

SB 212-FN - AS INTRODUCED

2015 SESSION

15-0690
09/04

SENATE BILL ***212-FN***

AN ACT relative to the membership and duties of the juvenile justice advisory board and the Sununu Youth Services Center.

SPONSORS: Sen. Carson, Dist 14; Sen. Boutin, Dist 16; Sen. Soucy, Dist 18; Sen. D'Allesandro, Dist 20; Sen. Pierce, Dist 5; Sen. Cataldo, Dist 6; Rep. P. Long, Hills 10; Rep. Pantelakos, Rock 25; Rep. Oigny, Rock 34; Rep. K. Rice, Hills 37

COMMITTEE: Health and Human Services

ANALYSIS

This bill:

- I. Revises the membership and duties of the juvenile justice advisory board.
- II. Requires the governor and council to appoint a director of the Sununu Youth Services Center.
- III. Establishes a committee to study policies in use at the Sununu Youth Services Center with regard to treatment programs.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to the membership and duties of the juvenile justice advisory board and the Sununu Youth Services Center.

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

1 1 Juvenile Justice Advisory Board. RSA 621-A:9 and RSA 621-A:10 are repealed and reenacted
2 to read as follows:

3 621-A:9 Juvenile Justice Advisory Board Established.

4 I. There is hereby established a juvenile justice advisory board. The board shall provide
5 oversight and advice to the director of juvenile justice services and the commissioner relative to programs
6 and services provided to children at the youth development center and youth services center.

7 II. The board shall be composed of the following members:

8 (a) One member of the house children and family law committee, appointed by the
9 speaker of the house of representatives.

10 (b) One member of the house finance committee, appointed by the speaker of the house
11 of representatives.

12 (c) One member of the senate, appointed by the senate president.

13 (d) The bureau chief of the bureau of behavioral health, department of health and
14 human services, or designee.

15 (e) The commissioner of the department of education, or designee.

16 (f) One justice from the judicial branch family division, specializing in juvenile justice,
17 appointed by the administrative judge of the circuit court.

18 (g) One superintendent of a county correctional facility, appointed by the
19 New Hampshire Association of Counties.

20 (h) One parent whose child has received services at the youth development center,
21 appointed by the governor.

22 (i) A nonsupervisory employee of the youth development center, who has daily contact
23 with children assigned to the center, appointed by the State Employees' Association of
24 New Hampshire, Chapter 21 President.

25 (j) One juvenile probation and parole officer, appointed by the commissioner of the
26 department of health and human services.

27 (k) One attorney specializing in juvenile justice, appointed by the governor.

28 (l) One representative of a juvenile diversion program, appointed by the governor.

29 III. Members of the advisory board shall serve without compensation, except that legislative
30 members shall receive mileage at the legislative rate while attending to the duties of the board.

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1 621-A:10 Terms of Office; Organization.

2 I. The legislative members of the board and the commissioners shall serve terms
3 coterminous with their terms in office. The remaining members of the board shall serve 3-year
4 terms.

5 II. Each appointed member of the advisory board shall hold office until a successor is
6 appointed and qualified. The appointment of successors for the filling of vacancies for unexpired
7 terms shall be by appointment in the same manner as the original appointment.

8 III. The advisory board shall elect its own chairperson. The commissioners shall not be
9 eligible to serve as chairperson of the advisory board. Any one of the legislative members of the
10 board may call the first meeting. The board shall meet 6 times during the first year; thereafter, the
11 board shall meet at least 4 times a year. Five members of the advisory board shall constitute a
12 quorum.

13 IV. On or before the anniversary of the first meeting called after the effective date of this
14 section, and biennially thereafter until 2025, the advisory board shall submit a written report to the
15 speaker of the house of representatives, the president of the senate, the governor, and the following
16 legislative committees: the house children and family law committee, the house criminal justice and
17 public safety committee, the senate judiciary committee, and the house and senate finance
18 committees. The report shall detail the activities of the board and any recommendations made by
19 the board to the department relative to juvenile justice services. The report shall include the board's
20 assessment of the policies and procedures of the youth development center.

21 2 Duties of the Advisory Board. Amend RSA 621-A:11 to read as follows:

22 621-A:11 Duties of the Advisory Board.

23 I. The advisory board shall act in an ***oversight and*** advisory capacity to assist the
24 commissioner of the department of health and human services ***and the director of the Sununu***
25 ***Youth Services Center*** relative to juvenile justice programs and services provided to children at the
26 youth development center and other juvenile justice facilities. The board ~~may~~ ***shall*** also provide
27 advice and input on fiscal and budgetary matters ~~[related to such facilities,]~~ ***and shall make***
28 ***recommendations to the commissioner and the director of the Sununu Youth Services***
29 ***Center on ways to reduce costs at the youth development center. The board shall also***
30 ***explore*** the availability of state and federal grants, business partnerships, and other funding
31 sources ***that may be*** available to the department for such facilities.

32 ~~I-a.~~ ***II.*** The board ***shall assess whether the youth development center is meeting the***
33 ***objectives of RSA 621:2 and*** shall seek information from the director of the division of juvenile
34 justice services ***and the director of the Sununu Youth Services Center*** in the department of
35 health and human services concerning the successes and challenges relative to the state's juvenile
36 justice programs and services.

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1 ~~[I-b.]~~ **III.** The board shall be available to address emergent issues identified by the
2 commissioner of health and human services, the director of the division of juvenile justice services
3 **and the director of the Sununu Youth Services Center**, the chair of the advisory board, or any
4 board member. In furtherance of this paragraph, the board may solicit comments from the public or
5 any other entities as it deems appropriate.

6 ~~[H. Beginning in December 2010, and biennially thereafter, the board shall submit a written~~
7 ~~report to the speaker of the house, the president of the senate, the governor, and the following~~
8 ~~legislative committees: the house children and family law committee, the house criminal justice and~~
9 ~~safety committee, and the senate judiciary committee. The report shall detail the activities of the~~
10 ~~board and any recommendations made by the board to the department relative to juvenile justice~~
11 ~~services.]~~

12 3 New Section; Appointment of a Director of Juvenile Justice Services and Sununu Youth
13 Services Center. Amend RSA 621-A by inserting after section 4 the following new section:

14 621-A:4-a Appointment of a Director of the Sununu Youth Services Center. The commissioner
15 shall nominate and the governor, with the consent of the council, shall appoint a director of the
16 Sununu Youth Services Center. The director shall serve at the pleasure of the commissioner.

17 4 Youth Development Center; Reference to Sununu Youth Services Center Added. Amend
18 RSA 621:1, I to read as follows:

19 I. The New Hampshire youth development center, a juvenile correctional facility formerly
20 known as the industrial school, may also be referred to as ~~the~~ YDC, ~~or~~ the center, **or the Sununu**
21 **Youth Services Center**. References to the industrial school, ~~or the~~ YDC, **or the Sununu Youth**
22 **Services Center** in statutes or other documents shall mean the youth development center.

23 5 Committee to Study Policies of Sununu Youth Services Center.

24 I. There is established a committee to study existing policies in use at the Sununu Youth
25 Services Center with regard to treatment programs.

26 II.(a) The members of the committee shall be as follows:

27 (1) Two members of the senate, one of whom shall be a member of the health and
28 human services committee and one of whom shall be a member of the judiciary committee, appointed
29 by the president of the senate.

30 (2) Three members of the house of representatives, one of whom shall be a member
31 of the children and family law committee, one of whom shall be a member of the health and human
32 services committee, and one of whom shall be a member of the judiciary committee or the criminal
33 justice and public safety committee, appointed by the speaker of the house of representatives.

34 (b) Members of the committee shall receive mileage at the legislative rate when
35 attending to the duties of the committee.

36 III. The committee shall study existing policies in use at the Sununu Youth Services Center
37 with regard to treatment programs..

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1 IV. The members of the study committee shall elect a chairperson from among the members.
2 The first meeting of the committee shall be called by the first-named senate member. The first
3 meeting of the committee shall be held within 45 days of the effective date of this section.

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

7 6 Effective Date.

8 I. Sections 1, 2, and 5 of this act shall take effect upon its passage.

9 II. The remainder of this act shall take effect 90 days after its passage.

SB 212-FN - FISCAL NOTE

AN ACT relative to the membership and duties of the juvenile justice advisory board and the Sununu Youth Services Center.

FISCAL IMPACT:

The Department of Health and Human Services states this bill, **as introduced**, will increase state expenditures by \$114,954 in FY 2016, \$115,288 in FY 2017, \$116,429 in FY 2018, and \$122,210 in FY 2019. There will be no fiscal impact on state, county and local revenue, or county and local expenditures.

METHODOLOGY:

The Department states this bill would revise the membership, terms of office and the duties of the Juvenile Justice Advisory Board, create a Director position for the Sununu Youth Services Center, clarify references in statute to the Sununu Youth Services Center and the Youth Development Center, and create a committee to study the policies of the SYSC. The Department states the only change which would result in a fiscal impact would be section 3, which creates the new position. The Department assumes the position would be an Administrator IV and has estimated the cost as follows:

	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>
Salary (LG33, Step 4)	\$77,318	\$80,867	\$80,867	\$84,669
Benefits	\$32,286	\$34,071	\$35,212	\$37,191
Total Salary and Benefits	\$109,604	\$114,938	\$116,079	\$121,860
Other Expenses				
Current Expenses	\$250	\$250	\$250	\$250
Equipment	\$5,000	\$0	\$0	\$0
Office Space	\$0	\$0	\$0	\$0
Travel	\$100	\$100	\$100	\$100
Total Other Expenses:	\$5,350	\$350	\$350	\$350
TOTAL COST	\$114,954	\$115,288	\$116,429	\$122,210