

June 8, 2006
No. 23

STATE OF NEW HAMPSHIRE

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



Legislative

SENATE CALENDAR

VETOES, MEETINGS AND NOTICES

THE SENATE RECESSED TO THE CALL OF THE CHAIR

VETOES

Veto Message of Governor John H. Lynch Regarding Senate Bill 249

By the authority vested in me as Governor of New Hampshire, pursuant to Part II, Article 44 of the Constitution of New Hampshire, on May 26, 2006, I vetoed SB 249, an act allowing a master electrician to have 2 apprentice electricians under his or her supervision.

Above all, electrical services have to be safe, and mistakes can cost lives. New Hampshire has a time-honored tradition of apprenticeship for electricians. Through this training relationship between apprentice and master electrician, our trades workers receive the safety instruction, job skills, education and direct supervision that is necessary to provide electrical services with the highest degree of competence and safety.

I cannot support SB 249 because it will undermine public safety and reduce the nature and quality of training that apprentices receive from master electricians. That is why the Bureau of Electrical Safety and Licensing of the Office of the State Fire Marshal, the Department of Labor, and the State Apprenticeship Council oppose this bill.

No states in New England have less than a one-to-one ratio between apprentice and electrician, and some even require greater than one-on-one supervision. SB 249 eliminates direct supervision of one apprentice by one master electrician, and by doing so, risks long-term public safety. Today, the retention rate for apprentice electricians is very low, and this bill is likely to increase the drop out rate for apprentices who will no longer receive the guidance and one-on-one practical skills training they need to be successful and permanently enter the trade. For these reasons, I am vetoing SB 249.

Respectfully submitted,
John H. Lynch
Governor

Date: May 26, 2006

Veto Message of Governor John H. Lynch Regarding Senate Bill 318

By the authority vested in me as Governor of New Hampshire, pursuant to Part II, Article 44 of the Constitution of New Hampshire, on May 12, 2006, I vetoed SB 318, an act relative to the use of deadly force to protect oneself.

SB 318 will undermine public safety in New Hampshire and will frustrate aggressive prosecutions against drug dealers and other felons who escalate violence and dangerously discharge guns in our streets and neighborhoods. That is why the Attorney General, the New Hampshire Association of Police Chiefs, county attorneys and law enforcement officials across this state have all urged me to veto this bill. Moreover, both policy committees that heard testimony on this bill - the Senate Judiciary Committee and the House Criminal Justice and Public Safety Committee - opposed the bill.

I have tremendous respect for New Hampshire's police officers. Each day, they put themselves in harm's way to ensure that our communities remain safe and our laws are diligently enforced. SB 318 will make it more difficult, and more dangerous, for police officers to do their jobs.

New Hampshire law already makes clear that citizens can stand their ground and use deadly force whenever necessary to protect themselves and their loved ones whose lives are in jeopardy. Current law allows a person to use deadly force in any location against another in response to deadly force, or to prevent the commission of a serious crime such as kidnapping or forcible sexual assault, wherever and whenever those crimes may occur. Current law also justifies the use of deadly force against intruders entering one's home, regardless of whether the intruder has used or threatened to use deadly force. These laws honor the sanctity of human life, the sanctity of one's own home, and the right of citizens to defend themselves and others.

Our current laws are working well, and there is no indication that they have been misapplied or abused by prosecutors. At the public hearings on this bill, no cases were identified where an individual was wrongly convicted or unjustly charged with a criminal offense for having used deadly force in self defense or in defense of others. Prosecutors recognize the legitimate use of deadly force in self defense by New Hampshire citizens.

SB 318 would legalize a host of inappropriate uses of deadly force. The bill would allow a person to use deadly force in response to many instances of non-deadly force that do not warrant the taking of another human life, even in public places such as shopping malls, public streets, restaurants and churches. In a crowded shopping mall, for example, SB 318 would authorize any shopper to instantly shoot and kill a thief who had grabbed or tugged at the shopper's purse or briefcase, regardless of how many shoppers might be placed in harm's way by such actions. Deadly force should only be used in public places when absolutely necessary, for which existing law already provides.

In our courts, SB 318 would offer new defenses to hardened criminals. SB 318 would burden our prosecutors and benefit felons and drug dealers who brandish weapons and carry out violent encounters to support their illegal trade. This bill will only encourage felons to inject violence into our public places under the guise of self defense.

I will continue to support legislation that supports our police officers, strengthens our public safety and honors the rights of New Hampshire citizens to protect themselves and their loved ones against danger. This bill does not further any of those goals, and represents a dramatic and unwarranted change in our criminal law. Given that current law is effectively working and widely supported by the law enforcement community, I am vetoing SB 318.

Respectfully submitted,
John H. Lynch
Governor

Date: May 12, 2006

LAID ON THE TABLE

SB 240, relative to transmission poles or structures on public highways. **3/9/06, pending motion ITL, Energy and Economic Development, SJ 7, pg. 157**

SB 243, establishing a commission to study rural transit in New Hampshire. **3/9/06, pending motion OTP, Energy and Economic Development, SJ 7, pg. 157**

SB 247, establishing a right to work act which provides for freedom of choice on whether to join a labor union. **3/22/06, pending motion Committee Amendment (1372s), Banks and Insurance, SJ 9, pg. 236**

SB 248, establishing a committee to study the issuance of dealer plates to bonded motor vehicle dealers. **2/2/06, pending motion OTP, Transportation & Interstate Cooperation, SJ 3, pg. 76**

SB 292-FN, relative to permits for combustion of certain waste. **3/9/06, pending motion ITL, Energy and Economic Development, SJ 7, pg. 157**

SB 309-FN-A, (New Title) establishing a commission to study inclusion of service as a part-time district court judge in the calculation of retirement benefits. **3/16/06, pending motion OTP, Finance, SJ 8, pg. 199**

SB 316-FN-L, requiring interpretation services upon request for persons receiving medical treatment. **2/16/06, pending motion Committee Amendment (0897s), Health and Human Services, SJ 5, pg. 100**

SB 331, relative to certain small loans. **03/22/06, pending motion Ought to pass as Amended, Banks and Insurance, SJ 9, pg. 255**

SB 338, relative to insurance coverage for childrens' early intervention therapy services. **3/22/06, pending motion Interim Study, Banks and Insurance, SJ 9, pg. 255**

SB 360-FN-A, establishing a surcharge on real estate transfers for deposit in the family stability fund and renaming the homeless prevention program the family stability program. **2/9/06, pending motion ITL, Public and Municipal Affairs, SJ 4, pg. 85**

SB 365-FN, relative to the lottery commission. **03/16/06, pending motion Committee Amendment (1343s), Finance, SJ 8, pg. 199**

SB 375-FN, relative to the executive branch code of ethics and establishing an executive branch ethics committee. **2/23/06, pending motion Interim Study, Internal Affairs, SJ 6, pg. 124**

SB 381-FN-A-L, expanding business tax credits to enhance research and development. **3/9/06, pending motion Interim Study, Finance, SJ 7, pg. 165**

SB 385-FN, relative to the membership and administration of the board of trustees of the New Hampshire retirement system, and relative to supplemental allowances. **3/22/06, pending motion Committee Amendment (1415s), Finance, SJ 9, pg. 225**

SB 401-FN, relative to the Hanover-Lebanon District Court. **3/9/06, pending motion Ought to Pass as Amended, SJ 7, pg. 176**

SB 402-FN-A, relative to payment of unreimbursed storm-related damages incurred by the town of Hanover and affected surrounding towns and making an appropriation therefor. **3/22/06, pending motion ITL, Finance, SJ 9, pg. 265**

SB 406-FN-A, establishing a manufacturer's tax on cigarettes sold in New Hampshire. **3/22/06, pending motion Committee Amendment (1473s), Finance, SJ 9, pg. 235**

SCR 8, declaring the general court in opposition to the federal Real ID Act of 2005. **3/9/06, pending motion OTP, Internal Affairs, SJ 7, pg. 166**

CACR 43, relating to the cost of education. Providing that the legislature shall determine and define the content, extent, and funding of education. **3/22/06, pending motion Ought to Pass as Amended, Finance, SJ 9, pg. 213**

HB 175, (New Title) relative to divestiture of PSNH generation assets, establishing an energy policy task force, and establishing a fund for the costs of the energy policy task force. **2/16/06, pending motion Committee Amendment (0814s), Energy and Economic Development, SJ 5, pg. 94**

HB 177, relative to home improvement contracts. **2/2/06, pending motion Ought to Pass as Amended, Public and Municipal Affairs, SJ 3, pg. 60**

HB 270, relative to procedures of the legislative ethics committee. **1/18/06, pending motion OTP, Internal Affairs, SJ 2, pg. 49**

HB 312, (New Title) relative to the appointment of parenting coordinators. **3/16/06, pending motion OTP, Health and Human Services, SJ 8, pg. 192**

HB 325, (New Title) relative to proceedings under the Child Protection Act. **3/16/06, pending motion Committee Amendment (1277s), Health and Human Services, SJ 8, pg. 193**

HB 347, (New Title) relative to indicating citizenship on drivers' licenses and nondrivers' identification cards. **4/20/06, pending motion ITL, Transportation and Interstate Cooperation, SJ 12, pg. 430**

HB 578, (New Title) relative to the current use advisory board and relative to construction or development constituting a change in use for purposes of assessing the land use change tax. **2/23/06, pending motion Committee Amendment (0976s), Environment and Wildlife, SJ 6, pg. 121**

HB 621-FN, requiring disclosure of gifts and campaign contributions by lobbyists. **4/6/06, pending motion Inexpedient to Legislate, Public and Municipal Affairs, SJ 10, pg. 330**

HB 626-FN-L, relative to the right-to-know law. **5/4/06, pending motion Committee Amendment (2073s), Public and Municipal Affairs, SJ 14, pg. 565**

HB 669-FN, (New Title) establishing a committee to study state laboratory water tests and fees for such tests collected by the department of environmental services. **3/16/06, pending motion Committee Amendment (1299s), Energy and Economic Development, SJ 8, pg. 186**

HB 1134, relative to membership of the state building code review board. **5/4/06, pending motion OTP, Public and Municipal Affairs, SJ 14, pg. 541**

HB 1140, establishing a committee to study the establishment and enforcement of protection zones for nesting loons. **4/6/06, pending motion Committee Amendment (1515s), Environment and Wildlife, SJ 10, pg. 321**

HB 1166, relative to electronic ballot counting machines. **4/13/06, pending motion Interim Study, Internal Affairs, SJ 11, pg. 348**

HB 1168, establishing a commission to determine how to optimize boating safety on water bodies. **4/13/06, pending motion Committee Amendment (1650s), Transportation and Interstate Cooperation, SJ 11 pg. 376**

HB 1176, establishing a committee to study statutes relating to railroads. **5/4/06, pending motion Committee Amendment (1902s), Transportation and Interstate Cooperation, SJ 14, pg. 543**

HB 1198, establishing a committee to study highway rest areas. **3/09/06, pending motion OTP, Transportation and Interstate Cooperation, SJ 7, pg. 177**

HB 1209, relative to notification requirements for criminal offenders. **4/13/06, pending motion OTP, Education, SJ 11, pg. 338**

HB 1220, establishing a committee to study a statewide review of all unanticipated fatalities and serious injury involving incapacitated adults and individuals 60 or older. **5/4/06, pending motion Committee Amendment (1929s), Executive Departments and Administration, SJ 14, pg. 532**

HB 1221-FN, (New Title) relative to recovery of medical assistance. **4/13/06, pending motion Interim Study, Judiciary, SJ 11, pg. 352**

HB 1264, establishing an advisory committee to study the information practices act and establishing a temporary moratorium on reports filed under the information practices act. **4/6/06, pending motion OTP, Executive Departments and Administration, SJ 10, pg. 323**

HB 1269, relative to the taking of red deer or elk. **4/13/06, pending motion ITL, Environment and Wildlife, SJ 11, pg. 340**

HB 1279, establishing a committee to study state medicaid reimbursement. **3/22/06, pending motion Committee amendment (1391s), Ways and Means, SJ 9, pg. 304**

HB 1376, relative to the duties of the legislative oversight committee on electric utility restructuring. **4/6/06, pending motion Committee Amendment (1554s), Energy and Economic Development, SJ 10, pg. 320**

HB 1409-FN, relative to organ and tissue donation. **4/6/06, pending motion OTP, Health and Human Services, SJ 10, pg. 330**

HB 1446, (New Title) requiring the department of resources and economic development to prepare and submit a management and financial plan to the general court and the public prior to the opening of the Berlin regional ATV park. **4/20/06, pending motion ITL, Environment and Wildlife, SJ 12, pg. 395**

HB 1495, relative to setback requirements for landfills located near rivers. **5/4/06, pending motion Interim Study, Environment and Wildlife, SJ 14, pg. 545**

HB 1506, requiring children 12 years of age or under to wear personal flotation devices. **4/20/06, pending motion OTP, Environment and Wildlife, SJ 112, pg. 395**

HB 1509, (New Title) relative to campaign expenditure and contribution limitations. **4/13/06, pending motion Committee Amendment (1669s), Internal Affairs, SJ 11, pg. 352**

HB 1523, relative to certain rulemaking authority of the commissioner of environmental services. **5/4/06, pending motion OTP, Executive Departments and Administration, SJ 14, pg. 548**

HB 1539, establishing a committee to study the shortage in speech language services and the criteria for certification as a speech language specialist. **5/4/06, pending motion OTP, Education, SJ 14, pg. 526**

HB 1555, establishing a commission to investigate cost drivers in providing health care. **5/4/06, pending motion Committee Amendment (1883s), Health and Human Services, SJ 14, pg. 536**

HB 1565, relative to evictions in cases involving incidents of domestic violence. **4/20/06, pending motion Interim Study, Judiciary, SJ 12, pg. 425**

HB 1568, (New Title) establishing a committee to study the siting and construction of commercial wind energy facilities. **4/13/06, pending motion OTP, Energy and Economic Development, SJ 11, pg. 340**

HB 1570, relative to health insurance coverage for part-time college students. **5/3/06, pending motion Interim Study, Banks and Insurance, SJ 13, pg. 507**

HB 1578, to provide enhanced awareness of and education on methamphetamine to the citizens of New Hampshire. **4/20/06, pending motion ITL, Education, SJ 12 pg. 392**

HB 1589, establishing a committee to study the feasibility of using certain state-owned buildings as transition housing for 17-year olds and 18-year olds who are ready to leave foster care or the youth development center. **5/4/06, pending motion OTP, Executive Departments and Administration, SJ 14, pg. 549**

HB 1592-FN, making certain changes in the insurance laws. **4/20/06, pending motion Interim Study, Banks and Insurance, SJ 12, 385**

HB 1597-FN-L, relative to municipal obligations for indigent medical expenses. **4/20/06, pending motion Committee amendment (1798), Internal Affairs, SJ 12, pg. 409**

HB 1620-FN, relative to hunting restrictions of certain convicted felons. **4/13/06, pending motion Interim Study, Judiciary, SJ 11, pg. 353**

HB 1674-FN, requiring emergency care providers to report information on certain sexual assault crimes to law enforcement officials. **4/13/06, pending motion Interim Study, Judiciary, SJ 11, pg. 355**

HB 1713-FN, restricting the over-the-counter sale of pseudoephedrine base and ephedrine base drugs and establishing commission to study the feasibility of an electronic tracking system for sales of pseudoephedrine base and ephedrine base drugs. **4/20/06, pending motion OTP, Health and Human Services, SJ 12, pg. 405**

HB 1751, relative to penalties for failure to have workers' compensation coverage. **5/3/06, Floor Amendment (1996s), Banks and Insurance, SJ 13, pg. 508**

HB 1768-FN, (New Title) establishing a committee to study the effects of rescinding the charter of the New Hampshire Bar Association, and relative to the regulation of attorneys by the supreme court. **4/6/06, pending motion Committee amendment (1581s), Executive Departments and Administration, SJ 10, pg. 324**

HCR 25, urging the United States to withdraw funding for the United Nations if the United Nations adopts a resolution in violation of the United States Constitution. **5/4/06, pending motion ITL, Energy and Economic Development, SJ 14, pg. 531**

HJR 20, supporting stem cell research. **4/20/06, pending motion OTP, Health and Human Services, SJ 12, pg. 406**

HJR 24, supporting efforts for commuter rail in the state of New Hampshire. **3/16/06, pending motion OTP, Transportation and Interstate Cooperation, SJ 8, pg. 185**

MEETINGS

FRIDAY, JUNE 9, 2006

ASSESSING STANDARDS BOARD (RSA 21-J:14-a)

9:30 a.m.	NH Department of Revenue Administration 57 Regional Drive, Training Room	Regular Meeting
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PUBLIC HIGHER EDUCATION STUDY COMMITTEE (187-A:28-a)

9:30 a.m.	Granite State College 8 Old Suncook Road Concord, NH	Campus Tour
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MONDAY, JUNE 12, 2006

COMMISSION TO STUDY ISSUES RELATIVE TO THE COMPREHENSIVE SHORELAND PROTECTION ACT (SB 83, Chapter 209:1, Laws of 2005)

Cancelled	Room 305, LOB	Regular Meeting
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LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)

10:30 a.m.	Room 100, SH	Public Hearing on proposed amendment to the Ethics Guidelines and Regular Meeting
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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 13, 2006

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

10:00 a.m. Room 100, SH Regular Meeting

COMMISSION TO STUDY ISSUES RELATIVE TO THE COMPREHENSIVE SHORELAND PROTECTION ACT (SB 83, Chapter 209:1, Laws of 2005)

10:00 a.m. Room 305, LOB Regular Meeting

WEDNESDAY, JUNE 14, 2006

ISSUES RELATIVE TO CONSTRUCTION AND DEMOLITION WASTE (HB 517, Chapter 205:1, Laws 2005)

8:30 a.m. Room 304, LOB Regular Meeting

THURSDAY, JUNE 15, 2006

GAMING OPTIONS FOR NEW HAMPSHIRE (HB 522, Chapter 211:1, Laws of 2005)

2:00 p.m. Room 306, LOB Regular Meeting

FRIDAY, JUNE 16, 2006

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m. Room 306, LOB Regular Meeting

RIGHT TO KNOW OVERSIGHT COMMISSION (RSA 91-A:11)

10:00 a.m. Room 202, LOB Regular Meeting

MONDAY, JUNE 19, 2006

NH LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4)

9:00 a.m. CDFA Board Room Regular Meeting
14 Dixon Ave
Concord, NH

TUESDAY, JUNE 20, 2006

NH-CANADIAN TRADE COUNCIL (RSA 12-A:2-g)

10:00 a.m. Senate Conference Room 306, SH Regular Meeting

WEDNESDAY, JUNE 21, 2006

PROCUREMENT METHODS FOR PUBLIC WORKS PROJECTS BY STATE AND LOCAL GOVERNMENT AGENCIES (HB 157, Chapter 132:1, Laws of 2005)

9:00 a.m. Room 212, LOB Organizational Meeting

FRIDAY, JUNE 23, 2006

ASSESSING STANDARDS BOARD (RSA 21-J:14-a)

9:30 a.m. NH Department of Regular Meeting
Revenue Administration
57 Regional Drive, Training Room

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

9:30 a.m. Rooms 201-203, LOB Regular Meeting

MONDAY, JUNE 26, 2006

BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)

1:00 p.m. Room 201, LOB Regular Meeting

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

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

TUESDAY, JUNE 27, 2006

WINNIPESAUKEE RIVER WATERSHED ADVISORY COMMITTEE (RSA 483-D:2)

9:00 a.m. Room 103, SH Regular Meeting

LEGISLATIVE OVERSIGHT COMMITTEE TO MONITOR THE PROGRESS OF THE PILOT PROJECT IN THE GRAFTON AND ROCKINGHAM COUNTY COURTS (SB 415, Chapter 221, Laws of 2004)

10:00 a.m. Room 206, LOB Regular Meeting

WEDNESDAY, JUNE 28, 2006

GAMING OPTIONS FOR NEW HAMPSHIRE (HB 522, Chapter 211:1, Laws of 2005)

2:00 p.m. Room 100, SH Regular Meeting

FRIDAY, JUNE 30, 2006

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m. Room 306, LOB Continued Meeting

THURSDAY, JULY 6, 2006

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m. Room 306, LOB Continued Meeting

FRIDAY, JULY 7, 2006

COMMISSION TO DEVELOP A COMPREHENSIVE STATE MENTAL HEALTH PLAN (HB 691, Chapter 175:15, Laws of 2005)

1:00 p.m. Room 205, LOB Work Team One

MONDAY, JULY 10, 2006

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

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

TUESDAY, JULY 11, 2006

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
Single Audit of Federal Financial
Assistance
Programs
For the Year Ended June 30, 2005

THURSDAY, JULY 13, 2006

COMMISSION TO DEVELOP A COMPREHENSIVE STATE MENTAL HEALTH PLAN (HB 691, Chapter 175:15, Laws of 2005)

9:30 a.m. Room 205, LOB Work Team Four

THURSDAY, JULY 20, 2006

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m. Room 306, LOB Regular Meeting

FRIDAY, JULY 21, 2006

COMMISSION TO DEVELOP A COMPREHENSIVE STATE MENTAL HEALTH PLAN (HB 691, Chapter 175:15, Laws of 2005)

1:00 p.m. Room 205, LOB Leadership Group

MONDAY, JULY 24, 2006

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

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

FRIDAY, JULY 28, 2006

COMMISSION TO DEVELOP A COMPREHENSIVE STATE MENTAL HEALTH PLAN (HB 691, Chapter 175:15, Laws of 2005)

1:00 p.m. Room 205, LOB Work Team Two

THURSDAY, AUGUST 3, 2006

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m. Room 306, LOB Continued Meeting

FRIDAY, AUGUST 4, 2006

COMMISSION TO DEVELOP A COMPREHENSIVE STATE MENTAL HEALTH PLAN (HB 691, Chapter 175:15, Laws of 2005)

1:00 p.m. Room 205, LOB Work Team One

THURSDAY, AUGUST 10, 2006

ASSESSING STANDARDS BOARD (RSA 21-J:14-a)

9:30 a.m. NH Department of Revenue Administration
57 Regional Drive, Training Room Regular Meeting

COMMISSION TO DEVELOP A COMPREHENSIVE STATE MENTAL HEALTH PLAN (HB 691, Chapter 175:15, Laws of 2005)

9:30 a.m. Room 205, LOB Work Team Four

MONDAY, AUGUST 14, 2006

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

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

THURSDAY, AUGUST 17, 2006

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m. Room 306, LOB Regular Meeting

FRIDAY, AUGUST 18, 2006

COMMISSION TO DEVELOP A COMPREHENSIVE STATE MENTAL HEALTH PLAN (HB 691, Chapter 175:15, Laws of 2005)

1:00 p.m. Room 205, LOB Leadership Group

THURSDAY, AUGUST 24, 2006

ASSESSING STANDARDS BOARD (RSA 21-J:14-a)

9:30 a.m.

NH Department of
Revenue Administration
57 Regional Drive, Training Room

Regular Meeting

FRIDAY, AUGUST 25, 2006

COMMISSION TO DEVELOP A COMPREHENSIVE STATE MENTAL HEALTH PLAN (HB 691, Chapter 175:15, Laws of 2005)

1:00 p.m.

Room 205, LOB

Work Team Two

MONDAY, AUGUST 28, 2006

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

1:00 p.m.

Room 102, LOB

Workshop Meeting

THURSDAY, AUGUST 31, 2006

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)

9:00 a.m.

Room 306, LOB

Continued Meeting

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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 2006 BILLS.

SENATE BILLS: 22, 103, 107, 110, 175, 131, 225, 232, 249, 252, 262, 268, 276, 278, 279, 280, 281, 282, 284, 287, 288, 289, 290, 294, 296, 297, 298, 300, 301, 303, 305, 306, 307, 309, 310, 311, 313, 314, 316, 317, 325, 339, 342, 346, 350, 352, 353, 354, 355, 356, 357, 358, 359, 361, 363, 367, 368, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 384, 385, 386, 392, 394, 399, 401, 402, 403, 406

HOUSE BILLS: 76, 100, 234, 317, 325, 345, 347, 349, 380, 489, 515, 638, 645, 653, 657, 669, 678, 689, 718, 719, 1128, 1167, 1182, 1215, 1221, 1222, 1223, 1231, 1274, 1331, 1337, 1407, 1419, 1426, 1427, 1436, 1455, 1459, 1463, 1464, 1465, 1468, 1470, 1489, 1578, 1580, 1595, 1608, 1609, 1612, 1624, 1626, 1631, 1648, 1656, 1657, 1679, 1683, 1681, 1697, 1711, 1713, 1718, 1741, 1744, 1747, 1765, 1767, 1768

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NOTICES

Open enrollment for the State of New Hampshire group health and dental plans will be held from June 9th through June 23, 2006. All legislators and their dependents are eligible to join the health and/or dental plans at their own expense. Legislators currently enrolled may change plan types and add or remove dependents during open enrollment. More information will be mailed to each of you from the Office of Legislative Accounting by the end of the month. Information and enrollment/change forms are available through Joyce Phinney, Legislative Accounting, State House, Room 113 or 271-5685.

Theodore L. Gatsas, Senate President

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Legislators that have served in the military should check the General Court's web site "VETERAN LEGISLATORS" for the accuracy of the information posted. Please send all corrections to Rep. Norman Major at norman.major@leg.state.nh.us or call at his home, 382-5429. Also, please provide this information to Rep. Major if your name does not appear on the list and you have served in any branches of the military. The veterans list can be found at web site. <http://gencourt.state.nh.us/ie/> and then click on "Directions, State Laws, Ethics Booklet, Downloads, etc."

Theodore L. Gatsas, Senate President

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MONDAY, JUNE 12, 2006

The Legislative Ethics Committee will hold a public hearing on proposed amendments to the Ethics Guidelines on June 12, 2006, at 10:30 a.m. in Room 100 of the State House. The proposed amendment, which is printed below in its entirety, is necessitated by statutory changes made to RSA 15-B.

Senator Sheila Roberge
Senator Joseph A. Foster

Proposed Amendment to Ethics Guidelines

2 DEFINITIONS.

I. "Anything Of Value" includes but is not limited to the following:

- (a) A pecuniary item, including money, or a bank bill or note;
- (b) A promissory note, bill of exchange, order, draft, warrant, check, or bond given for the payment of money;
- (c) A contract, agreement, promise, or other obligation for an advance, conveyance, forgiveness of indebtedness, deposit, distribution, loan, payment, gift, pledge, or transfer of money;
- (d) A stock, bond, note, or other investment interest in an entity;
- (e) A receipt given for the payment of money or other property;
- (f) A cause of action;
- (g) A gift, tangible good, chattel, or an interest in a gift, tangible good, or chattel;
- (h) A loan or forgiveness of indebtedness;
- (i) A work of art, antique, or collectible;
- (j) An automobile or other means of personal transportation;
- (k) Real property or an interest in real property, including title to realty, a fee simple or partial interest, present or future, contingent or vested within realty, a leasehold interest, or other beneficial interest in realty;
- (l) A promise of employment or continued employment;
- (m) A rebate or discount in the price of anything of value unless the rebate or discount is made in the ordinary course of business to a member of the public without regard to that person's status as a public official or public employee, or the sale or trade of something for reasonable compensation that would ordinarily not be available to a member of the public.

II. "Conflict Of Interest" is the condition in which a legislator has a financial interest in any official activity.

III. "Family member" shall mean any person related to and living in the same domicile as a legislator, legislative officer, or legislative employee who shares a common economic interest in the expenses of daily living, including, but not limited to, a spouse, child, or parents.

~~III~~ IV. "Financial Interest" is a reasonably foreseeable direct material financial effect, distinguished from its effect on the public generally, on the legislator or his or her ~~spouse~~ **family member**.

~~IV~~ V. "Immediate Family" includes a spouse, guardian, parent, sibling, child or dependent.

~~[V:]~~ **VI.** "Legislation" is a bill, resolution or constitutional amendment.

~~[VI:]~~ **VII.** "Official Activities" is the conduct of activities which relate to official responsibilities including the introduction of legislation, testifying before any legislative committee or state agency, voting in committee or in house or senate session or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.

3 LEGISLATOR'S FINANCIAL DISCLOSURE FORM.

Every representative, senator, and officer of the House and Senate, shall file with the Legislative Ethics Committee the following financial disclosure form [on or before January 31] ***no later than the third Friday in January*** of each year.

FINANCIAL DISCLOSURE FORM

FOR STATE SENATORS, STATE REPRESENTATIVES AND OFFICERS OF THE GENERAL COURT

Required by the Legislative Ethics Committee (RSA 14-B) ***and RSA 15-A***

Name of Legislator/Officer _____
(print name)

Address _____
street town/city zip code

Office _____ County/District _____

Telephone Number _____

- I. Identify below the name, address, and type of any professional, business, or other organization (including any unit of government) in which you ***or a family member*** are or were an officer, director, associate, partner, proprietor, employee, ~~[or member,]~~ or served in any ***professional or*** advisory capacity, from which you ***or a family member*** derived any income (including retirement benefits other than federal retirement and/or disability benefits) in excess of \$10,000 during the preceding calendar year.

- 1) a) Name of organization _____
b) Address of organization _____
c) Type of organization _____
- 2) a) Name of organization _____
b) Address of organization _____
c) Type of organization _____
- 3) a) Name of organization _____
b) Address of organization _____
c) Type of organization _____

(attach additional sheets if necessary)

Please note: every State Senator, State Representative, and Officer of the General Court is required to file this form. If you feel that your income during the preceding calendar year does not qualify for disclosure according to the criteria stated above, signify by ~~[checking]~~ ***writing your initials*** on the line below.

My income does not qualify _____

II. ~~[COMPLETION OF THIS SECTION IS OPTIONAL.]~~

Disclosure and description below of your financial interest may eliminate the need to follow the conflict of interest procedure established in Section 5 of the Ethics Guidelines. If your participation in an official activity creates a conflict of interest not disclosed by the information on this form, you must complete and file a Declaration of Intent Form in accordance with Section 5 of the Ethics Guidelines. See Section 5 of the Ethics Guidelines for information regarding particular conflicts of interest that you may have.

FOR THIS SECTION, "FINANCIAL INTEREST" MEANS THAT A CHANGE IN ~~[THE]~~ LAW, A **CHANGE IN ADMINISTRATIVE RULE, A DECISION WHETHER OR NOT TO AWARD A CONTRACT, GRANT A LICENSE OR PERMIT, DISCIPLINE A LICENSEE OR PERMITTEE, OR OTHER DECISION BY GOVERNMENT AFFECTING THE BUSINESS, PROFESSION, OCCUPATION, GROUP, OR MATTER** ~~[DEALING WITH ANY OF THESE SUBJECTS]~~ LISTED BELOW WOULD POTENTIALLY HAVE A GREATER FINANCIAL EFFECT ON YOU OR ~~[YOUR SPOUSE]~~ A **FAMILY MEMBER** THAN IT WOULD ON THE GENERAL PUBLIC.

Do you or ~~[your spouse]~~ **a family member** have a financial interest, as defined above, in any of the following businesses, professions, occupations, groups, or matters? Check any of the following which apply and describe the nature of your or your ~~[spouse's]~~ **family member's** financial interest:

- ☐ (a) any profession, occupation, or business licensed or certified by the State of New Hampshire

- ☐ (b) health care

- ☐ (c) insurance

- ☐ (d) real estate, including brokers, agents, developers, and landlords

- ☐ (e) banking or financial services

- ☐ (f) State of New Hampshire, county or municipal employment

- ☐ (g) the New Hampshire Retirement System

- ☐ (h) the current use land assessment program

- ☐ (i) restaurants and lodging

- ☐ (j) the sale and distribution of alcoholic beverages

- ☐ (k) the practice of law

- ☐ (l) any business regulated by the Public Utilities Commission

- ☐ (m) horse or dog racing, or other legal forms of gambling

- ☐ (n) education

- ☐ (o) water resources

☐ (p) agriculture

☐ (q) New Hampshire taxes: ☐ Business Profits Tax, ☐ Business Enterprise Tax,
☐ Interest and Dividends Tax

☐ (r) other

I have read RSA 15-A and hereby swear or affirm that ~~[T]he~~ the foregoing information is true ***and complete*** to the best of my knowledge and belief.

 Signature of Legislator/Officer

Complete and return to the Legislative Ethics Committee no later than ~~[January 31, _____]~~ ***the third Friday in January.***

4 PROHIBITED ACTIVITIES.

I. Legislators shall not solicit, accept, or agree to accept anything of value from another for themselves or other persons, if the legislator receives such thing of value:

- (a) Knowing or believing the other's purpose to be the influencing of an action, decision, opinion, recommendation, or other official activity.
- (b) Knowing or believing that the giver is or is likely to become subject to or interested in any matter or action pending before or contemplated by the ~~[giver or another member of the legislature]~~ ***legislator or the General Court.***
- (c) In return for advice or other assistance relating to a legislator's official activities.
- (d) In return for introducing legislation, testifying before any legislative committee or state agency, voting in committee or in House or Senate session, or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.
- (e) In return for an endorsement, nomination, appointment, approval or disapproval of any person for a position as, or advancement of, a public servant.
- (f) In return for having given a decision, opinion, recommendation, nomination, vote, or other official activity.

II. Legislators shall not:

- (a) Reveal information which the legislator has obtained confidentially in the course of his official activities.
- (b) Reveal information about state agency operations or decisions which the legislator would not reveal to any member of the general public requesting such information.
- (c) Threaten reprisals or promise inducements of any kind to influence another so as to obtain special personal benefits for the legislator, the legislator's immediate family, or for certain constituents which would not be available to others under similar conditions.
- (d) Conduct private negotiations with any governmental agency in an attempt to obtain a decision on a pending matter which would result in special personal benefit to the legislator, to the legislator's immediate family, or to certain constituents which would not be available to others under similar conditions.

III. Legislators shall not use their public position or office to obtain anything of value for the private benefit of the legislator or the legislator's immediate family.

IV. Legislators shall not use state-provided services or facilities for private gain.

- V. Legislators shall not become involved in any official activity without complying with the conflict of interest procedure set forth in this document.
- VI. Legislators shall not engage in conduct that constitutes sexual harassment as defined in RSA 14-B:1.
- VII. Nothing in this section on prohibited activities should be construed to prohibit the following:
 - (a) The giving or receiving of campaign contributions made for the purpose of defraying the costs of a political campaign.
 - (b) Assistance to constituents in their dealings with state agencies.
 - (c) Advocacy of a particular outcome on matters pending before a state agency when the legislator believes such a decision would benefit the general public or the legislator's constituents generally.
 - (d) Submission by a legislator of recommendations or references on behalf of a candidate for state employment when the legislator believes the candidate is qualified to be a suitable public employee.
 - (e) Acceptance of awards, prizes or other honors of a minimal value.
 - (f) Acceptance of anything of value the receipt of which ~~[would otherwise be a violation of this section where the value is less than \$250.00 in aggregate from any single source during any calendar year]~~ **is permitted by RSA 15-B.**
 - ~~[(g) Acceptance of reimbursement or underwriting of actual expenses for registration, travel, lodging, and subsistence directly related to attendance at a bona fide informational or educational conference, seminar, or meeting, so long as disclosure of any such reimbursement or underwriting, including the identity of the primary sponsor or sponsors and including financial contributors, is made within 15 calendar days of the legislator's return from such conference (if expenses are underwritten) or, within 15 calendar days of reimbursement. This disclosure shall be filed in the Office of the Secretary of State and shall be in the form prescribed in RSA 15-B.]~~

5 CONFLICT OF INTEREST PROCEDURE.

- I. No declaration shall be required if no benefit or detriment could reasonably be expected to accrue to the legislator as a member of a business, profession, occupation, or other group, to any greater extent than to any other member of such business, profession, occupation, or other group, provided that disclosure of the legislator's membership is made in the Financial Disclosure Form pursuant to section 3 of the Ethics Guidelines. For purposes of these guidelines, groups shall be limited to ones generally recognized and of a substantial size.
- II. When a legislator becomes aware that a conflict of interest exists or may exist and the conditions set forth in paragraph I are not met, the legislator shall proceed in accordance with either subparagraph (a) or (b):
 - (a) Declare that the legislator will not participate in any official activity associated with the issue.
 - (b) Declare that the legislator intends to participate in the official activity and will provide a description of the conflict of interest including:
 - * names of all entities, both public and private, which might be affected;
 - * the nature of any benefit which may accrue to the legislator;
 - * the nature of any financial interest in the issue;
 - * the nature of any relationship which existed, exists or may exist between the legislator and any person or entity which might be affected;
 - * such additional information as may be required to permit clear public awareness and understanding of the nature and extent of the conflict.
- III. The declaration required in subparagraphs II (a) and (b) of this procedure shall be publicly announced prior to the legislator's initial participation in the official activity. The information required in subparagraph (b) shall be filed with the clerk of the member's respective body within 24 hours of the time of the official activity and be made available for public inspection during normal business hours.

6 LEGISLATIVE EMPLOYEE CODE OF CONDUCT.

I. General Principles of Conduct.

- (a) A legislative employee or officer should view his or her work for the General Court as a public service and should strive to promote the common good of the citizens of the State of New Hampshire through the devotion of his or her professional talents and energies to the support of the General Court in its mission as the representative of the citizens of this state.
- (b) A legislative employee or officer should act in a way that makes him or her worthy of the trust the General Court places in staff members and officers.
- (c) A legislative employee or officer should provide objective advice, information, and alternatives to legislators, independent of the employee's or officer's personal beliefs or interests or the interests of third parties. A legislative employee or officer should avoid activities that conflict with this objectivity or give the appearance of conflict.
- (d) A legislative employee or officer should treat all legislators with dignity and respect, and provide services of equal quality to the employee's or officer's appropriate legislative clientele.

II. Definitions.

- (a) "Legislative employee" includes all house, senate, and joint staff whether employed on a part-time, full-time, permanent or temporary basis.
- (b) "Legislative officer" includes those employees of the House and Senate who are elected by members of the General Court.

III. Prohibited Activities.

- (a) A legislative employee or officer shall not accept any gift from givers who wish to influence the work activities of the employee or officer. A legislative employee or officer shall not accept any employment or serve in any position, in addition to legislative employment, which would impair the employee's or officer's independence of judgment. Except within the scope of employment, a legislative employee or officer shall not provide any service to a lobbyist or any other person with a direct personal interest in any matter or action pending before the General Court. Nothing in this paragraph should be construed to prohibit the following:
 - (1) Acceptance of awards, prizes, honors, or gifts of a minimal value.
 - (2) Acceptance of informational material relevant to the employee's or officer's official function, such as books, pamphlets, reports, documents, periodicals, or other information that is recorded in a written, audio, or visual format.
 - (3) Acceptance of ~~reimbursement or underwriting of actual expenses for registration, travel, lodging, and subsistence directly related to attendance at a bona fide informational or educational conference, seminar, or meeting, so long as disclosure of any such reimbursement or underwriting, including the identity of the primary sponsor or sponsors and including financial contributors, is made to the joint committee on legislative facilities or the fiscal committee of the general court as appropriate within 15 calendar days of the employee's or officer's return from such conference (if expenses are underwritten) or within 15 calendar days of reimbursement. This disclosure shall be in a form prescribed by the above-cited committees and shall be made available to the public upon request~~ **anything of value the receipt of which is permitted by RSA 15-B.**
- (b) A legislative employee or officer shall not use or attempt to use the employee's or officer's official position to (a) personally obtain any privilege, exemption, special treatment or any other thing of value, or (b) obtain any such benefit for others except as required to perform duties within the scope of employment.
- (c) A legislative employee or officer shall not accept or solicit anything of value for the private benefit of the employee or officer or the employee's or officer's immediate family under circumstances in which it can be reasonably inferred that the legislative employee's or officer's independence of judgment is impaired or is intended as a reward for any official action.
- (d) A legislative employee or officer shall not use state-provided services or facilities for private gain.

- (e) A legislative employee or officer shall not disclose confidential information acquired by reason of the employee's or officer's official position to any person or group not entitled to receive such information, nor shall the employee or officer use such information for personal gain or benefit or for the benefit of others.
 - (f) A legislative employee or officer shall not enter into any contract with a state agency involving services or property, unless the contract is made after public notice and competitive bidding; except in cases where public notice and competitive bidding are not required, the contract or agreement shall be filed with the employee's or officer's supervisory officer.
- IV. Disclosure Procedure. When a legislative employee or officer becomes aware that his or her participation in a particular activity presents a conflict of interest or conflicts with his or her objectivity or gives the appearance of a conflict, the employee or officer shall immediately make disclosure of this fact to his or her supervisory officer. All such reports shall be forwarded to the Chief of Staff of the House, the Chief of Staff of the Senate, the Director of the Office of Legislative Services, or Legislative Budget Assistant, as appropriate.

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WEDNESDAY, JUNE 14, 2006

The Governor's Task force on the Humane Treatment of Animals for Wednesday, June 14, 2006 Subcommittee Meeting in Room 307, LOB at 1:00 p.m., Full Meeting in Room 307, LOB at 2:00 p.m.

Senator Sheila Roberge

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THURSDAY, JUNE 15, 2006

You are cordially invited to the 3rd annual Vesta Roy Excellence in Public Service Program graduation luncheon at the Bedford Village Inn, Bedford, New Hampshire on Thursday June 15, at 12 noon. For tickets and more information please contact Rep. Deb Hogancamp.

Senator Thomas R. Eaton

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WEDNESDAY, JULY 12, 2006

The Governor's Task force on the Humane Treatment of Animals for Wednesday, July 12, 2006 Subcommittee Meeting in Room 307, LOB at 1:00 p.m., Full Meeting in Room 307, LOB at 2:00 p.m.

Senator Sheila Roberge

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WEDNESDAY, AUGUST 9, 2006

The Governor's Task force on the Humane Treatment of Animals for Wednesday, August 9, 2006 Subcommittee Meeting in Room 307, LOB at 1:00 p.m., Full Meeting in Room 307, LOB at 2:00 p.m.

Senator Sheila Roberge

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SENATE SCHEDULE

Tuesday, July 4, 2006

Independence Day (State Holiday)

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VISITORS CENTER SCHEDULE - JUNE

State House Visitation Schedule 2005 & 2006 School Year

Virginia Drew, Public Information Administrator
Kenneth Leidner, Director

<i>DATE</i>	<i>TIME</i>	<i>GROUP</i>	<i>Grade/Size</i>
June 9	10:00	Jonathan Daniels School – Keene	4/35
June 12	10:00	Mont Vernon Village School	4/39
June 14	9:45/11:00 SH/HM	Lancaster Elem – Salem	4/60
June 15	9:00/10:30	No Londonderry Elementary	4/80
June 16	9:30	Shortridge Academy – Milton	HS/10
June 21	11:00	Atkinson Recreation Group	Adults/50
June 23	9:30	Shortridge Academy – Milton	HS/10
June 30	9:00 or 10:00	UNH – 4H Group	Teens/10 to 50