

HOUSE RECORD

Second Year of the 162nd General Court Calendar and Journal of the 2012 Session

Vol. 34 Concord, N.H.

Thursday, August 23, 2012

No. 56

Contains: Meetings, Notices and Order Form for the 2012 Permanent Journal.

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The Committee on Redress of Grievances continues to issue its reports and findings with regard to petitions submitted to the Committee. These reports will appear in the House Calendar for informational purposes and are intended to inform legislators and the public of complaints by citizens against state government, whether those complaints appear to be founded, and possible legislative remedies. The committee does not adjudicate individual disputes; therefore, these reports are limited to proposed legislative remedies.

Through the end of this legislative term, legislative mileage will be limited to reimbursement for travel on one day a week to Concord for official legislative or constituent work in addition to those days that members are required to be in Concord for official committee or leadership work. Reimbursement for committee or leadership purposes is limited to service as a member of a policy, chaptered or statutory committee or for Democrat or Republican caucus or legislative leadership. Members should not schedule meetings for Mondays or Fridays, as generally mileage reimbursement will not be permitted on those days.

William L. O'Brien, Speaker

NOTICE

Health Services invites you to be trained or refreshed in CPR for adults, children and infants, use of automated external defibrillator (AED) for adults and children, and basic first aid. Classes will be held in Room 308, LOB on Wednesday, **August 29th** and Thursday, **August 30th** with two sessions available each day, one 8:30 a.m.- noon and one 12:30 -4:00 p.m. Please contact the Health Services office at 271-2757 to reserve a spot.

Dianne Bergquist, RN, State House Nurse

NOTICE

During the summer months the House Calendar will be published every two weeks. Please note Calendar **will close on Wednesdays at noon.**

CLOSES NOON WEDNESDAY:

September 5
September 19
September 26

AVAILABLE THURSDAY:

September 6
September 20
September 27

Karen O. Wadsworth, Clerk of the House

HOUSE DEADLINES FOR 2012 SESSION

Monday, September 17, 2012	First day for incumbent members running for reelection to file LSRs for 2013 session.
Wednesday, September 26, 2012	Last day for incumbent members running for reelection to file LSRs for 2013 session prior to the general election.
Friday, November 2, 2012	Last day to file Interim Study reports.
Tuesday, November 13, 2012	First day for all members elected for the 2013 session to file LSRs for the 2013 session.
Friday, December 7, 2012	Last day for all members elected for the 2013 session to file LSRs for the 2013 session. Last day for a member to declare sponsorship of an LSR filed by an unelected incumbent member.
Friday, January 11, 2013	Last day to sign off all House LSRs, other than petitions involving the election or qualifications of a member to serve in the House.
Friday, February 1, 2013	Last day to introduce House legislation including, but not limited to, House Bills and petitions
Wednesday, February 13, 2013	Last day to amend House Rules by majority vote.

All deadlines are subject to the close of business at 5:00 p.m. each day, except amending House Rules, which shall be the ending of the last House session day on or prior to February 13, 2013.

COMMITTEE FOR REDRESS OF GRIEVANCES REPORTS

The following reports are the result of committee hearings and deliberations on the petitions presented to it. They are printed here for informational purposes.

PETITION # 2 grievance of Elena Katz, Arnold Grodman, and Their Daughter.
(Report filed 8/21/12)

MAJORITY

Grievance Founded with Recommendations.

Committee Majority Findings:

The Redress of Grievances Committee after listening to testimony and seeing supporting documentation finds that in the course of a long and protracted confrontation with the Timberlane Regional School District that began when the Petitioners sued the district in federal court for taking federal funds for a child being home schooled. First were unfounded allegations of child abuse by the school district which led the Petitioners to move to

Massachusetts. In the ensuing years, the Committee finds that the Petitioners suffered from a remarkable series of unacceptable actions from the office of the Rockingham County Attorney and the courts: 1. Prosecution under *Interference with Custody* (RSA 633:4) regarding a guardianship that arose out of the *Child Protection Act* (RSA 169-C) when RSA 633:4 was created specifically to enforce parenting plans under *Parental Rights and Responsibilities* (RSA 461-A) in the area of *Annulment, Divorce and Separation* (RSA 458); 2. Revisiting by county attorney of the same essential charges multiple times against Petitioners using only slight changes in the wording; 3. The use of an unfiled criminal complaint as evidence of an actual judgment in New Hampshire; 4. Use by the court of a nonexistent "felony judgment" claim to extradite family from Massachusetts; 5. Follow up arrest using a document whose numbers fail to correspond with New Hampshire's numbering systems; 6. Contempt charges filed without specifying the nature of the contempt; 7. Dismissal by judge of the lawyers of Petitioners; 8. Knowing denial of counsel for Petitioners on false grounds: that counsel had been refused when, in fact, they recused themselves; and 9. Disallowing of exculpatory evidence because "it did not prove his innocence." The Committee also found the wrongful filing of a criminal complaint by a police chief who subsequently admitted under oath that he had no direct knowledge of the facts of the "crime." Furthermore, the Committee finds that in placing the Petitioners' daughter in the Crotched Mountain facility that their daughter was physically injured with broken bones and a torn earlobe, and that for the purpose of behavior management, the department in cooperation with Crotched Mountain increased their daughter's dosage of the psychotropic drug, Abilify, from 5 mg/d to 30 mg/d when it is clearly contraindicated for her gender, age and medical condition (diabetes). To effect this change, the department claimed medical decision-making authority by guardianship pursuant to a 170-C termination of parental rights in a sworn document committing sworn falsification (RSA 641:2). Finally, as a consequence of the dosage of Abilify, their daughter suffered permanent kidney failure.

Recommendations

The Committee recommends introduction of legislation to: 1. Investigate what went wrong in this case leading to home schooling parents being so insistently and curiously hounded by a prosecutor on the flimsiest of grounds; 2. Clarify in any related RSAs the original intent that "parents" in RSA 461-A apply to divorce only and *shall* not include the Division for Children, Youth and Families (DCYF) issues; and 3. Request that the Attorney General investigate the involved police chief for false swearing. The Committee also recommends that the State provide Petitioners' daughter with health insurance under the State Group plan in compensation for injuries suffered while in State custody and as a consequence of the actions of employees of the State. The Committee further recommends that the Attorney General be directed to investigate sworn falsification by employees of the Department of Health and Human Services, and wrongful filing of a criminal complaint by a police officer.

Vote 7-3.

Rep. Alfred P. Baldasaro for the Majority of the Committee

MINORITY

Unfounded

Committee Minority Findings:

The Petitioners, Elena Katz and Arnold Grodman, have a fragile and medically disabled daughter who is now a young woman in her early 20s. The Petitioners have been together as a couple throughout their daughter's life. Throughout her life, the Petitioners have been involved in a variety of legal battles over their daughter's medical care and education, in both state and federal court.

This Petition deals primarily with events which occurred between 2006 and 2011, following a dispute with the DCYF and the Timberlane Regional School District. It is the opinion of the Minority that the Petitioners may have engaged in some unwise conduct during that time. For example, in 2007 they suddenly moved with their severely disabled daughter to Massachusetts just after, according to the State, she had been placed under DCYF

guardianship. This move kept the Petitioners' daughter out of a court-ordered placement in a residential program at the Crotched Mountain School. The Petitioners were eventually arrested in Massachusetts and extradited to New Hampshire, where they were charged with Interference with Custody and Contempt of Court. (The daughter was unharmed.)

Ms. Katz accepted a plea bargain in May 2010 and pled guilty to Contempt of Court. Mr. Grodman's similar case is still pending. The Interference with Custody charge against him was dismissed, after the Rockingham Superior Court ruled that RSA 633:4 did not apply to this case where the DCYF (which is not a person) had guardianship. He still faces charges of Contempt of Court.

The Minority failed to see any pattern of official malfeasance by the DCYF, the Rockingham County District Attorney's Office, or the various law-enforcement agencies who worked on this case. Also, the Minority does not believe that it was improper to bring the Interference with Custody charge: the judge's ruling was based on a technical issue which was not necessarily obvious to the various officials involved in this case. Indeed, the Minority recommends that a future legislature consider amending the Interference with Custody statute (RSA 633:4) to address cases of this sort.

Rep. Timothy Horrigan for the Minority of the Committee

PETITION # 5 grievance of David Johnson. (Report filed 8/21/12)

MAJORITY

Grievance Founded with Recommendations.

Committee Majority Findings:

After hearing the testimony of the Petitioner and seeing court and other documents, the Redress of Grievances Committee finds that numerous and inexplicable wrongs took place in the Derry District Court Family Division under Marital Master Philip Cross, and under the supervision of Judges Sadler, Michalik and Ryan in which a child clearly has become the victim of the court's failures of due process. Laws and due process were abridged multiple times including but not limited to: 1. Changing parenting time without evidentiary hearings; 2. One-sided prosecution for contempt including against a father for taking his child to a hospital for needed emergency medical care; 3. Basing decisions on known falsehoods; 4. Ordering child support without required Child Support Guidelines Worksheets and against laws with respect to payments by the primary custodian; 5. Creating arrearages based on the then unlawfully formed custody payments; 6. Jailing father for contempt for not paying arrearages on the unlawful grounds that he was able to pay the arrearages by borrowing money from a relative; 7. Refusing to act on repeated motions by counsel for findings of facts and rulings of law; 8. Repeatedly failing to act in the best interests of the child; 9. Allowing a guardian ad litem (GAL) to prevent parent/child visits on the basis of secret information that the court repeatedly refuses to show the petitioner; 10. Allowing same GAL to indefinitely fail to locate the therapeutic psychological counseling for a child that he had been ordered by the court to do; 11. Allowing the same GAL to misrepresent demonstrated facts regarding phoning between child and parent; 12. Holding the petitioner in contempt criminally in a civil court; 13. Failure to punish perjury and false swearing, thus impugning the dignity of the court; 14. In the case of Judge Ryan, refusing to recuse himself, though admittedly in conflict, until immediately after making a decisive order removing a parent from primary custody; and 15. In the case of Judge Michalik, for ordering specific payments by the Petitioner to a counsel who was already working pro bono for the other parent. The resulting effect generally has been court-ordered child abuse in the denial of her access to a loved parent for a period of now over two years. This has become a common report before this Committee: that the family division of the court, established to protect children, actually inflicts injury on the child in an attempt to force particular parental behavior.

Recommendations

The Committee recommends that in the face of numerous similar complaints evidencing an apparently widespread arbitrariness with respect to both rules and law of many of the officials in and around the Family Division of the Courts the House must: 1. Investigate into

the Family Division to determine the extent of and the causes for such an unacceptable situation as soon as possible; 2. Subpoena the evidence that resulted in the separation of the Petitioner from his daughter to confirm its existence and character; and 3. Enable Petitioner's divorce be held *de novo* in the Superior Court. The Committee further recommends: 1. Amend the divorce statutes to enable appeal to the Superior Court; 2. Amend divorce statutes to allow the parties to enter binding arbitration independent of the state; 3. Introduce legislation to enable each parent in a divorce have the appointed GAL permanently dismissed without cause at least once; 4. Amend the statutes to allow citizens party to a case to enter into private prosecution of perjury and false swearing; 5. Amend the statutes to make GALs accountable for violation of rules, orders and statutes; 6. Amend the statutes to prohibit the use of visitation and elements of a parental plan to force the signing of GAL stipulations; 7. Investigation of Attorney Ross by the Attorney General for perjury; 8. Investigation of Attorney Wechsler by the Attorney General for perjury pending subpoena of the alleged evidence in recommendations 2 and 9. Pending the adoption by the people of CACR 26, amending the statutes to modify and enforce court rules. **Vote 7-3.**

Rep. Daniel Itse for the Majority of the Committee.

MINORITY

Grievance Unfounded

Committee Minority Findings:

Mr. Johnson's petition remaining from 2011 is a continuing battle in his 12-year war over his divorce and subsequent child custody issues before the family court. There is no indication that anything will change regardless of what action the Redress of Grievances Committee recommends. Mr. Johnson offered lengthy testimony but some key points were not documented. In particular, he provided a detailed explanation as to why he was incarcerated, supposedly at the behest of a marital master. In the absence of evidence, the Minority reluctantly concludes that the marital master acted properly.

It is always unfortunate when adults cannot work with each other when their children are involved. Even the paperwork submitted by Mr. Johnson indicates he was not paying child support and following the custody plan. There are steps that must be followed in the course of legal proceedings even when the individuals are not in agreement. When one defies court orders there usually are consequences. Also, even when parents are not agreeable, the state has an obligation to protect the best interest of the child.

The remedies sought in this petition, for the most part, are in violation of the NH Constitution. Another request is that a constitutional amendment be introduced to repeal Part Second, Article 73-a which will be on the November 2012 ballot

Rep. Sandra Keans for the Minority of the Committee

PETITION #8 grievance of Greg and Sarah Clarkson. (Report filed 8/21/12)

MAJORITY

Grievance Founded with Recommendations.

Committee Majority Findings:

The Redress of Grievances Committee, having heard the testimony and seen supporting evidence, finds that a male Kingston police officer performed a wellness check on an eight-year old female without a medical expert present and without a video or audio in its entirety as described in RSA 169-C:38, V. It also finds that a social worker with the Division for Children, Youth and Families (DCYF), representing herself as a teacher, conducted an interview with the Clarksons' son at school without parental notification or a court order and, in the process, used inappropriate questioning to lead the child in answering, while yet other representatives of DCYF violated the Interstate Compact for the Placement of Children Home Study by misrepresenting an alleged case of abuse and neglect as founded to Massachusetts authorities, resulting in the Petitioners being denied the opportunity to adopt their niece and nephew.

Specifically, a DCYF employee opined that allegations against one of the Petitioners were founded in communications with a Massachusetts agency before the conclusion of a judicial

proceeding and these opinions were interpreted as the authoritative position of that agency thus forming the basis for the removal of the adoptive children back to Massachusetts.

When judicial review concluded that the allegations were unfounded and the records ordered vacated, it was too late for the damage to be undone and the children were refused adoption by loving relatives. Inquiries to DCYF regarding the information transmitted to the Massachusetts agency met with resistance, and only came to light when the records were provided by Massachusetts.

This Committee is aware that different states have different expectations regarding the availability of this type of information. The current procedures in New Hampshire, denying access to records, not only to the public and often the involved parties, but also the Legislature, result in serious challenges to effective defense by the parties involved and oversight by the Legislature. Further investigation by the Committee into this situation was obstructed or complicated by failure of public officials and state employees to provide additional information. They appear to have a valid argument that they are prohibited from the disclosure of certain information, and are justified under the laws as enacted to withhold that information. However, a question arises as to whether it is the Legislature's intention to protect state actors from oversight or to protect the interests of its citizens and whether we have struck the right balance. We found in this case that a systemic lack of transparency and accountability created an environment where failure to comply with mandated procedures and protections could be shielded from public or legislative oversight even when they negatively affect outcomes we expressly prefer as a Legislature. The Committee also finds that an employee of the DCYF attempted to include stipulations that the prospectively adopted children could not be homeschooled, an unwarranted infringement on parental rights and discretion. This Committee believes that for departments that have a built in need for confidentiality we must begin to take a special interest in the reporting of statistics and providing other oversight to protect citizens as much as those departments and treat acts of "official oppression" as a violation of a sacred trust allowing them to be punished without a defense of sovereign immunity.

Recommendations

The Committee recommends that legislation be introduced to prevent and punish future abuses of the types cited in this petition holding employees accountable for failure to comply with prescribed procedures and standards of behavior that result in harm to citizens in cases under their management, and that the House create an oversight committee with powers to review otherwise protected information *in camera* for the protection of the public from official abuse. **Vote 8-2.**

Rep. George Lambert for the Majority of the Committee

MINORITY

Grievance Unfounded

Committee Minority Findings:

Foster care and adoption are two very complex and important areas of the law. This Petition involves two young children from Massachusetts who were placed in New Hampshire with Gregory Clarkson's family. The children were the niece and nephew of Mr. Clarkson's wife, Sara Clarkson. Both of the Clarksons' names were on the House Petition, but the Committee only heard directly from Mr. Clarkson.

Both Massachusetts and New Hampshire are signatories to the Interstate Compact on the Placement of Children (ICPC). This compact sets different requirements for different types of placement: the standards for foster care are less stringent than those for adoption, especially when the foster parent is a relative. The standards for adoption are high even when one of the prospective parents is a close blood relative.

The children were originally placed with the Petitioners on an emergency basis in 2003 because the biological parents were in trouble with the law. They told us that the biological parents had lost their parental rights, although this was not necessarily proven by any of the documents provided to the Committee. In any event, the Clarksons expected to adopt the

children, and they were subjected to a standard home-study procedure. Mr. Clarkson presented some letters to the committee which indicated that the Clarksons failed to meet some of the requirements set by the NH DCYF and its counterpart agency in Massachusetts, MassDSS. The children were, however, still being well cared for.

Throughout this process, the two children were wards of the State of Massachusetts. Sadly they were taken out of the Clarkson's home rather abruptly in the fall of 2005 and returned to Massachusetts, after allegations of abuse. MassDSS had the right to take the children back at any time. Their action was legal even in the absence of definitive proof of abuse. A simple determination that the placement had proven to be inappropriate was a more than adequate reason to remove the children from the Clarkson home.

The Minority shares the Majority's concerns about how the investigation of those charges was handled, but the Minority recognizes that NH DCYF was legally required to send the children back to Massachusetts upon request. The Minority further believes that the paperwork related to the children was indeed handled correctly: Massachusetts had the right to receive a copy of the files from the Clarksons' home study. (Strictly speaking, there were two home studies done: the first one for a relative placement, and the second one for an adoption.) New Hampshire's copy of these files was eventually destroyed after the children were sent back to Massachusetts. Federal and state law absolutely required NH DCYF to give MassDSS a copy of the home-study paperwork. Moreover, both states had the obligation to continue fully investigating the allegations of abuse.

The Minority feels that the accusations in the petition are unsupported by the rather fragmentary available evidence. The DCYF and other agencies involved in this case were acting in good faith, even though some mistakes may have been made along the way, and even though the end result was undeniably painful for the Clarkson family.

Rep. Timothy Horrigan for the Minority of the Committee

PETITION #33 grievance of Nicholas Haas. (Report filed 8/21/12)

MAJORITY

Grievance Founded with Recommendations.

Committee Majority Findings:

The Redress of Grievances Committee listened to the testimony and saw the supporting documents of a Petitioner who in the process of a divorce case found himself suffering from numerous inexplicable, and arbitrary acts at the hands of the Family Division which have not only reduced him to virtually no income to support his home family but has wrongfully jailed him for inability to pay. Despite never being adjudicated an unfit parent, he has been denied all contact with his children for nearly three years without any order of the court preventing such contact in violation of his fundamental parental rights and contrary to NH RSA 461-A:6, (Best Interests of the Child); NH RSA 633:1-A and 633:3-A and 633:4, (Interference with Custody); and, the 14th Amendment to the U.S. Constitution.

Specifically, the Committee finds that Manchester Judicial Branch Family Division Marital Master Leonard Green: 1. Made an incorrect and confiscatory order (see RSA 458-C:2 IV c) that has reduced Petitioner to near financial ruin, violating NH Child Support Guidelines, and improperly awarding unnecessary alimony per NH RSA 458:19 and 546-A:5 (Uniform Civil Liability for Support); 2. Failed to comply with NH RSA 461-A:VI a (Parental Rights and Responsibilities). (See also NH Constitution Art. 35. [The Judiciary; Tenure of Office]); and 3. Failed to consider the mandatory self-support reserve in RSA 458-C IV and the support for others mandated in RSA 546-A:5(g); 4. Failed to comply with the NH Supreme Court Rule 38 Code of Judicial Conduct (Abuses of discretion and power with bias and prejudice) (See also: Miller v. Todd April 2011, Lawlor v. Lawlor, 123 N.H. 163 166; Russman v. Russman, 124 N.H. 593, 597); and 5. Refused to correct a plain error of the court per NH Supreme Court Rule 16-A (Plain Error).

The Committee finds, similarly, that Manchester Judicial Branch Family Division Marital Master Jennifer Lemire: 1. Continued incorrect, confiscatory orders that led to the Petitioner's serious financial damage; 2. Refused to properly hear regarding father's inability

to pay per the 14th Amendment to the U.S. Constitution; 3. Failed similarly to comply with NH RSA 461-A VI a (Parental Rights and Responsibilities) by ignoring properly filed Motions for modifications of parenting plan and modifications of support (NH Art. 35. The Judiciary; Tenure of Office); 4. Abused her judicial discretion and power with bias and prejudice per NH Supreme Court Rule 38 Code of Judicial Conduct; and 4. Failed to comply with NH RSA 461-A:6 Best Interests of the Child.

The Committee finds further that Manchester Judicial Branch Family Division Judge Edward B. Tenney: 1. Unlawfully incarcerated Petitioner per the 6th and 14th Amendments (equal protection) of the U.S. Constitution; 2. Wrongly equated ability to borrow with ability to pay, then unlawfully ordered a parent to obtain a loan (see Supreme Court Hicks v. Feiock); 3. Assigned excessive bail conditions (equal to the amount owed and far higher than criminal offenders and in cash) placing Petitioner and his family in harm's way contrary to the 8th Amendment to the U.S. Constitution and Part 1 Art. 3 of the NH Constitution; 4. Failed to follow due process including not allowing a parent to provide proof or evidence of inability to pay; 5. Disregarded the equal submission of financial affidavits upon which to make proper judgment per NH Family Division Rule 1.30 (Access to financial information) and per Family Division Rule 2.16 (a) & (b) and NH RSA 546-A (*Regarding Financial Affidavits, Uniform Civil Liability for Support*); 6. Attempted to have Petitioner self incriminate by ordering him to complete a financial affidavit while being jailed and without access to his financial records at the time (5th Amendment to the U.S. Constitution); 7. Unreasonably restricted access to a copy of a contempt order before jailing a parent per NH Const. Art 15; and 8. Abuses of discretion and power with bias and prejudice per NH Constitution Art. 35, Code of Judicial Conduct 2.2 and 2.3.

The Committee also finds that Manchester Judicial Branch Family Division Judge John C. Emery failed to follow due process of law per the 14th Amendment to the U.S. Constitution: 1. Denying a litigant the right to be heard despite several requests per NH Supreme Court Rule 38-2.6; 2. Denying the right of representation to Petitioner by failing to apprise him of such rights once contempt had been claimed per NH Const Part I, Art. 3; and 3. Failing to comply with NH RSA 461-A (Parental Rights and Responsibilities) when modifying parenting time.

The Committee finds, too, that Manchester Judicial Branch Family Division Guardian ad Litem Suzanne D. Decker: 1. Ignored multiple filed police reports by the Petitioner showing a pattern of interferences with child custody; 2. Ignored or failed to contact key eyewitnesses; 3. Withheld evidence from the court of Petitioner being alienated from the children; 4. Unlawfully blocked access of Petitioner to communicate with his children; 5. Failed to uphold the ethics of GALs; and 6. Failed to protect the equal parenting provisions of New Hampshire including RSA 461-A: 2, RSA 461-A: 6: I (e) (f) (g) (i) (j), III, IV (a), VI, RSA 173-B: 1: I (b) (d) (g), RSA 631 :4: I (c) (d), RSA 633:1, RSA 631:2, RSA 633:3-a I (a) (b) II (a) (1) (2) III- a, RSA 644:4: I (a) (b) (c) (f), RSA 169-C: 3 II (c).

Recommendations

The Committee recommends the House: 1. Initiate a full investigation into this case to determine the extent of wrongdoings including noncompliance with the laws of New Hampshire by the involved officials; 2. Request that the GAL Board fully investigate the actions of GAL Suzanne D. Decker to determine the level and extent of wrongful acts in this case; 3. Introduce legislation a) remove GAL's "quasi-judicial immunity" for misconduct, perjury, and willful neglect of Statutory Guidelines, b) that all statements made to a court by a GAL be verified by evidence, documentation, and sworn affidavit; c) to allow no incarceration for civil contempt or without findings of fact and disallowing borrowing as a factor in assessing "ability to pay"; d) to amend RSA 458 so that when child support percentages exceed those in Child Support Guidelines an opportunity to revisit the issue in court will be automatic; e) to amend RSA 461-C:2 IV (c) making failure to supply financial affidavits a class B misdemeanor; f) to place the language of Turner v. Rogers (2011) into New Hampshire statutes; and g) to re-introduce House Bill 591 to require that all courts

properly follow all rules of evidence and that evidence be required for any motions that have any impact on the divorcing parties' children. We also recommend a study of court practices regarding Article 15 rights and, as in a previous petition, a full investigation of the Family Division to determine the extent of and reasons for the repeated failures of that division to protect citizens' constitutional rights and to follow statutes and court rules. **Vote 8-2.**

Rep. Kevin Avard for the Majority of the Committee

MINORITY

Grievance Unfounded

Committee Minority Findings:

The Petitioner, Nicholas Haas, has not seen his two oldest children since 2010, and he spent Father's Day 2011 in jail after missing a deadline for paying a substantial child support arrearage. He was able to raise \$10,000 fairly quickly, and he was released early the next week, but he still has an unpaid arrearage. There were also unresolved disputes related to visitations and other requirements of the post-divorce parenting plan. The Minority agrees that this is a deplorable situation but they are not convinced that the divorce settlement from his first marriage was illegal or improper, although there might be certain issues which need to be renegotiated. The Minority wishes the Petitioner well, but they see no legislative solution to his dilemma. Some changes may be needed to the family-law statutes, but the Minority sees no alternative to expecting parents to pay their child support and to meet the requirements of their parenting plans.

Rep. Timothy Horrigan for the Minority of the Committee

COMMITTEE MEETINGS

THURSDAY, AUGUST 23

COMMITTEE TO STUDY LAWS RELATING TO CONDO AND HOMEOWNERS' ASSOCIATIONS (RSA 356-B:70), Room 305, LOB

11:00 a.m. Regular meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. Interim study subcommittee work session on **HB 1154**, establishing a committee to study the management structure of state government.

FRIDAY, AUGUST 24

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT, (RSA 12-J:1) Rooms 301-303, LOB

9:30 a.m. Regular meeting.

NEW HAMPSHIRE RAIL TRANSIT AUTHORITY BOARD OF DIRECTORS (RSA 238-A:2), Room 201, LOB

10:00 a.m. Regular meeting.

MONDAY, AUGUST 27

COMMISSION ON HEALTH CARE COST CONTAINMENT (RSA 21-S:2), Room 103, LOB

11:00 a.m. Regular meeting.

OIL FUND DISBURSEMENT BOARD, (RSA 146-D:4), Room 305, LOB

9:00 a.m. Regular meeting.

TUESDAY, AUGUST 28

CHILDREN AND FAMILY LAW, Room 206, LOB

9:00 a.m. Interim study subcommittee work session on *HB 1530-FN*, relative to oversight of guardians ad litem by the guardian ad litem board, *HB 1365*, relative to complaint investigation procedures of the guardian ad litem board.

COMMITTEE TO STUDY SELF-REFERRALS FOR IMPLANTABLE MEDICAL DEVICES (SB 406, Chapter 288:5, Laws of 2012), Room 208, LOB

10:00 a.m. Organizational meeting.

COMMITTEE TO STUDY THE 2009 NEW HAMPSHIRE CHILD SUPPORT GUIDELINES REVIEW AND RECOMMENDATIONS (HB 1193, Chapter 26:2, Laws of 2010), Room 104, LOB

8:30 a.m. Regular meeting.

JUDICIARY, Room 208, LOB

12:30 p.m. Interim study subcommittee work session on *HB 1682-FN*, relative to forfeiture of personal property.

SPECIAL HOUSE COMMITTEE ON DEFINED CONTRIBUTION RETIREMENT PLANS FOR PUBLIC EMPLOYEES, Room 202, LOB

9:30 a.m. Regular meeting.

SPECIAL HOUSE COMMITTEE TO STUDY THE 2012 PERFORMANCE AUDIT OF THE GUARDIAN AD LITEM BOARD, Room 104, LOB

10:00 a.m. Regular meeting.

WEDNESDAY, AUGUST 29

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration, 109 Pleasant Street, Concord

1:00 p.m. Subcommittee meeting – manual update.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

10:00 a.m. Interim study subcommittee work session on *HB 553*, relative to the law on wiretapping and eavesdropping.

STATE TRANSPARENCY WEBSITE OVERSIGHT COMMITTEE (RSA 9-F:2), Room 307, LOB

10:00 a.m. Regular meeting.

THURSDAY, AUGUST 30

COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING ENERGY INFRASTRUCTURE CORRIDORS WITHIN THE EXISTING TRANSPORTATION RIGHTS OF WAY (RSA 362-G), Room 100, State House

10:00 a.m. Regular meeting.

COMMITTEE TO STUDY TRANSFERRING ELECTION LAW ENFORCEMENT TO THE SECRETARY OF STATE (HB 1664, Chapter 94:1, Laws of 2012), Room 307, LOB

10:00 a.m. Organizational meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. Interim study subcommittee work session on *HB 1154*, establishing a committee to study the management structure of state government.

LEGISLATOR ORIENTATION (RSA 17-C:2), Room 104, LOB

10:00 a.m. Organizational meeting.

TELECOMMUNICATIONS OVERSIGHT COMMITTEE (RSA 374:22-h), Room 304, LOB

2:00 p.m. Regular meeting.

TUESDAY, SEPTEMBER 4

COMMITTEE TO STUDY ENTRY ONTO PRIVATE PROPERTY, POSTING, TRESPASSING, AND THE DEFINITION OF RECREATIONAL USES OF PRIVATE LAND (HB 514, Chapter 202:3, Laws of 2012), Room 208, LOB

1:00 p.m. Organizational meeting.

THURSDAY, SEPTEMBER 6

COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING ENERGY INFRASTRUCTURE CORRIDORS WITHIN THE EXISTING TRANSPORTATION RIGHTS OF WAY (RSA 362-G), Room 100, State House

10:00 a.m. Regular meeting.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. Interim study subcommittee work session on *HB 1154*, establishing a committee to study the management structure of state government.

JUDICIARY, Room 208, LOB

11:00 a.m. Interim study subcommittee work session on *HB 1261*, relative to recovery of delinquent condominium fees.

SUNDAY, SEPTEMBER 9

LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K), NHTI Community College, Room SC 235, Concord

1:00 p.m. Regular meeting.

MONDAY, SEPTEMBER 10

ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21), Room 100, State House

3:00 p.m. Regular meeting.

WEDNESDAY, SEPTEMBER 12

JOINT HEALTH CARE REFORM OVERSIGHT COMMITTEE (RSA 420-N:3), Room 302, LOB

10:00 a.m. Rescheduled regular meeting.

THURSDAY, SEPTEMBER 13

COMMISSION TO STUDY BUSINESS REGULATIONS IN NEW HAMPSHIRE (RSA 359-L:1), Room 303, LOB

3:00 p.m. Subcommittee meeting.

Room 305, LOB

3:00 p.m. Subcommittee meeting.

COMMISSION TO STUDY BUSINESS TAXES (RSA 77-F:1), Room 202, LOB

2:00 p.m. Regular meeting.

COMMITTEE TO ASSESS THE FORM OF GOVERNMENT IN TOWNS THAT HAVE ELECTED THE OFFICIAL BALLOT REFERENDUM FORM OF MEETING (SB 238, Chapter 130:1, Laws of 2012), Room 100, State House

10:00 a.m. Regular meeting.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

9:00 a.m. Interim study subcommittee work session on *HB 1523-FN-L*, relative to the return of personal property seized by law enforcement agencies from a person charged with a crime.

10:00 a.m. Interim study subcommittee work session on *HB 1690-FN*, prohibiting the use of cell phone data extraction devices by law enforcement agencies, *HB 445-FN*, relative to the regulation of electronic tracking devices, *HB 1675-FN*, relative to location tracking by electronic communications devices.

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62), Room 307, LOB

9:00 a.m. Regular meeting.

FRIDAY, SEPTEMBER 14

BOARD OF MANUFACTURED HOUSING (RSA 205-A:25), Room 201, LOB

1:00 p.m. Regular meeting.

FISCAL COMMITTEE (RSA 14:30-a), Rooms 210-211, LOB

10:00 a.m. Regular business.

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD PROGRAM (RSA 99-E), Room 101, LOB

9:30 a.m. Regular meeting.

MONDAY, SEPTEMBER 17

GUARDIANS AD LITEM BOARD (RSA 490-C:1), Room 101, LOB

4:00 p.m. Special meeting.

INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c), Room 100, State House

9:00 a.m. Regular meeting.

NEW HAMPSHIRE LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4), Benjamin Kimball House for the Arts, 44 Main Street, Concord

3:00 p.m. Quarterly meeting.

TUESDAY, SEPTEMBER 18

COMMISSION ON THE TAXATION OF ALTERNATIVE FUEL AND ELECTRIC-POWERED MOTOR VEHICLES, (RSA 21-J:47), Room 201, LOB

11:30 a.m. Organizational meeting.

LONG-RANGE CAPITAL PLANNING AND UTILIZATION (RSA 17-M), Room 201, LOB

10:00 a.m. Regular business.

THURSDAY, SEPTEMBER 20

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB

9:00 a.m. Regular meeting.

COMMISSION TO STUDY THE EFFECTS OF SERVICE-CONNECTED POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY (RSA 115-D:1), Room 203, LOB

2:30 p.m. Regular meeting.

COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING ENERGY INFRASTRUCTURE CORRIDORS WITHIN THE EXISTING TRANSPORTATION RIGHTS OF WAY (RSA 362-G), Room 100, State House

10:00 a.m. Regular meeting.

FRIDAY, SEPTEMBER 21

GUARDIANS AD LITEM BOARD (RSA 490-C:1), Room 101, LOB

1:00 p.m. Regular meeting.

MONDAY, SEPTEMBER 24

OIL FUND DISBURSEMENT (RSA 146-D:4), Room 305, LOB

9:00 a.m. Regular meeting.

TUESDAY, SEPTEMBER 25

COMMISSION ON THE TAXATION OF ALTERNATIVE FUEL AND ELECTRIC-POWERED MOTOR VEHICLES, (RSA 21-J:47), Room 201, LOB

10:00 a.m. Regular meeting.

THURSDAY, SEPTEMBER 27

COMMISSION TO STUDY BUSINESS REGULATIONS IN NEW HAMPSHIRE (RSA 359-L:1), Room 307, LOB

3:00 p.m. Full commission meeting.

COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING ENERGY INFRASTRUCTURE CORRIDORS WITHIN THE EXISTING TRANSPORTATION RIGHTS OF WAY (RSA 362-G), Room 100, State House

10:00 a.m. Regular meeting.

FRIDAY, SEPTEMBER 28

NEW HAMPSHIRE RAIL TRANSIT AUTHORITY BOARD OF DIRECTORS (RSA 238-A:2), Room 201, LOB

10:00 a.m. Regular meeting.

TUESDAY, OCTOBER 2

SPECIAL COMMITTEE ON EDUCATION FUNDING REFORM, HOUSE FINANCE AND SENATE EDUCATION COMMITTEES, Rooms 210-211, LOB

10:00 a.m. Presentation by Mr. Ed Murdough, Administrator of the State's Bureau of School Approval and Facility Management. The topic of discussion: Review

of interim rules for school building aid.

THURSDAY, OCTOBER 4

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 305-307, LOB

9:00 a.m. Continued regular meeting.

COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING ENERGY INFRASTRUCTURE CORRIDORS WITHIN THE EXISTING TRANSPORTATION RIGHTS OF WAY (RSA 362-G), Room 100, State House

10:00 a.m. Regular meeting.

TUESDAY, OCTOBER 9

COMMISSION ON THE TAXATION OF ALTERNATIVE FUEL AND ELECTRIC- POWERED MOTOR VEHICLES, (RSA 21-J:47), Room 201, LOB

10:00 a.m. Regular meeting.

COMMITTEE TO STUDY THE CLASSIFICATION OF MOTOR VEHICLES (SB 26, Chapter 58:1, Laws of 2011), Room 100, State House

10:00 a.m. Regular meeting.

THURSDAY, OCTOBER 11

COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING ENERGY INFRASTRUCTURE CORRIDORS WITHIN THE EXISTING TRANSPORTATION RIGHTS OF WAY (RSA 362-G), Room 100, State House

10:00 a.m. Regular meeting.

FRIDAY, OCTOBER 12

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD PROGRAM (RSA 99-E), Room 101, LOB

9:30 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Carroll County Executive Committee will meet on Monday, **August 27**, 2012 at 9:00 a.m. to Review the 2nd Quarter of the 2012 Budget and to review and discuss the Jail/H.O.C. union contract. The meeting will take place in the County Administration Building, at 95 Water Village Road, Ossipee, NH. The Delegation will also consider and act upon any other business that may properly be brought before the meeting.

Rep. Karen C. Umberger, Clerk
Carroll County Delegation

COUNTY DELEGATION NOTICE

Rockingham County Executive Committee will meet for the third quarter budget review on Friday, **October 19**, 2012 at 9:30 a.m. in the Hilton Auditorium at the Rockingham County Nursing Home in Brentwood.

Rep. David A. Welch, Clerk
Rockingham County Executive Committee

When the House Clerk's Office is aware of House Members who are hospitalized or homebound by serious illness, we will publish a list of names and addresses as requested. Rep. Frank G. Case, 44 Beach Head Road, Nottingham, New Hampshire 03290-4921. Colleagues who so desire may send cards and greetings to the address listed above.

Karen O. Wadsworth, Clerk of the House

MEMBERS' NOTICES

The following notices are published in the House record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or legislative social activities and political meetings or events. Publication should not be construed as support for either the events listed or the views espoused by the individual or organization sponsoring the event.

The annual public hearing on premium rates in the health insurance market, required under RSA 420-G:14-a, V, is scheduled for **September 24** at 10:00 a.m. at the Public Utilities Commission (Hearing Room), 21 South Fruit Street (front entrance), Concord.

Rep. Cindy Rosenwald

The Water Quality and Standards Advisory Committee will meet on **October 11** at 1:30 p.m. at the Department of Environmental Services, 29 Hazen Drive, Concord.

Rep. Andrew Renzullo

The Coos County Democratic Party will be having its Annual Truman Dinner, Saturday, **October 13th** at the Mountain View Grand. The hotel is located on Mountain View Road off of Route 3 in Whitefield. The event will begin promptly at 6:00 p.m. with cocktails. For more information, contact corry.hughes@gmail.com, Reps. William Hatch or Robert Theberge.

Rep. Robert Theberge

The 39th Annual Bill White & Junie Blaisdell Ceremonial & Memorial Legislative Golf Tournament for the benefit of the **American Heart Association** is scheduled for **Friday, September 14, 2012** at Beaver Meadow Golf Club located in Concord, NH. The entry fee for this annual tournament is **\$70 per legislator and legislative staff** and **\$100 for all others**. Entry fees must be received by Friday, September 7th.

Registration begins at 7:15 a.m. and the shotgun start is scheduled for 8:30 a.m. The format is a "Scramble".

Sign-up as a foursome or sign-up by yourself in order to be placed in a foursome (*subject to availability of open slots*).

Please return your completed entry form and payment no later than September 7th. (*Please note that, for planning purposes, payment must be made no later than September 7th. All entry forms received after Friday, September 7th will be assessed a \$25 late*

admittance fee per player. Cancellation must occur two weeks prior to the tournament date to receive a refund)

Checks should be made payable to: NH Legislative Golf Committee.

Mailed to: Bob Blaisdell, Demers & Blaisdell, Inc., 72 North Main Street, Suite 301,
Concord, NH 03301.

39th Annual Bill White & Junie Blaisdell Ceremonial & Memorial Legislative Golf
Tournament
Beaver Meadow Golf Course
Concord, NH

Name: 1. _____
2. _____
3. _____
4. _____

Telephone: _____ Amount Enclosed: _____

Rep. Candace CW Bouchard

NOTICE

The House Clerk's Office is now accepting orders for the **2012** hardcover Permanent House Journals. Orders will be accepted until **Friday, November 2, 2012**.

Anyone who was a **member of the Legislature in 2012**, and all state agencies are entitled to one Journal at no charge, **upon request**. All others interested in obtaining a Journal, as well as any Legislator or state agency requesting additional copies, will be charged for that copy. We estimate the cost for paid volumes to be approximately \$50 each. In addition, if the volume is to be mailed, there will be a \$5.00 shipping & handling charge. Those who order paid copies will be notified *and billed* when the Journals are ready for distribution. **DO NOT** send any money now.

In an effort to contain costs, the number of Journals printed will be determined by the number of advance orders received. Extra copies will not be ordered. Please do not order a Journal if you have no intention of claiming it.

To place an order, please clip and return the form below or go to <http://gencourt.state.nh.us/house/housejournalrequest/> and order on-line (an e-mail address is required to place an order on-line).

Please clip this form and return it in person or via mail to:

**Office of the House Clerk
Room 317, State House
107 North Main Street
Concord, NH 03301**

*****Please Print*****

NAME _____

AGENCY/BUSINESS _____

CONTACT PERSON (If other than above) _____

PHONE/EXT. _____

E-MAIL _____

ADDRESS _____
