

June 11, 2004  
No. 24

# STATE OF NEW HAMPSHIRE

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Legislative

## SENATE CALENDAR

VETO MESSAGES, MEETINGS & NOTICES

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**THE SENATE WILL MEET IN SESSION ON  
THURSDAY, JUNE 17, 2004 AT 10:00 A.M.**

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## **GOVERNOR'S VETO MESSAGE ON SB 470**

**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 470, an Act Relative to Funding for the Physician Effectiveness Program, and Establishing a Dedicated Fund**

SB 470 would increase the allocation from each physician license renewal from \$20 to \$30 and place that amount into a nonlapsing fund that would be kept distinct and different from all other funds.

There is insufficient justification for the increase in physician effectiveness program funds called for by this bill. Further, recent data confirms that there is no need to increase the fee, as the current fund balance is more than adequate for the need

Creation of dedicated, nonlapsing, fund is contrary to the principles upon which I believe that state government should operate.

For these reasons, I have vetoed SB 470

Sincerely,

Craig R. Benson

## **GOVERNOR'S VETO MESSAGE ON SB 484**

**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 484, an Act Establishing the Collaborative Practice for Emergency Contraception Act**

SB 484 would allow participating pharmacists to dispense emergency contraceptive pills containing elevated levels of female hormones to an individual of any age without the oversight or counsel of a licensed physician. This unprecedented action contravenes accepted practice on several levels.

First of all, the US Food and Drug Administration (FDA) has concluded that such medications should not be made available without doctor prescription because there is not sufficient data to show that young adolescent women can safely use emergency contraception without the professional supervision of a licensed practitioner. As a result, the FDA has barred emergency contraceptives from over the counter availability in the United States.

Additionally, SB 484 would allow minors access to these powerful hormonal drugs without any requirement for parental involvement or acknowledgement. Recognizing the value of family relationships and the need for parents to be involved in decisions of this kind, I find it unconscionable to allow young girls to be placed in this position without the knowledge and support of their parents.

Further, because pharmacist participation would be voluntary, availability of emergency contraceptive medication would not be guaranteed. Thus, the implementation could well be inequitable, resulting in residents of a given region or group not having access.

Finally, as written, SB 484 would allow emergency contraceptive drugs to be provided to individuals without any physical exam, emotional counseling, or requirement for follow-up health care. Birth control has always been something prescribed by a physician.

Clearly there are questions of safety, notification and appropriateness that this bill does not address.

For these reasons, I have vetoed SB 484

Sincerely,

Craig R. Benson

# GOVERNOR'S VETO MESSAGE ON SB 513

May 10<sup>th</sup>, 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

### *MONDAY, JUNE 14, 2004*

#### **GOVERNOR'S CAPITAL BUDGET HEARING (RSA 9:3-a)**

9:00 a.m. - 2:30 p.m.      Room 103, SH      Regular Meeting

#### **INTEGRATED CRIMINAL JUSTICE INFORMATION SYSTEM AND PRIVACY, SECURITY AND DISSEMINATION (HB 64, Chapter 24:2, Laws of 2003)**

9:00 a.m.      Room 204, LOB      Privacy Subcommittee Meeting

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

10:00 a.m.      Room 203, LOB      Subcommittee Work Session on Rules

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

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

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

4:00 p.m.      Room 208, LOB      Prioritization Subcommittee Meeting

### *TUESDAY, JUNE 15, 2004*

#### **GOVERNOR'S CAPITAL BUDGET HEARING (RSA 9:3-a)**

9:00 a.m. - 12:00 p.m.      Room 103, SH      Regular Meeting

**JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1)**  
***(RSA 17-N:1 HAS BEEN RESCHEDULED FOR JUNE 24<sup>TH</sup>)***

Rescheduled                      Room 105-A, SH                      Regular Meeting

**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

***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

**SAFELY REDUCING THE PRISON POPULATION IN THE STATE (HB 825, Chapter 157:1, Laws of 2003)**

10:00 a.m.                      Room 204, LOB                      Regular Meeting

**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

**LEGISLATOR ORIENTATION (RSA 17-C:2)**

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

***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

**CONSENSUS REVENUE ESTIMATING PANEL (RSA 17-Q:1)**

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

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

1:00 p.m.                      Room 201, LOB                      Complaint Hearing

***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

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

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

***TUESDAY, JUNE 22, 2004***

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

12:00 p.m.                      Room 303, LOB                      Regular Meeting

### ***WEDNESDAY, JUNE 23, 2004***

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

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

**SAFELY REDUCING THE PRISON POPULATION IN THE STATE (HB 825, Chapter 157:1, Laws of 2003)**

10:00 a.m. Room 204, LOB Regular Meeting

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

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

### ***THURSDAY, JUNE 24, 2004***

**JOINT LEGISLATIVE PERFORMANCE AUDIT AND OVERSIGHT COMMITTEE (RSA 17-N:1)**

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

### ***FRIDAY, JUNE 25, 2004***

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

9:30 a.m. NH Department of Revenue Administration Regular Meeting  
Community Services Division in the Training Room

### ***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

### ***WEDNESDAY, JUNE 30, 2004***

**SAFELY REDUCING THE PRISON POPULATION IN THE STATE (HB 825, Chapter 157:1, Laws of 2003)**

10:00 a.m. Room 204, LOB Regular Meeting

### ***FRIDAY, JULY 2, 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

### ***FRIDAY, JULY 9, 2004***

**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, JULY 12, 2004***

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

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

### ***TUESDAY, JULY 13, 2004***

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

1:00 p.m. Room 201, LOB Subcommittee on State Office  
Park South



### ***WEDNESDAY, JULY 14, 2004***

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

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

### ***FRIDAY, JULY 16, 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

### ***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

### ***FRIDAY, JULY 30, 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

### ***MONDAY, AUGUST 9, 2004***

#### **WELLNESS AND PRIMARY PREVENTION COUNCIL (RSA 126-M:3)**

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

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

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

### ***FRIDAY, AUGUST 13, 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

### ***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

### ***WEDNESDAY, AUGUST 18, 2004***

#### **WATER RESOURCES COMMITTEE (RSA 481:1-b)**

10:00 a.m. Rockingham Planning Commission Regular Meeting  
156 Water St.  
Exeter, NH

### ***MONDAY, AUGUST 23, 2004***

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

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

### ***FRIDAY, AUGUST 27, 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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**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

**TUESDAY, JUNE 15, 2004**

The Statement of Financial Interests for Gifts, Testimonials and Honorariums (RSA 15-B) has been distributed to each Senator's office. This statement must be signed and submitted to the Secretary of State's Office by June 15, 2004. A statement must be submitted even if the member has not received any gifts, testimonials or honorariums in the last year.

Thomas R. Eaton, Senate President

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**FRIDAY, JUNE 25, 2004**

All members are invited to participate in the "New Hampshire Supports Our Troops Rally" on Friday, **June 25** at noon on the State House Plaza, Concord.

Senator Robert E. Clegg, Jr.

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**FRIDAY, JULY 9, 2004**

Members and the public are welcome to attend the next meeting of the Governor's Commission on Alcohol and Drug Abuse Prevention, Intervention and Treatment to be held on July 9, 2004 from 9:30 a.m. to 11:30 a.m. in LOB Rooms 201 and 203. The agenda will include further discussion announcement of the statewide grants and future programs. Reports from the grantees on the programs that were funded last year. Members are encouraged to take the opportunity to attend and provide input to the State Plan to prevent or overcome the addiction problems in our communities.

Senator Andre A. Martel  
Senator Iris W. Estabrook

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## SENATE SCHEDULE 2004 SESSION

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)