMINAL JUSTICE AND PUBLIC SAFETY 1999 SESSION

House Bill # 631-FN

Public Hearings 3/10/99. Executive Session 3/17/99

COMMITTEE REPORT: Re-refer

	YEAS	NAYS
Welch, David A, Chairman	✓	
Christie, Andrew, Jr, V Chairman	✓	
Hansen, Herbert R	absent	
Dunham, Vivian L	absent	
Sargent, Maxwell D, Clerk	✓	
Pepino, Leo P	absent	
Flora, Kathleen M	absent	
Mikowlski, Walter J	absent	
Fesh, Robert M	✓	
MacDonald, Kenneth J	✓	
Weare, Everett A	absent	
Andrews, Frederick B	✓	
Johnson, James M	✓	
Knowles, William V	✓	
Doucette, Richard F	absent	
Berube, Roger R	absent	
Schanda, Frank M	✓	
O'Keefe, Patricia M	✓	
McCarthy, William J	absent	
Robertson, Timothy N	✓	
Callaghan, Frank D	absent	
Rodd, Beth	✓	
TOTAL VOTE	12	0

Appeared in Favor	Appeared in Opposition

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

EXECUTIVE SESSION on {Type BILL NO.} HB 631

BILL TITLE: authorizing the department of safety to issue photographic identification cards to persons required to have criminal background check for employment or other lawful purposes

DATE: 10/26/99

LOB ROOM: 204

Amendments:

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

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

Moved by Rep. ANDREWS

Seconded by Rep. Rodd

Vote: 14-0 (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: 14-0

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Maxwell D. Sargent, Clerk

CRIMINAL JUSTICE AND PUBLIC SAFETY 1999 SESSION

House Bill # 631

Public Hearings 3/10/99 Executive Session 10/26/99

COMMITTEE REPORT: Ought to Pass with Amendment

	YEAS	NAYS
Welch, David A, Chairman	✓	
Christie, Andrew, Jr, V Chairman	✓	
Hansen, Herbert R	✓	
Dunham, Vivian L	absent	
Sargent, Maxwell D, Clerk	✓	
Pepino, Leo P	absent	
Flora, Kathleen M	absent	
Mikowlski, Walter J	✓	
Fesh, Robert M	absent	
MacDonald, Kenneth J	absent	
Weare, Everett A	✓	
Andrews, Frederick B	✓	
Johnson, James M	✓	
Knowles, William V	✓	
Doucette, Richard F	absent	
Berube, Roger R	absent	
Schanda, Frank M	✓	
O'Keefe, Patricia M	✓	
McCarthy, William J	✓	
Robertson, Timothy N	✓	
Callaghan, Frank D	absent	
Rodd, Beth	✓	
TOTAL VOTE	14	0

Appeared in Favor	Appeared in Opposition

10/4

Committee Report

COMMITTEE REPORT

COMMITTEE: **Criminal Justice and Public Safety**

BILL NUMBER: **HB 631-FN**

TITLE: authorizing the department of safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes.

DATE: April 13, 1999 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)

The original purpose of this bill was to establish a "Photo ID" system for all persons who are required by law to undergo a criminal record background check. According to the NH State Police, there are two different categories of criminal background checks. The first category is an inquiry of name and date of birth for the purpose of a criminal investigation of a criminal justice employee. This inquiry is made by a criminal justice agency and applies to sheriff's bailiffs pursuant to RSA 104:5, IV. The second category is an employee applicant fingerprint card submission to the FBI. The employee's fingerprints are sent to Washington. This second category applies to school employees pursuant to RSA 189:13-a, Health and Human Services staff who have regular contact with children pursuant to RSA 126-A:5 and persons who apply for permits to operate hazardous waste facilities pursuant to RSA 147-A:4. The department stated that there is no overlap between these two categories. On the Federal Level, the Brady check is an inquiry of name and date of birth. This entails review of National Instant Criminal Background Check System (NICS) records. If the sale of firearms is challenged, the person's fingerprints are sent to the FBI. It was determined that if such an ID card is desirable, it will require some extra time to determine how it should be obtained and how long the card would be in effect. Obviously if the holder of such a card committed an offense, the card would be revoked much like a driver license is revoked. The committee voted to further study this matter.

Vote 12-0.

Rep. Andrew Christie, Jr.
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Criminal Justice and Public Safety

HB 631-FN, authorizing the department of safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes. RE-REFER

Rep. Andrew Christie, Jr. for **Criminal Justice and Public Safety:** The original purpose of this bill was to establish a "Photo ID" system for all persons who are required by law to undergo a criminal record background check. According to the NH State Police, there are two different categories of criminal background checks. The first category is an inquiry of name and date of birth for the purpose of a criminal investigation of a criminal justice employee. This inquiry is made by a criminal justice agency and applies to sheriff's bailiffs pursuant to RSA 104:5, IV. The second category is an employee applicant fingerprint card submission to the FBI. The employee's fingerprints are sent to Washington. This second category applies to school employees pursuant to RSA 189:13-a, Health and Human Services staff who have regular contact with children pursuant to RSA 126-A:5 and persons who apply for permits to operate hazardous waste facilities pursuant to RSA 147-A:4. The department stated that there is no overlap between these two categories. On the Federal Level, the Brady check is an inquiry of name and date of birth. This entails review of National Instant Criminal Background Check System (NICS) records. If the sale of firearms is challenged, the person's fingerprints are sent to the FBI. It was determined that if such an ID card is desirable, it will require some extra time to determine how it should be obtained and how long the card would be in effect. Obviously if the holder of such a card committed an offense, the card would be revoked much like a driver license is revoked. The committee voted to further study this matter Vote 12-0

COMMITTEE REPORT

COMMITTEE: **Criminal Justice and Public Safety**

BILL NUMBER: **HB 631-FN**

TITLE: authorizing the department of safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes.

DATE: October 26, 1999 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)

House Bill 631 is an act authorizing the Department of Safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes. The Department of Safety would issue photographic identification cards for persons who have undergone criminal background checks. These cards could be used when applying for other safety-related clearance matters. Such cards shall only be issued after Department of Safety personnel have verified, via review of National Instant Criminal Background Check System (NICS) records, that no data exists to indicate that possession of a firearm by the individual requesting the card would be in violation of federal, state or local law. At the September 28, 1999 work session, Assistant Commissioner John Stephen was not enthusiastic about the bill. There was no support from the department and there were no suggestions about how to speed up the present process. When originally drafted, the sponsor thought it would provide a more uniform procedure and allow the criminal record background checks at the time of hire to be done in a more timely manner. The work sessions shed no light on the methods used that would indicate a benefit to those who need criminal record checks for the purpose of hiring or for those who apply for employment. House Bill 304 currently being studied by the committee on education will, when amended by that committee, clarify the procedure for those who work with children in our school system. The committee recommends that House Bill 631 by found "Inexpedient to Legislate."

Vote 14-0.

Rep. Frederick B. Andrews
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Criminal Justice and Public Safety

HB 631-FN, authorizing the department of safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes. INEXPEDIENT TO LEGISLATE

Rep. Frederick B. Andrews for **Criminal Justice and Public Safety:** House Bill 631 is an act authorizing the Department of Safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes. The Department of Safety would issue photographic identification cards for persons who have undergone criminal background checks. These cards could be used when applying for other safety-related clearance matters. Such cards shall only be issued after Department of Safety personnel have verified, via review of National Instant Criminal Background Check System (NICS) records, that no data exists to indicate that possession of a firearm by the individual requesting the card would be in violation of federal, state or local law. At the September 28, 1999 work session, Assistant Commissioner John Stephen was not enthusiastic about the bill. There was no support from the department and there were no suggestions about how to speed up the present process. When originally drafted, the sponsor thought it would provide a more uniform procedure and allow the criminal record background checks at the time of hire to be done in a more timely manner. The work sessions shed no light on the methods used that would indicate a benefit to those who need criminal record checks for the purpose of hiring or for those who apply for employment. House Bill 304 currently being studied by the committee on education will, when amended by that committee, clarify the procedure for those who work with children in our school system. The committee recommends that House Bill 631 by found "Inexpedient to Legislate." Vote 14-0.

COMMITTEE REPORT

DRAFT

COMMITTEE: **Criminal Justice and Public Safety**

BILL NUMBER: **HB 631-FN**

TITLE: authorizing the department of safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes.

DATE: October 26, 1999 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)

House Bill 631 is an act authorizing the Department of Safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes. The Department of Safety would issue photographic identification cards for persons who have undergone criminal background checks. These cards could be used when applying for other safety-related clearance matters. Such cards shall only be issued after Department of Safety personnel have verified, via review of National Instant Criminal Background Check System (NICS) records, that no data exists to indicate that possession of a firearm by the individual requesting the card would be in violation of federal, state or local law. At the September 28, 1999 work session, Assistant Commissioner John Stephen was not enthusiastic about the bill. There was no support from the department and there were no suggestions about how to speed up the present process. When originally drafter, the sponsor thought it would provide a more uniform procedure and allow the criminal record background checks at the time of hire to be done in a more timely manner. The work sessions shed no light on the methods used that would indicate a benefit to those who need criminal record checks for the purpose of hiring or for those who apply for employment. House Bill 304 currently being studied by the committee on education will, when amended by that committee, clarify the procedure for those who work with children in our school system. The committee recommends that House Bill 631 by found "Inexpedient to Legislate."

Vote 14-0.

Rep. Frederick B. Andrews
FOR THE COMMITTEE

Criminal Justice & Public Safety
Room 204, L.O.B.
Concord, NH 03301

Work Session on HB 631

Tuesday, October 26, 1999
~~7:54 PM~~

FILE

~~Members present: Representatives Berube, Mikowiski, Weare and Welch.~~
~~Interested parties present: Mr. David Minis.~~

~~Re-Ref Subcommittee work session September 28 1999, 11:00 AM, October 5, 1999, 10:00 AM, Room 204, LOB.~~

HB 631 is an act authorizing the department of safety to issue photographic identification cards to persons required to have criminal background checks for employment or other lawful purposes. The department of safety would issue photographic identification cards for persons who have undergone criminal background checks. These cards could be used when applying for other safety-related clearance matters. Such cards shall only be issued after department of safety personnel have verified, via review of National Instant Criminal Background Check System (NICS) records, that no data exists to indicate that possession of a firearm by the individual requesting the card would be in violation of federal, state or local law.

At the September 28, 1999 work session, Assistant Commissioner John Stephen was not enthusiastic about the bill. There was no support from the department and there were no suggestions about how to speed up the present process.

When originally drafted the sponsor thought it would provide a more uniform procedure and allow the criminal record background checks at the time of hire to be done in a more timely manner. The work sessions shed no light on the methods used that would indicate a benefit to those who need criminal record checks for the purpose of hiring or for those who apply for employment. HB 304 currently being studied by the committee on education will, when amended by that committee, clarify the procedure for those who work with children in our school system.

The ~~sub~~committee recommends that HB 631 be found Inexpedient to Legislate.

VOTE 14-0, CC

Submitted by: David Welch Chairman

ft rep Andrews for the committee