

CHAPTER 77
SB 96 – FINAL VERSION

02/12/2015 0061s

2015 SESSION

15-0953
09/04

SENATE BILL **96**

AN ACT establishing a commission to study the expansion of rights of defense and indemnification under RSA 99-D to proceedings against state employees before professional licensing boards.

SPONSORS: Sen. D'Allesandro, Dist 20

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill establishes a commission to study the expansion of rights of defense and indemnification under RSA 99-D to proceedings against state employees before professional licensing boards.

This bill was requested by the department of justice.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT establishing a commission to study the expansion of rights of defense and indemnification under RSA 99-D to proceedings against state employees before professional licensing boards.

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

1 77:1 New Section; Commission to Study Expansion of Defense and Indemnification Rights to
2 Certain State Employees. Amend RSA 99-D by inserting after section 9 the following new section:

3 99-D:10 Commission to Study Expansion of Defense and Indemnification Rights to Certain State
4 Employees.

5 I. There is established a commission to study the expansion of rights of defense and
6 indemnification under RSA 99-D to proceedings against state employees before professional licensing
7 boards.

8 II.(a) The members of the commission shall be as follows:

9 (1) One member of the senate, appointed by the president of the senate.

10 (2) Three members of the house of representatives, appointed by the speaker of the
11 house of representatives.

12 (3) The attorney general, or designee.

13 (4) The commissioner of administrative services, or designee.

14 (5) One member of the New Hampshire Bar Association who represents clients in
15 proceedings before professional licensing boards, appointed by the New Hampshire Bar Association.

16 (6) A member of a professional licensing board, appointed by the governor.

17 (7) A representative of the State Employee's Association of New Hampshire, Inc.,
18 appointed by such association.

19 (b) Legislative members of the commission shall receive mileage at the legislative rate
20 when attending to the duties of the commission.

21 III. The commission shall study the expansion of rights of defense and indemnification
22 under RSA 99-D to proceedings against state employees before professional licensing boards when a
23 proceeding stems from actions taken by a state employee in the course of his or her official duties.

24 IV. The members of the commission shall elect a chairperson from among the members. The
25 first meeting of the commission shall be called by the first-named senate member. The first meeting
26 of the commission shall be held within 45 days of the effective date of this section. Six members of
27 the commission shall constitute a quorum.

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1 V. The commission shall report its findings and any recommendations for proposed
2 legislation to the president of the senate, the speaker of the house of representatives, the senate
3 clerk, the house clerk, the governor, and the state library on or before November 1, 2015.

4 77:2 Effective Date. This act shall take effect upon its passage.

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6 Approved: June 2, 2015

7 Effective Date: June 2, 2015