

May 28, 2004
No. 22

STATE OF NEW HAMPSHIRE

Web Site Address: www.gencourt.state.nh.us



Legislative

SENATE CALENDAR

VETO MESSAGE, MEETINGS & NOTICES

THE SENATE WILL MEET IN SESSION AT THE CALL OF THE CHAIR

GOVERNOR'S VETO MESSAGE ON SB 513

May 10th, 2004

To the Honorable Members of the General Court:

By the authority vested in me as Governor of New Hampshire, pursuant to Part II, Article 44 of the Constitution of New Hampshire, I have vetoed Senate Bill 513, an Act relative to the Death Penalty.

SB 513 prohibits any person who is under the age of 18 at the time an offense was committed from facing the death penalty. Currently, in New Hampshire, a person the age of 17 is considered an adult and subject to all penalties for all crimes.

New Hampshire, along with 18 other states, allows for the death penalty to be sought for anyone age 17 or over. New Hampshire's death penalty is relatively limited in scope. One crime subject to capital murder is the killing of a law enforcement officer in the line of duty. Anyone who murders an officer in the line of duty should be held accountable for his or her crime. As Governor, I will not support any attempts to weaken this or any protection for those who protect us daily.

Under the changes proposed in SB 513 a terrorist would not be subject to the death penalty if he or she were age 17. Similarly, a person who has committed a heinous and heartless crime, like the Washington DC area sniper, could carry out their crime without concern for their own execution. Surely, in a state where we hold our police officers in such high regard and where we share moral convictions regarding bringing offenders to justice, situations such as these are unacceptable.

New Hampshire law does not require a person convicted of capital murder be put to death. RSA 630:5 requires a jury to consider mitigating factors when determining whether a sentence of death is to be imposed. Among these mitigating factors are whether or not the defendant was youthful, and whether other factors in the defendant's background or character mitigate against the imposition of the death sentence.

For these reasons I have vetoed SB 513.

Respectfully submitted,

Craig R. Benson
Governor

LAI D ON THE TABLE

SB 20, relative to the qualifications for the property tax exemption for the disabled. **(Re-referred from 2003) 1/7/04, pending motion committee amendment (2560s), Public Affairs, SJ 1, pg. 24**

SB 112-FN-L, relative to state use of domestic steel. **(Re-referred from 2003) 1/7/04, pending motion Interim Study, Public Affairs, SJ 1, pg. 24**

SB 327, relative to the scope of the administrative review or hearing following suspension or revocation. **2/5/04, pending motion OTP, Judiciary, SJ 4, pg. 57**

SB 394-FN, relative to children's product safety. **2/19/04, pending motion Interim Study, Interstate Cooperation, SJ 6, pg. 97**

SB 396-FN, relative to farm tractor registrations. **2/19/04, pending motion ITL, Transportation, SJ 6, pg. 104**

SB 398, relative to residency requirements for Medicaid recipients in nursing homes. **3/17/04, pending motion OTP, Public Institutions, Health & Human Services, SJ 9, pg. 229**

SB 405-FN, relative to standards for comprehensive physical rehabilitation service areas. **3/04/04, pending motion OTP, Public Institutions, Health & Human Services, SJ 7, pg. 133**

SB 422-FN, relative to the use of Route 28 in Derry and establishing a penalty for violating weight control designations made by the commissioner of the department of transportation. **2/19/04, pending motion ITL, Transportation, SJ 6 pg. 105**

SB 435-FN, relative to accessible housing for persons of all abilities. **2/12/04, pending motion ITL, Executive Departments & Administration, SJ 5, pg. 70**

SB 468, relative to solid waste management. **3/17/04, pending motion committee amendment (0822s), Environment, SJ 9, pg. 187**

SB 474-L, exempting property owned by a private secondary or postsecondary educational institution from the education property tax. **3/17/04, pending motion OTP, Ways & Means, SJ 9, pg. 218**

SB 485-FN, relative to video stalking. **2/12/04, pending motion ITL, Judiciary, SJ 5, pg. 74**

SB 486, prohibiting floatplanes on Pickerel Pond. **2/5/04, pending motion ITL, Environment, SJ 4, pg. 60**

SB 501, establishing a committee to study a certain parcel of land along the Baker river. **2/5/04, pending motion OTP, Environment, SJ 4, pg. 60**

SB 507, establishing a committee to study the application of advanced information technology in certain state agencies. **2/5/04, pending motion ITL, Internal Affairs, SJ 4, pg. 62**

SB 516-FN, relative to special needs trusts. **3/04/04, pending motion Interim Study, Judiciary, SJ 7, pg. 126**

HB 107, relative to bingo. **(Re-referred from 2003) 1/7/04, pending motion OTP, Ways & Means, SJ 1, pg. 24**

HB 108, (New Title) relative to the adoption of an optional veterans' property tax credit. **(Re-referred from 2003) 1/7/04, pending motion ITL, Ways & Means, SJ 1, pg. 24-25**

HB 499, expanding opportunities for teacher certification. **(Re-referred from 2003) 1/22/04, pending motion Interim Study, Education, SJ 2, pg. 34**

HB 829, relative to ward boundaries in Manchester and Nashua to be used in state elections. **(Re-referred from 2003) 1/22/04, pending motion committee amendment (0068s), Internal Affairs, SJ 2, pg. 37**

HB 1290, (New Title) establishing a study committee to examine time limits on eligibility for Temporary Assistance for Needy Families. **4/01/04, pending motion ITL, Public Institutions, Health & Human Services, SJ 10, pg. 247**

HB 1376, (New Title) relative to agency fees assessed pursuant to public employer collective bargaining agreements. **4/29/04, pending motion OTP, Public Affairs, SJ 14, 363**

HB 1424-FN-A, (New Title) establishing a pharmaceutical study commission to study direct purchasing of prescription medication by the state. **4/22/04, pending motion ITL, Interstate Cooperation, SJ 13, pg. 324**

MEETINGS

TUESDAY, JUNE 1, 2004

COMMISSION ON SETBACK REQUIREMENTS FOR LAND APPLICATION OF SEPTAGE, BIOSOLIDS AND SHORT PAPER FIBERS (SB 87, Chapter 302:1, Laws of 2003)

9:00 a.m.

Room 303, LOB

Regular Meeting

STATE VETERANS ADVISORY COMMITTEE (RSA 115-A:2, VI)

5:00 p.m.	American Legion Post 79 35 W Brook St. Manchester, NH	Regular Meeting
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WEDNESDAY, JUNE 2, 2004**WATER RESOURCES COMMITTEE (RSA 481:1-b)**

10:00 a.m.	Room 103, SH	Regular Meeting
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NH DEPARTMENT OF TRANSPORTATION (Ossipee-Effingham 13332, Pavement overlay, upgrading existing guardrail & bridge deck replacement along NH 25 from NH 16/ NH 25 interchange east 6.4 miles to the NH 25 / School Street intersection)

7:00 p.m.	Ossipee Town Hall 55 Main Street Ossipee, NH	Public Officials/ Public Informational Meeting
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FRIDAY, JUNE 4, 2004**COMMISSION TO STUDY THE RIGHT-TO-KNOW LAW (HB 606, Chapter 287:2, Laws of 2003)**

10:00 a.m.	Room 304, LOB	Regular Meeting
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COMMISSION TO STUDY FINANCIAL EXPLOITATION OF THE ELDERLY AND PERSONS WITH DISABILITIES (HB 461, Chapter 227:2, Laws of 2003)

1:00 p.m.	Room 205, LOB	Regular Meeting
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COMMISSION TO IDENTIFY MEDICAL ERRORS AND THEIR CAUSES (HB 287, Chapter 255:6, Laws of 2003)

1:00 p.m.	Room 208, LOB	Prioritization Subcommittee Meeting
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MONDAY, JUNE 7, 2004**COMMISSION ON SETBACK REQUIREMENTS FOR LAND APPLICATION OF SEPTAGE BIOSOLIDS AND SHORT PAPER FIBERS (SB 87, Chapter 302:1, Laws of 2003)**

9:00 a.m.	Room 303, LOB	Regular Meeting
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COMMISSION ON EDUCATION OF DEAF AND HARD OF HEARING PERSONS IN NH (HB 1283, Chapter 43:1, Laws of 2000)

Cancelled	Room 103, SH	Subcommittee Meeting
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WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3)

1:00 p.m.	Room 205, LOB	Regular Meeting
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TUESDAY, JUNE 8, 2004**COMMISSION TO STUDY CHILD SUPPORT AND RELATED CHILD CUSTODY ISSUES (HB 310, Chapter 277:1, Laws of 2003)*****(HB 310 HAS BEEN RESCHEDULED FOR JUNE 15TH)***

Rescheduled	Room 206, LOB	Regular Meeting
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WEDNESDAY, JUNE 9, 2004

NH DEPARTMENT OF TRANSPORTATION (Conway, 13078 Widening of River Road, provide 4' shoulders for bikes, road surface rehab/drainage improve 500 ft west of intersection Rte 16 approximately 1.5 miles west to intersection of River and West Side Rd.)

7:00 p.m.	Conway Police Department 39 East Conway Road Conway, NH	Public Officials/Public Informational Meeting
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THURSDAY, JUNE 10, 2004

NH DEPARTMENT OF TRANSPORTATION (Londonderry 13015, Alterations to NH Route 128)

7:00 p.m.	Londonderry High School Room 221 295 Mammoth Road Londonderry, NH	Public Hearing (Commission)
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FRIDAY, JUNE 11, 2004

TASK FORCE ON FAMILY LAW (HB 447, Chapter 250:1, 2002)

2:00 p.m.	Rooms 206-208, LOB	Regular Meeting
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MONDAY, JUNE 14, 2004

GOVERNOR'S ADVISORY COMMITTEE ON THE CAPITAL BUDGET (RSA 9:3-a, IV)

9:00 a.m. - 2:30 p.m.	Room 103, SH	Regular Meeting
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BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)

10:00 a.m.	Room 203, LOB	Subcommittee Work Session on Rules
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GUARDIAN AD LITEM BOARD (RSA 490-C:1)

1:00 p.m.	Room 102, LOB	Regular Meeting
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TUESDAY, JUNE 15, 2004

GOVERNOR'S ADVISORY COMMITTEE ON THE CAPITAL BUDGET (RSA 9:3-a, IV)

9:00 a.m. - 12:00 p.m.	Room 103, SH	Regular Meeting
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JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1)

(NOTE ROOM CHANGE FOR RSA 17-N:1)

10:00 a.m.	Room 105-A, SH	Regular Meeting
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COMMISSION TO STUDY CHILD SUPPORT AND RELATED CHILD CUSTODY ISSUES (HB 310, Chapter 277:1, Laws of 2003)

3:00 p.m.	Room 206, LOB	Regular Meeting
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WEDNESDAY, JUNE 16, 2004

FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)

9:00 a.m.	Rooms 210-211, LOB	Regular Business
9:30 a.m.	Rooms 210-211, LOB	Audit State of New Hampshire Fish and Game Fund Financial and Compliance Audit Report For the Fiscal Year Ended June 30, 2003

COMMISSION TO IDENTIFY MEDICAL ERRORS AND THEIR CAUSES (HB 287, Chapter 255:6, Laws of 2003)

10:00 a.m.	Room 205, LOB	Regular Meeting
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FRIDAY, JUNE 18, 2004

COMMISSION TO STUDY THE RIGHT-TO-KNOW LAW (HB 606, Chapter 287:2, Laws of 2003)

10:00 a.m.	Room 304, LOB	Regular Meeting
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BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)

1:00 p.m.	Room 201, LOB	Complaint Hearing
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MONDAY, JUNE 21, 2004

COMMISSION ON EDUCATION OF DEAF AND HARD OF HEARING PERSONS IN NH (HB 1283, Chapter 43:1, Laws of 2000)

10:00 a.m. Room 103, SH Regular Meeting

COMMISSION TO STUDY ISSUES RELATIVE TO GROUND WATER WITHDRAWALS (SB 155, Chapter 305:1, Laws of 2003)

10:00 a.m. Room 201, LOB Subcommittee Meeting

WEDNESDAY, JUNE 23, 2004

TASK FORCE ON FAMILY LAW (HB 447, Chapter 250:1, 2002)

2:00 p.m. Rooms 206-208, LOB Regular Meeting

MONDAY, JUNE 28, 2004

OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)

9:00 a.m. Room 305, LOB Regular Meeting

PUBLIC HEALTH AND ENVIRONMENT RELATIONSHIP COMMISSION (HB 1390, Chapter 114:2, Laws of 2000)

10:00 a.m. Room 205, LOB Regular Meeting

GUARDIAN AD LITEM BOARD (RSA 490-C:1)

1:00 p.m. Room 102, LOB Work Session

NH BRAIN AND SPINAL CORD INJURY ADVISORY COUNCIL (RSA 137-K:2)

2:00 p.m. Room 105-A, SH Regular Meeting

MONDAY, JULY 12, 2004

GUARDIAN AD LITEM BOARD (RSA 490-C:1)

1:00 p.m. Room 102, LOB Regular Meeting

WEDNESDAY, JULY 14, 2004

CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2)

9:30 a.m. Room 201, LOB Regular Meeting

MONDAY, JULY 19, 2004

COMMISSION ON EDUCATION OF DEAF AND HARD OF HEARING PERSONS IN NH (HB 1283, Chapter 43:1, Laws of 2000)

10:00 a.m. Room 103, SH Regular Meeting

MONDAY, JULY 26, 2004

GUARDIAN AD LITEM BOARD (RSA 490-C:1)

1:00 p.m. Room 102, LOB Work Session

MONDAY, AUGUST 9, 2004

GUARDIAN AD LITEM BOARD (RSA 490-C:1)

1:00 p.m. Room 102, LOB Regular Meeting

MONDAY, AUGUST 16, 2004

COMMISSION ON EDUCATION OF DEAF AND HARD OF HEARING PERSONS IN NH (HB 1283, Chapter 43:1, Laws of 2000)

10:00 a.m. Room 103, SH Regular Meeting

MONDAY, AUGUST 23, 2004

GUARDIAN AD LITEM BOARD (RSA 490-C:1)

1:00 p.m.

Room 102, LOB

Work Session

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FISCAL NOTE ADDITIONS AND UPDATES HAVE BEEN AMENDED TO THE BILLS ON THE WEB SITE AND ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR THE FOLLOWING 2004 SENATE BILLS: 126, 128, 205, 301, 303, 312, 313, 324, 325, 326, 329, 331, 333, 338, 347, 348, 353, 361, 365, 366, 367, 375, 376, 381, 382, 383, 384, 388, 396, 397, 401, 407, 409, 411, 413, 414, 415, 419, 422, 424, 429, 430, 432, 433, 435, 436, 442, 444, 448, 450, 454, 469, 470 471, 473, 478, 481, 485, 490, 491, 494, 495, 498, 500, 503, 504, 505, 508, 509, 510, 511, 512, 515, 516, 518, 523, 525, 532, 534, HOUSE BILLS: 85, 369, 618, 643, 651, 698, 713, 730, 803, 1188, 1162, 1207, 1225, 1241, 1248, 1254, 1276, 1308, 1325, 1348, 1380, 1416, 1426, 1424, 2004

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NOTICES

MONDAY, JUNE 7 2004

Pursuant to RSA 326-B:10a, the Joint Health Council will meet at the NH Board of Nursing, Room 17, 78 Regional Dr., Bldg. 2, Concord, NH, on Monday, June 7, 2004 at 6:00 p.m.

Senator Andre A. Martel

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SENATE SCHEDULE 2004 SESSION

Monday, May 31, 2004	Memorial Day State Holiday
Thursday, June 17, 2004	Veto Day
Monday, July 5, 2004	Independence Day State Holiday (Taken on Monday)
Monday, September 6, 2004	Labor Day State Holiday
Thursday, November 11, 2004	Veteran's Day State Holiday
Thursday, November 25, 2004	Thanksgiving Day State Holiday
Friday, November 26, 2004	Day after Thanksgiving State Employee Holiday
Friday, December 24, 2004	Christmas Day State Holiday (Taken on Friday)

VISITORS CENTER SCHEDULE - JUNE

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in **JUNE 2004**. These listings will replace individual notifications in an effort to reduce paper usage and to ensure all members will be notified in a timely manner. Thank you for your continued participation with your School Visitation Program.

Kenneth Leidner, Director

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>CLASS/Size</i>
6-1-04	9:30 & 11:00 SH/HM	Green Acres School – Manchester	4/55
6-2-04	9:30 & 11:00 SH/HM	Green Acres School – Manchester	4/55
6-3-04	11:00 & 12:30 SH/P	Lakeway Elem – Littleton	4/78

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>CLASS/Size</i>
6-4-04	9:30	Holderness Elem- Plymouth	4/20
6-4-04	11:00	Jonathon Daniels School – Keene	4/34
6-7-04	8:30	Florence Rideout Elem School – Wilton	4/41
6-7-04	10:00	Kensington Elementary School	4/36
6-7-04	11:30	Mont Vernon School	4/40
6-8-04	10:00 & 11:00 SH/HM Store	Pelham Elementary School	4/50
6-9-04	10:00 & 11:00 SH/HM Store	Pelham Elementary School	4/50
6-10-04	10:00 & 11:00 SH/HM Store	Pelham Elementary School	4/50