

July 19, 2007
No. 29

STATE OF NEW HAMPSHIRE

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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 109

By the authority vested in me, pursuant to part II, article 44 of the New Hampshire Constitution, on July 17, 2007, I vetoed Senate Bill 109, an act relative to the emergency powers of the supreme court.

Based on my experiences during our flood disasters, I recognize the critical importance of maintaining clear and coordinated authority during emergencies. While I applaud the sponsors of this bill for their efforts to address emergency preparedness in our court system, I am vetoing SB 109 because the language of the bill is overbroad.

I support granting limited authority to the supreme court to extend statutory time deadlines in the courts during a declared state of emergency. If the court system were not available to the citizens because of an emergency, it is only fair that filing deadlines be suspended briefly. Current law does not authorize the supreme court to suspend certain time deadlines during an emergency. The bill's sponsors recognized this problem, and wisely acted to address it.

However, the final version of the bill grants authority to the supreme court to suspend time deadlines in other statutes that are unrelated to the court system. This language raises serious concerns about the separation of powers between our branches of government. It also undermines efforts to centralize decision-making during a state of emergency. For example, SB 109 would authorize the supreme court to suspend time deadlines in virtually any law, including those that do not impact existing or anticipated court cases, such as administrative licenses, the issuance of permits by state agencies, applications for benefits, the payment of fines, and the timing of administrative hearings. Those decisions, in particular during an emergency, should be made by the governor or the general court.

The Senate version of this bill contained specific language that covered only those time deadlines applicable to the courts, and did not raise concerns about the separation of powers. Unfortunately, that language was removed from the final version of the bill.

Respectfully submitted,

Governor

Date: July 17, 2007

Veto Message of Governor John H. Lynch Regarding Senate Bill 213-FN-A

By the authority vested in me, pursuant to part II, article 44 of the New Hampshire Constitution, on July 18, 2007, I vetoed Senate Bill 213-FN-A, an act establishing the comprehensive cancer plan fund, requiring master settlement agreement strategic contribution

fund payments to be deposited in such fund, and establishing a comprehensive cancer plan oversight board.

I support the New Hampshire Comprehensive Cancer Plan Fund, and I signed it into law when I signed the state budget effective July 1, 2007. The general court incorporated the comprehensive cancer plan fund into HB 2, and stated its intention that "SB 213-FN-A of the 2007 legislative session shall not take effect." The sponsors of this bill have asked me to veto this bill so that it does not conflict with HB 2, and I am vetoing this bill to carry out the legislature's intent to adopt the New Hampshire Comprehensive Cancer Plan Fund as set forth in HB 2.

Respectfully submitted,

Governor

Date: July 18, 2007

LAI D ON THE TABLE

CACR 19, relating to funding of public education. Providing that the legislature shall define standards for education, determine the level of state funding thereof, establish standards of accountability, and allocate state funds in a manner that mitigates disparities in educational opportunity and fiscal capacity, provided that every school district receives a reasonable share of the state funds on a per pupil basis. **6/14/07, pending motion No Recommendation, Judiciary, SJ 23, pg. 684**

SB 89, authorizing the Holden School of Nursing to confer degrees. **2/22/07, pending motion ITL, Education, SJ 6, pg. 80**

SB 96, extending the veterans' property tax credit to all honorably discharged veterans. **3/15/07, pending motion ITL, Public and Municipal Affairs, SJ 8, pg. 112-113**

SB 110, relative to the ban on the sale and use of lead fishing jigs. **2/8/07, pending motion ITL, Wildlife, Fish and Game, SJ 3, pg. 39**

SB 112, relative to recommendations of marital masters. **4/12/07, pending motion Ordering to Third Reading, Judiciary, SJ 12, pg. 288**

SB 120, establishing a commission to study the removal of thimerosal from vaccines. **3/29/07, pending motion ITL, Health and Human Services, SJ 10, pg. 201**

SB 151, relative to drug nuisance abatement. **4/5/07, pending motion ITL, Judiciary, SJ 11, pg. 249**

SB 181-FN-A-L, adding a fee to motor vehicle fines for use by municipalities. **3/22/07, pending motion Committee Amendment (0528s), Transportation and Interstate Cooperation, SJ 9, pg. 175**

SB 203, relative to the use of the English language in writs and other court documents. **4/5/07, pending motion OTP, Judiciary, SJ 11, pg. 250**

SB 218, relative to notice of sale requirements for manufactured housing parks. **4/5/07, pending motion ITL, Commerce, Labor and Consumer Protection, SJ 11, pg. 218**

SB 225-FN-A-L, relative to allowing video gaming in Coos county, building casinos in Berlin and Portsmouth, and establishing a fund to assist with the payment of property taxes. **3/22/07, pending motion ITL, Ways and Means, SJ 9, pg. 177**

SB 227-FN, authorizing land and community heritage investment program donations accompanying motor vehicle registrations. **4/5/07, pending motion OTP, Transportation and Interstate Cooperation, SJ 11, pg. 247**

SB 249-FN, establishing a new position and relative to the realignment of functions in the department of corrections. **3/22/07, pending motion Committee Amendment (0734s), Executive Departments and Administration, SJ 9, pg. 153**

SCR 1, declaring a state of emergency in the town of Dorchester during the March 2006 floods. **2/15/07, pending motion OTP, Public and Municipal Affairs, SJ 4, pg. 61**

HB 51, permitting adoption by 2 unmarried adults in a familial relationship. **6/7/07, pending motion ITL, Judiciary, SJ 21, pg. 648**

HB 88, establishing a committee to study single payer health care. **4/26/07, pending motion OTP, Commerce, Labor and Consumer Protection, SJ 14, pg. 320**

HB 146, relative to nicknames on ballots. **4/18/07, pending motion Committee Amendment (1164s), Election Law and Internal Affairs, SJ 13, pg. 312**

HB 203, relative to protections for temporary workers. **6/6/07, pending motion Committee Amendment (1953s), Commerce, Labor and Consumer Protection, SJ 20, pg. 485**

HB 239-FN-A, appropriating funds to the barn preservation fund matching grants program. **5/24/07, pending motion Committee Amendment (1665s), Energy, Environment and Economic Development, SJ 18, pg. 412**

HB 244, (New Title) repealing a certain provision of law regarding advance directives and mentally incompetent or developmentally disabled persons. **5/10/07, pending motion ITL, Judiciary, SJ 16, pg. 362**

HB 263-FN, relative to health insurance riders. **5/24/07, pending motion Committee Amendment (1655s), Commerce, Labor and Consumer Protection, SJ 18, pg. 401**

HB 504-FN, relative to registration requirements for certain criminal offenders under age 21. **5/24/07, pending motion No Recommendation, Judiciary, SJ 18, pg. 432**

HB 513, establishing a housing commission. **5/3/07, pending motion Committee Amendment (1324s), Public and Municipal Affairs, SJ 15, pg. 332**

HB 523, (New Title) relative to lobbyist registration and statements, and regulation of volunteer public service. **5/17/07, pending motion Floor Amendment (1664s), Election Law and Internal Affairs, SJ 17, pg. 374**

HB 638-FN, relative to lease agreements entered into by the department of transportation.
4/26/07, pending motion Ought to Pass with Amendment, Finance, SJ 14, pg. 325

HB 749, changing the position of forensic toxicologist within the department of safety from an unclassified to a classified position. **5/24/07, pending motion OTP, Finance, SJ 18, pg. 423**

2007 BILLS RE-REFERRED TO COMMITTEE

COMMERCE, LABOR AND CONSUMER PROTECTION

HB 232, (New Title) relative to retaliatory rent increases and mediation of manufactured housing park disputes.

HB 254, relative to mandatory employer meetings about political and religious beliefs, including beliefs about joining a union.

HB 281, relative to the cancellation of buying club memberships.

EDUCATION

HB 304, relative to the criteria under which guardianship over a minor is granted.

ELECTION LAW AND INTERNAL AFFAIRS

HB 367, relative to incompatible offices.

HB 715, (New Title) establishing a committee to study the state heritage collections committee and the joint legislative historical committee.

HCR 6, urging Congress to prevent the implementation of the North American Free Trade Agreement superhighway system.

HCR 8, urging Congress to rename the Veterans Administration Hospital the Styles Bridges Veterans Administration Hospital.

SB 248, relative to ethical standards for volunteers in the executive branch.

ENERGY, ENVIRONMENT AND ECONOMIC DEVELOPMENT

HB 392, relative to the use of property held by the state of New Hampshire under an easement specifying low impact recreational use only.

HB 460, relative to conservation restrictions to protect public water supplies.

SB 158, relative to review of activities affecting surface waters.

SB 174-FN-A-L, establishing the northern counties development authority and making an appropriation therefor.

SB 177, relative to orders of reparation by the public utilities commission.

SB 196, establishing the position of director of climate change in the office of energy and planning.

SB 259, establishing state appliance and equipment energy efficiency standards.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 142, relative to the regulation of real estate brokers and salespersons by the real estate commission.

SB 205-FN, eliminating an exception to state reimbursement for drug testing for racing dogs and horses.

SB 210-FN, relative to transferring regulation of fuel gas fitters to the board of licensing and regulation of plumbers, and making certain changes to the regulation of plumbers.

SB 212-FN, relative to the regulation of home inspectors.

FINANCE

SB 79-FN-A, relative to court security and court security officers.

HEALTH AND HUMAN SERVICES

HB 867-FN-L, relative to parent liability for court-ordered services in juvenile proceedings.
SB 114-FN, relative to licensed acute care hospitals.
SB 156, relative to public health regions and regional public health councils.
SB 163-FN, relative to housing assistance for families in the Temporary Assistance to Needy Families (TANF) program.

JUDICIARY

CACR 20, relating to funding of public education. Providing that the local political subdivision shall provide public education and determine curriculum and the amount of funding thereof, and the legislature shall have the authority to make reasonable determinations as to public education, provide supplemental funding, and determine the amount and allocation of such state funds.
HB 463, relative to the awarding parental rights and responsibilities to a stepparent or grandparent.
HB 539-FN, relative to manslaughter.
SB 90-FN, relative to the penalty for impersonating a law enforcement officer.
SB 121, relative to preventing strategic lawsuits against public participation.
SB 165-FN, relative to informing physicians of results of the screening panels for medical injury claims.
SB 240-FN, establishing contractual cohabitation and extending certain rights to parties to a contractual cohabitation.
SB 250-FN, relative to damages awarded to a prisoner resulting from prison conditions litigation.
SB 264, relative to filing liens on personal and real property to recover uncollected small claims judgments.

PUBLIC AND MUNICIPAL AFFAIRS

HB 63, (New Title) relative to conflicts of interest involving county officers and employees.
HB 115, relative to the procedure for counties to apply for, accept, and expend federal, state, or other grants.
HB 379, relative to the adoption, revision, and amendment of municipal charters.
HB 380, relative to the forms of government under town charters.
HB 456, (New Title) limiting liability for town health officers and overseers of public welfare when acting in the course of their official duties.
HB 692, (New Title) allowing certain municipalities in economically depressed counties to adopt a property tax exemption for industrial construction.
SB 48, relative to removal of appointed highway agents from office.
SB 49, relative to the authority of highway agents.
SB 62-FN, relative to penalties for violations of the state building code.
SB 190, establishing a committee to study municipal regulation of private motor sports clubs.
SB 199, relative to the assessment of property subject to a housing subsidy restriction.
SB 257-FN, relative to penalties for life safety code violations under municipal housing standards.

TRANSPORTATION AND INTERSTATE COOPERATION

HB 754-FN, repealing the law relative to the Maine-New Hampshire Interstate Bridge Authority.
SB 103-FN-L, relative to the limited betterment assessments on Class VI and private roads.
SB 211-FN-A, establishing a veterans' programs number plate trust fund and a special veterans' programs license plate, to support state veterans' programs.

WAYS AND MEANS

HB 351, clarifying that the definition of "overseas business organization" includes all foreign incorporated business organizations and all 80/20 business organizations, and redefining "business activity" for purposes of the business profits tax.

MEETINGS

MONDAY, JULY 23, 2007

INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c)

9:00 a.m. Room 100, SH Regular Meeting

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

1:00 p.m. Room 100, SH Regular Meeting

TUESDAY, JULY 24, 2007

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

9:00 a.m. Room 100, SH Regular Business

JOINT LEGISLATIVE COMMITTEE ON ELDERLY AFFAIRS (RSA 17-H:2)

9:30 a.m. Room 103, SH Regular Meeting

AIR POLLUTION ADVISORY COMMITTEE (RSA 125-J:11)

11:00 a.m. Room 103, SH Regular Meeting

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

5:00 p.m. Veteran's Home Regular Meeting
Tilton, NH

WEDNESDAY, JULY 25, 2007

COMMITTEE TO STUDY THE PROCESS FOR APPROVAL OF NEW EDUCATIONAL PROGRAMS PREPARING STUDENTS TO TAKE NATIONAL LICENSING EXAMINATIONS FOR REGISTERED NURSING (HB 542, Chapter 90:1, Laws of 2007)

11:00 a.m. Room 101, LOB Organizational Meeting

THURSDAY, JULY 26, 2007

EXOTIC AQUATIC WEEDS AND SPECIES COMMITTEE (RSA 487:30)

10:00 a.m. Room 308, LOB Regular Meeting

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

1:00 p.m. Department of Revenue Subcommittee Meeting
Administration Training Room
57 Regional Drive
Concord, NH

FRIDAY, JULY 27, 2007

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

10:00 a.m. Room 101, LOB Regular Meeting

TUESDAY, JULY 31, 2007

COMMISSION TO STUDY AND MAKE RECOMMENDATIONS ON THE EXPANSION OF THE NEW HAMPSHIRE AGRICULTURAL INNOVATION PROGRAM (HB 207, Chapter 162:1, Laws of 2007)

10:00 a.m. Room 303, LOB Organizational Meeting

WEDNESDAY, AUGUST 1, 2007

COMMISSION TO STUDY PHARMACEUTICAL COSTS AND THE 340B DRUG PRICING PROGRAM (HB 148, Chapter 245:1, Laws of 2007)

1:00 p.m. Room 205, LOB Organizational Meeting
COMMISSION TO STUDY THE STATE HIGHWAY TRUST FUND (HB 103, Chapter 207:1, Laws of 2007)

1:00 p.m. Room 201, LOB Organizational Meeting
COMMITTEE TO STUDY EDUCATIONAL AND SOCIAL SERVICE PROGRAMS THAT SERVE FAMILIES WITH CHILDREN 6 YEARS OLD AND YOUNGER (HB 86, Chapter 158:1, Laws of 2007)

1:15 p.m. Room 206, LOB Organizational Meeting

THURSDAY, AUGUST 2, 2007

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

9:00 a.m. Rooms 306-308, LOB Continued Meeting

TUESDAY, AUGUST 7, 2007

TELECOMMUNICATIONS OVERSIGHT COMMITTEE (RSA 374:22-h)

10:00 a.m. Room 304, LOB Regular Meeting

ESTABLISHING A STATE ENERGY POLICY COMMISSION (HB 1146, Chapter 257:1, Laws of 2006)

1:00 p.m. Room 304, LOB Regular Meeting

JOINT COMMITTEE ON EMPLOYEE CLASSIFICATION (RSA 14:14-C)

1:00 p.m. Room 306, LOB Regular Meeting

FRIDAY, AUGUST 10, 2007

EMERGENCY MANAGEMENT SYSTEM JOINT LEGISLATIVE OVERSIGHT COMMITTEE (RSA 21-P:51)

10:00 a.m. Division of Homeland Security Regular Meeting
and Emergency Management
110 Smokey Bear Blvd
Concord, NH

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

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

THURSDAY, AUGUST 16, 2007

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

9:00 a.m. Rooms 306-308, LOB Regular Meeting

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

10:00 a.m. Room 304, LOB Regular Meeting

MONDAY, AUGUST 20, 2007

INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c)

9:00 a.m. Room 100, SH Regular Meeting

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

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

TUESDAY, AUGUST 21, 2007

COMMISSION ON THE USE OF RADIO FREQUENCY TECHNOLOGY (HB 203, Chapter 165:1, Laws of 2006)

10:00 a.m. Room 303, LOB Regular Meeting

FRIDAY, AUGUST 24, 2007

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

9:00 a.m. Rooms 305-307, LOB Regular Meeting

TUESDAY, AUGUST 28, 2007

LEGISLATIVE ETHICS COMMITTEE (RSA 14-B:2)

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

THURSDAY, SEPTEMBER 6, 2007

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

9:00 a.m. Rooms 306-308, LOB Continued Meeting

TUESDAY, SEPTEMBER 11, 2007

PUBLIC HIGHER EDUCATION STUDY COMMITTEE (RSA 187-A:28-a)

10:00 a.m. Room 207, LOB Organizational Meeting

SCHOOL ADMINISTRATIVE UNIT SYSTEM LEGISLATIVE OVERSIGHT COMMITTEE (RSA 194-C:11)

1:00 p.m. Room 207, LOB Organizational Meeting

THURSDAY, SEPTEMBER 13, 2007

ELECTRIC UTILITY RESTRUCTURING LEGISLATIVE OVERSIGHT COMMITTEE (RSA 374-F:5)

10:00 a.m. Room 304, LOB Regular Meeting

ESTABLISHING A STATE ENERGY POLICY COMMISSION (HB 1146, Chapter 257:1, Laws of 2006)

Cancelled Room 304, LOB Regular Meeting

FRIDAY, SEPTEMBER 14, 2007

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

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

TUESDAY, SEPTEMBER 18, 2007

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

10:00 a.m. Room 201, LOB Regular Business

THURSDAY, SEPTEMBER 20, 2007

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

9:00 a.m.

Rooms 306-308, LOB

Regular Meeting

MONDAY, SEPTEMBER 24, 2007

INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c)

9:00 a.m.

Room 100, SH

Regular Meeting

TUESDAY, SEPTEMBER 25, 2007

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1)

3:00 p.m.

Room 201, LOB

Regular Meeting

ENROLLED BILL AMENDMENTS ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR 2007 BILLS.

SENATE BILLS: 41, 52, 66, 75, 82, 92, 93, 118, 123, 134, 136, 138, 143, 152, 162, 176, 192, 197, 204, 206, 213, 217, 223, 226, 231, 235, 237, 260

HOUSE BILLS: 2, 25, 44, 46, 54, 87, 103, 134, 140, 153, 205, 216, 219, 220, 252, 256, 286, 292, 306, 361, 365, 383, 406, 407, 427, 468, 472, 488, 495, 498, 499, 517, 536, 583, 590, 611, 623, 659, 661, 664, 689, 722, 727, 743, 782, 790, 822, 826, 828, 846, 862, 873, 889, 895, 918, 921, 927

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 2007 BILLS.

SENATE BILLS: 35, 47, 55, 65, 67, 68, 74, 75, 76, 82, 90, 92, 93, 98, 101, 103, 113, 117, 122, 126, 128, 129, 133, 134, 137, 138, 145, 146, 148, 163, 166, 168, 169, 172, 176, 178, 179, 183, 184, 186, 191, 197, 200, 204, 205, 206, 210, 213, 217, 219, 223, 224, 225, 226, 232, 233, 235, 240, 242, 243, 249, 255, 257, 260, 263

HOUSE BILLS: 2, 25, 43, 46, 64, 95, 118, 228, 239, 243, 256, 272, 273, 417, 426, 440, 451, 471, 488, 523, 547, 553, 568, 590, 608, 629, 653, 657, 661, 663, 664, 718, 727, 733, 749, 755, 790, 791, 826, 828, 857, 873, 876, 895, 907, 927

NOTICES

TUESDAY, JULY 31, 2007

New Hampshire Mental Health Commission (HB 691 – Chapter 175:15) sub-committee on corrections and health care invites all Senate members to a presentation by William Fisher, Ph.D of UMASS Medical School. He is internationally recognized as an expert in the delivery of services for persons with severe mental illness and legal and criminal justice issues in the mental health field. The presentation will be held on Tuesday, July 31, 2007 from 1:00-4:00 p.m. at the Brown Building Auditorium (NH Hospital Campus.)

Sylvia B. Larsen, Senate President

SUNDAY, AUGUST 5, 2007

The 2007 Purple Heart Day ceremony will be held on Sunday August 5th at 2:00 p.m. on the Memorial Walkway in the New Hampshire State Veterans Cemetery, Boscawen, NH. The program is to be focused on New Hampshire casualties in the War on Terror; both combat wounded and killed. All state Representatives and State Senators are most welcome, and please encourage any families in your Districts that have sustained losses, to also attend. If you have questions, please call Rep. David L. Smith at (603)-882-9091.

Senator John S. Barnes

SENATE SCHEDULE

Monday, September 3, 2007	Labor Day (State Holiday)
Monday, September 10, 2007	First day to file legislation for 2008 Session
Wednesday, October 24, 2007, 3:00 p.m.	The Office of Legislative Services shall not draft a Senate Bill or Resolution, unless a request by a member for drafting with complete information has been received not later than 3:00 p.m., on Wednesday, October 24, 2007 for the 2008 Session
Monday, November 12, 2007	Veteran's Day (State Holiday)
Wednesday, November 21, 2007, 12:00 p.m.	The last day to sign-off legislation for the above filing period shall be at noon on Wednesday, November 21, 2007.
Thursday, November 22, 2007	Thanksgiving Day (State Holiday)
Friday, November 23, 2007	Day after Thanksgiving (State Holiday)
Tuesday, December 25, 2007	Christmas Day (State Holiday)