

September 1, 2011
No. 36

STATE OF NEW HAMPSHIRE

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



**First Year of the 162nd Session of the
New Hampshire General Court
Legislative**

SENATE CALENDAR

**THE SENATE WILL MEET IN SESSION ON
WEDNESDAY, SEPTEMBER 7, 2011, AT 1:00 P.M.**

VETO MESSAGES

Governor's Veto Message Regarding SB 3

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 15, 2011, I vetoed SB 3, making comprehensive changes to the state retirement system.

Even as this bill sits on my desk with a deadline of today, members of the ongoing conference committee on HB 1 and HB 2 have publicly announced that they will consider substantive changes to this legislation, a version of which is already included in HB 2. Those changes include potentially addressing decisions made yesterday by the Board of the Retirement System that could impact the budgets of the state and local communities.

Given the legislature's stated intent to change this legislation further, and my responsibility to review the legislation in its full and final form, I am vetoing Senate Bill 3 and will assess the legislature's final product.

Respectfully submitted,

John H. Lynch
Governor

Date: June 15, 2011

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Governor Lynch's Veto Message Regarding SB 57

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 6, 2011, I vetoed SB 57, relative to regulation of title loan lenders.

I am vetoing this legislation because legalizing excessive interest rates for title loans – rates of 300 percent APR – would be detrimental to our families, our communities, and to our economy.

Thirty-one other states – including all the other New England states – ban these types of excessive interest rates. In 2006, Congress passed and former President George W. Bush signed federal legislation capping the interest rate on title loans to members of the military at 36 percent APR. In addition, SB 57 was strongly opposed by large numbers of Republicans and Democrats in the legislature, the New Hampshire Local Welfare Administrator's Association, AARP, the Banking Department, the Department of Justice, the New Hampshire Community Loan Fund and New Hampshire Legal Assistance.

In 2008, bipartisan legislation supported by the Banking Department, the former Attorney General, communities and many others, capped interest rates on title and payday loans at 36 percent APR. That change was reasonable and well thought-out. There is no evidence that reversing that law would benefit New Hampshire. On the contrary, there is significant evidence that it would harm our state and families.

New Hampshire currently caps interest rates for title loans at 36 percent APR. This legislation would have allowed significantly higher interest rates for loans made against the title of a car. For example, under this bill, a family who took out a \$500 loan against their car would pay \$1,187 in principal and interest over the maximum 10-month life of the loan. At the same time, companies would be allowed to loan without any inquiry into a borrower's ability to repay the loan and would even be allowed to loan to people receiving local welfare assistance.

Failure to repay a loan could lead to seizure of the family car, which is often essential for family members to maintain employment.

For vulnerable families, these excessive interest charges could force them further into a cycle of debt, and potentially onto public assistance. The New Hampshire Local Welfare Administrator's Association said the "temporary relief" that may come from a title loan "often comes at the cost of enslaving recipi-

ents in a cycle of increasing debt for basic needs, causing an ultimate crash and the need to come to the legal welfare office.” Frequently, the welfare administrators said, families end up worse off than before they took out the loan.

That cycle of debt hurts our families, hurts our local communities, and ultimately our economy. Therefore, I am vetoing SB 57.

Respectfully submitted,

John H. Lynch
Governor

Date: July 6, 2011

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Governor Lynch’s Veto Message Regarding SB 88

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 13, 2011, I vetoed SB 88, relative to physical force in defense of a person.

In 2006, I vetoed legislation with identical provisions because the New Hampshire Chiefs of Police, the New Hampshire Sheriffs Association, the New Hampshire State Police, representatives of over 40 local law enforcement departments and the former Attorney General warned it would jeopardize public safety. Many of those same organizations and the current Attorney General have asked me to veto this bill because it contains the identical provision governing the use of deadly force. This legislation would permit the use of deadly force anywhere a person has a right to be, even if the person could easily remove himself or herself from an encounter without exposing himself or herself, or anyone else, to danger.

SB 88, like the earlier bill, is a dramatic and unwarranted change in New Hampshire law that would legalize the inappropriate use of deadly force and jeopardize public safety.

“The current law governing the use of deadly force in self-defense establishes a careful balance between the right to use deadly force in self-defense on the one side, and the sanctity of human life and the safety of innocent members of the public, on the other,” wrote the New Hampshire Association of Chiefs of Police and the New Hampshire Sheriffs Association. “SB 88 would dramatically alter that balance and increase the potential for deadly encounters erupting in public places.”

There are times when deadly force may be the only alternative, and existing law already makes provisions for those cases. Existing New Hampshire law already allows citizens to stand their ground and use deadly force – in any location – to protect themselves or another person in response to another’s use of deadly force or to prevent a kidnapping or sexual assault no matter where those offenses take place. Current law also allows citizens to use deadly force to protect themselves against an intruder in their own home, regardless of whether the intruder has used deadly force. And current law puts the burden on the state to disprove beyond reasonable doubt claims of self-defense in other cases.

SB 88 would unleash the potential for increasing deadly violence in our communities. It would allow the use of deadly force on street corners, in shopping malls, public parks, and in retail stores. Drug dealers and other felons who brandish weapons will be further emboldened to use their weapons, while prosecution of those criminals will be made more difficult because of this bill’s expansion of the right to use deadly force.

Given that the current law is working well and is widely supported by law enforcement, I have vetoed SB 88.

SB 88 also contains changes to the state’s criminal law on mandatory minimum sentences for offenses involving a firearm, as well as changes to the definition of “non-deadly force. I am prepared to sign these provisions into law if they are subsequently enacted in separate legislation.

Respectfully submitted,

John H. Lynch
Governor

July 13, 2011

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Governor Lynch's Veto Message Regarding SB 91

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 13, 2011, I vetoed SB 91, an act relative to residential fire sprinklers.

SB 91 prohibits local governing bodies from requiring the installation of a fire suppression sprinkler system in proposed one or two-family residences as a condition of approval for a local permit. While it preserves existing local ordinances requiring automatic sprinkler systems in the communities that have adopted such ordinances, it would eliminate enforcement of any existing ordinance that requires sprinklers in manufactured housing units that are situated in a manufactured housing park.

The State Fire Marshal and numerous local fire departments across the State believe that local officials should continue to have the ability to require automatic sprinkler systems as an option when evaluating new residential construction.

This bill will limit the choices available to communities in meeting local fire control requirements. Instead of providing a range of options, communities will now have to revert to requiring what may be more costly options: fire ponds, cisterns, wider road widths, increasing the size of building lots and increasing the size of distance between buildings.

The decision of whether or not to require automatic sprinkler systems for new or renovated residential development has been, and should remain, a local one. The State should not preempt local decision-making. That is why I vetoed HB 109, a related bill that prohibits local planning boards from adopting regulations requiring sprinklers for one and two family homes in new subdivisions. SB 91, like HB 109, will remove local control over an important issue.

For these reasons, I am vetoing SB 91.

Respectfully submitted,

John H. Lynch
Governor

Date: July 13, 2011

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Governor's Veto Message Regarding SB 129

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 27, 2011, I vetoed SB 129.

The right to vote is a fundamental right that is guaranteed to all citizens of this State under the United States and New Hampshire Constitutions. An eligible voter who goes to the polls to vote on Election Day should be able to have his or her vote count on Election Day. SB 129 creates a real risk that New Hampshire voters will be denied their right to vote.

Voter turnout in New Hampshire is among the highest in the nation, election after election. There is no voter fraud problem in New Hampshire. We already have strong elections laws that are effective in regulating our elections.

SB 129 requires a voter to present photo identification in order to cast a ballot in any municipal, state or federal election in New Hampshire. The photo identification must be one that is issued by the United States government or the State of New Hampshire, or a driver's license from another state. Without that type of photo identification, the voter can only cast a "provisional" ballot, requiring the voter to return to their city or town clerk's office no later than 2 ½ days after the election with a valid photo ID, a waiver from the Secretary of State, or an affidavit of religious exemption.

Seniors, students, those who are disabled or do not drive, and those who do not already have a state-issued or federal-issued photo ID, may not be able to arrange to obtain a valid photo ID within the tight 2 ½ day timeframe. Many town offices are closed or have only limited hours on Wednesday, Thursday and Friday, when those voters who received a provisional ballot would be expected to return to produce a photo ID and have their vote counted. Voters in areas of the state where DMV offices have been consolidated will also be disadvantaged. Traveling to Concord or Manchester is not an option for everyone. These circumstances will present real hardships, especially for our seniors and disabled voters.

The New Hampshire City and Town Clerks Association, AARP, the League of Women Voters, and the Secretary of State have all opposed provisions of this bill. The bill's provisions for the length of time to produce a valid photo ID after an election and the types of photo IDs allowed are among the most restrictive voter identification provisions in the nation despite any evidence that current law is insufficient protection against voter fraud.

If SB 129 were to take effect, New Hampshire would have a different and more lenient standard to register to vote than to cast a vote. Under current law, a person registering to vote prior to Election Day can execute an affidavit and does not need to produce a photo ID. When a voter chooses to use a photo ID to register, he or she may use any photo ID deemed to be legitimate by the local official, not just a State of New Hampshire or US Government issued ID.

But SB 129 goes even further and actually discriminates between state and federal workers on one hand and municipal and private employees on the other. Under SB 129, a State Trooper can use his or her state photo ID to vote, but a municipal police officer cannot use his or her municipal issued photo ID. State employees can use their agency-issued photo ID's to vote, but employees at private companies may not use their company-issued photo IDs. SB 129 would also allow a person to use a Massachusetts or Maine driver's license as a valid photo ID to vote, even though a municipal photo ID issued by Raymond or Londonderry would not be a valid photo ID. Creating a two-tiered system of photo IDs for registering and voting makes no sense. It will only cause confusion and frustration at the polls that is bound to result in preventing some voters from casting their vote on Election Day.

There is also no provision made in SB 129 to guarantee the confidentiality of those that cast a provisional ballot. Unlike current election law, which protects from public disclosure the names of those persons who request and cast an absentee ballot during the election process, there is no comparable provision guaranteeing confidentiality to those who are issued and cast a provisional ballot. Ballot secrecy is fundamental to our voting system, and SB 129 fails to preserve ballot secrecy for all voters.

The provisional ballot provision of SB 129 may also impact the State's responsibility to conclude its state primary elections in a timeframe that will allow the general election ballots to be prepared and sent to military and other overseas voters in compliance with federal law. Many of the states that have adopted the use of provisional ballots with photo ID have primaries in the spring or early summer months, much earlier than New Hampshire's state primary. There is also a risk that challenges to election results over the validity of provisional ballots will impact the Secretary of State's ability to meet federal requirements for supplying general election ballots to overseas voters.

For all these reasons, I am vetoing SB 129.

Respectfully submitted,

John H. Lynch
Governor

Date: June 27, 2011

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Governor Lynch's Veto Message Regarding SB 154

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 6, 2011, I vetoed SB154, repealing New Hampshire's participation in the Regional Greenhouse Gas Initiative.

RGGI was created as a bipartisan initiative in New Hampshire, and across the Northeast, to address shared economic and environmental concerns. Here in New Hampshire, Republicans, Democrats and Independents worked together to develop a two-part strategy: help families and businesses reduce their energy use through RGGI and increase our supplies of homegrown renewable energy through the Renewable Portfolio Standard.

I am vetoing this legislation because it will cost our citizens jobs, both now and into the future, hinder our economic recovery, and damage our state's long-term economic competitiveness.

According to an independent assessment of the program conducted by the University of New Hampshire, the cumulative impact of the initiative through the end of 2010 has been a net benefit of over \$16 million in allowance revenue. These are funds that have been invested directly in helping New Hampshire families, businesses and local governments become more energy efficient, reduce costs, and create jobs.

This bill would have ended those energy efficiency efforts – eliminating jobs today and eliminating efforts to help businesses and families cut their energy use. Given that energy is a major cost factor for businesses, ending our energy efficiency programs would also hurt our efforts to bring new companies and jobs to New Hampshire.

In addition, because New Hampshire is part of a regional electricity system, if this legislation were to become law, New Hampshire ratepayers would continue to pay part of the cost of the Regional Greenhouse Gas Initiative, but would no longer receive any benefit from the allowance auction revenue. SB 154 would effectively cause New Hampshire ratepayers to pay higher electric rates to subsidize efforts to reduce energy costs in other states.

RGGI continues to have bipartisan support today because it is helping to reduce our dependence on foreign oil, creating jobs, and helping our businesses save money and become more competitive. I believe that we should continue that progress. Therefore, I am vetoing this legislation.

As originally drafted, this legislation also contained important changes to New Hampshire's Comprehensive Shoreland Protection Law. These changes, which enjoyed widespread support among stakeholders and bi-partisan support in the legislature, were ultimately included in HB 2 and have already become law.

Respectfully submitted,

John H. Lynch
Governor

Date: July 6, 2011

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EXECUTIVE SESSIONS AND WORK SESSIONS

TUESDAY, SEPTEMBER 6, 2011

COMMERCE, Room 100, SH

Sen. Prescott (C), Sen. White (VC), Sen. De Blois, Sen. Houde, Sen. Sanborn

9:00 a.m. – 12:00 p.m. **WORK SESSION ON THE FOLLOWING RE-REFERRED BILL**
SB 163-FN, relative to the New Hampshire health benefit exchange.

1:00 p.m. – 4:00 p.m. **WORK SESSION ON THE FOLLOWING RE-REFERRED BILL**
SB 163-FN, relative to the New Hampshire health benefit exchange.
EXECUTIVE SESSION MAY FOLLOW

THURSDAY, SEPTEMBER 8, 2011

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 100, SH

Sen. Carson (C), Sen. Groen (VC), Sen. Larsen, Sen. Luther, Sen. White

10:00 a.m. **WORK SESSION ON THE FOLLOWING RE-REFERRED BILLS**
SB 4, requiring legislative approval of cost items for state employee contract negotiations.
SB 143-FN, requiring the commissioner of administrative services to develop a proposal for state employees to make monetary contributions to a health savings account or other tax-advantaged account.
SB 177, relative to training of directors and officers of nonprofit corporations.
SB 185-FN, establishing a restitution fund for victims of financial fraud and continually appropriating a special fund.

SB 186-FN, repealing the exemption from the consumer protection act for certain regulated trade and commerce.

SB 188-FN, relative to the authority and roles of the banking department, the attorney general, and the bureau of securities regulation in state regulation of securities.

HB 102, establishing a committee to study certain issues relative to the insurance department, banking department, and bureau of securities regulation of the office of the secretary of state.

HB 418-FN, relative to the use of open source software and open data formats by state agencies and relative to the adoption of a statewide information policy regarding open government data standards.

EXECUTIVE SESSION MAY FOLLOW

HEALTH AND HUMAN SERVICES, Room 102, LOB

Sen. Bradley (C), Sen. De Blois (VC), Sen. Kelly, Sen. Lambert, Sen. Sanborn

1:00 p.m.

EXECUTIVE SESSION ON THE FOLLOWING RE-REFERRED BILLS

HB 479-FN, relative to receivership of nursing homes and other residential health care facilities.

HB 632, relative to labeling requirements for dispensing of drugs by automated pharmacy systems.

WEDNESDAY, SEPTEMBER 14, 2011

WAYS AND MEANS, Room 100, SH

Sen. Odell (C), Sen. Luther (VC), Sen. Boutin, Sen. D'Allesandro, Sen. Morse, Sen. Rausch

2:00 p.m.

EXECUTIVE SESSION ON THE FOLLOWING RE-REFERRED BILLS

SB 13-FN, increasing the limit on single wagers for games of chance conducted by charitable organizations.

SB 132-FN-A-L, establishing exemptions from the real estate transfer tax.

SB 155-FN-A, relative to section 179 expense deductions under the business profits tax.

SB 167-FN-A-L, establishing a production jobs creation credit under the business enterprise tax and making changes affecting small business to the business profits tax, the business enterprise tax, and the meals and rooms tax.

SB 182-FN-A-L, relative to video lottery and table gaming, providing property tax relief for local economies, providing services for problem gamers, and promoting tourism and public safety.

THURSDAY, SEPTEMBER 15, 2011

ENERGY AND NATURAL RESOURCES, Room 102, LOB

Sen. Odell (C), Sen. Gallus (VC), Sen. Bradley, Sen. Lambert, Sen. Merrill

10:00 a.m.

EXECUTIVE SESSION ON THE FOLLOWING RE-REFERRED BILLS

HB 387, requiring providers of prepaid cellular telephone service to provide subscriber information to the enhanced 911 system.

HB 439-FN-L, relative to claiming an invasive species as a habitat.

SB 48, relative to filing of rates for certain telephone services.

SB 84-FN, relative to state regulation of the septic system installation process.

SB 142-FN, relative to reorganizing the permitting process within the department of environmental services.

TUESDAY, SEPTEMBER 20, 2011

PUBLIC AND MUNICIPAL AFFAIRS, Room 101, LOB

Sen. Barnes (C), Sen. Forrester (VC), Sen. Boutin, Sen. Merrill, Sen. Stiles

9:00 a.m.

EXECUTIVE SESSION ON THE FOLLOWING RE-REFERRED BILLS

HB 186-FN, relative to the definition of political communication.

HB 382, relative to the maintenance of municipal public cemeteries.

HB 466-FN, eliminating the ballot law commission.

HB 588, relative to polling hours and location of polling places.

SB 83-FN, enabling municipalities to create other post-employment benefits (OPEB) trusts.

SB 94, relative to state certification of community residences in municipalities with zoning ordinances which accommodate certified community residences.

MEETINGS

WEDNESDAY, SEPTEMBER 7, 2011

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

10:00 a.m.

Room 212, LOB

Regular Business

COMMISSION TO STUDY THE EFFECTS OF SERVICE-CONNECTED POST-TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY SUFFERED IN THE LINE OF DUTY BY MEMBERS OF THE ARMED FORCES AND VETERANS (RSA 115-D:1)

3:00 p.m.

Room 101, LOB

Organizational Meeting

JOINT HEALTH CARE REFORM OVERSIGHT COMMITTEE (RSA 420-N:3)

3:00 p.m.

Room 302, LOB

Organizational Meeting

THURSDAY, SEPTEMBER 8, 2011

COMMITTEE TO STUDY FUNDING OPTIONS FOR THE POLICE STANDARDS AND TRAINING COUNCIL AND THE DEPARTMENT OF SAFETY, DIVISION OF FIRE STANDARDS AND TRAINING AND EMERGENCY MEDICAL SERVICES (HB 2, Chapter 224:232, Laws of 2011)

10:00 a.m.

Room 209, LOB

Organizational Meeting

COMMITTEE TO STUDY THE IMPLEMENTATION OF AN EDUCATION TAX CREDIT PLAN IN NEW HAMPSHIRE (SB 67, Chapter 218:1, Laws of 2011)

10:00 a.m.

Room 103, LOB

Organizational Meeting

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)

1:00 p.m.

Room 205, LOB

Medical Sharps Subcommittee Meeting

COMMITTEE TO STUDY ISSUES REGARDING FINANCIAL RESOURCES MORTGAGE, INC. (HB 178, Chapter 119:1, Laws of 2011)

2:30 p.m.

Room 212, LOB

Organizational Meeting

FRIDAY, SEPTEMBER 9, 2011

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)

9:00 a.m.

Room 205, LOB

Children, Youth, and Family Subcommittee Work Session on Juvenile Justice

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I)

9:30 a.m. Room 101, LOB Regular Meeting

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

1:00 p.m. Joint Board of Licensure and Certification Regular Meeting
57 Regional Drive
Concord, NH

NEW HAMPSHIRE COMMISSION ON DEAFNESS AND HEARING LOSS (RSA 125-Q)

1:30 p.m. Room 206, LOB Regular Meeting

MONDAY, SEPTEMBER 12, 2011

JOINT LEGISLATIVE HISTORICAL COMMITTEE (RSA 17-I:1)

10:00 a.m. Room 208, LOB Regular Meeting

TASK FORCE ON WORK AND FAMILY (RSA 276-B:1)

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

TUESDAY, SEPTEMBER 13, 2011

COMMITTEE TO STUDY PAROLE BOARDS AND PAROLE BOARD PROCEDURES (HB 535, Chapter 54:1, Laws of 2011)

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

COMMITTEE TO STUDY THE ESTABLISHMENT OF A FEDERAL TAX QUALIFIED VOLUNTARY DEFINED CONTRIBUTION PLAN (HB 2, Chapter 224:184, Laws of 2011)

10:30 a.m. Room 101, LOB Organizational Meeting

COMMITTEE TO STUDY THE AVAILABILITY OF COMMUNITY SUPERVISION PROGRAMS FOR PRISONERS RELEASED ON PROBATION OR PAROLE (SB 180, Chapter 126:1, Laws of 2011)

1:00 p.m. Room 204, LOB Organizational Meeting

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)

2:00 p.m. Room 205, LOB Mental Health & Substance Abuse
Subcommittee Meeting

WEDNESDAY, SEPTEMBER 14, 2011

HEALTH INFORMATION ORGANIZATION BOARD (RSA 332-I:8)

8:00 a.m. Room 205, LOB Regular Meeting

THURSDAY, SEPTEMBER 15, 2011

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

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

COMMITTEE TO STUDY COLLECTIVE BARGAINING BY PUBLIC EMPLOYEES (HB 580, Chapter 101:1, Laws of 2011)

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

COMMITTEE TO STUDY THE 2009 NEW HAMPSHIRE CHILD SUPPORT GUIDELINES REVIEW AND RECOMMENDATIONS (HB 1193, Chapter 26:2, Laws of 2010)

1:00 p.m. Room 206, LOB Regular Meeting

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

1:00 p.m. Room 212, LOB Regular Meeting

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)

2:00 p.m.	Division of Public Health Services Room 312 29 Hazen Drive Concord, NH	Public Health Improvement Services Council Subcommittee Work Session
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FRIDAY, SEPTEMBER 16, 2011**GUARDIAN AD LITEM BOARD (RSA 490-C:1)**

10:00 a.m.	Room 101, LOB	Non-Public Session of the Complaint Review Committee
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NH LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4)

10:00 a.m.	Office of Energy and Planning 4 Chenell Drive Concord, NH	Quarterly Meeting
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CURRENT USE BOARD (RSA 79-A:3)

1:00 p.m.	New Hampshire Department of Revenue Administration 109 Pleasant Street Concord, NH	Regular Board Meeting
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GUARDIAN AD LITEM BOARD (RSA 490-C:1)

1:00 p.m.	Room 101, LOB	Regular Meeting
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MONDAY, SEPTEMBER 19, 2011**INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c)**

9:00 a.m.	Room 100, SH	Regular Meeting
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TUESDAY, SEPTEMBER 20, 2011**COMMITTEE TO STUDY THE CLASSIFICATION OF MOTOR VEHICLES (SB 26, Chapter 58:1, Laws of 2011)**

10:00 a.m.	Room 100, SH	Organizational Meeting
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COMMITTEE TO DEVELOP A PLAN FOR PRIVATIZING THE DEPARTMENT OF CORRECTIONS (HB 2, Chapter 224:346, Laws of 2011)

3:30 p.m.	Room 209, LOB	Organizational Meeting
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WEDNESDAY, SEPTEMBER 21, 2011**COMMITTEE TO STUDY THE LAWS RELATING TO ELECTRONIC PRESCRIPTIONS (SB 122, Chapter 117:1, Laws of 2011)**

1:00 p.m.	Room 103, LOB	Organizational Meeting
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THURSDAY, SEPTEMBER 22, 2011**ASSESSING STANDARDS BOARD (RSA 21-J:14-a)**

9:30 a.m.	New Hampshire Department of Revenue Administration 109 Pleasant Street Concord, NH	Regular Board Meeting
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COMMISSION TO STUDY THE FUTURE OF THE NEW HAMPSHIRE MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION (RSA 404-C:14-VII)

11:00 a.m.	Room 100, SH	Organizational Meeting
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FRIDAY, SEPTEMBER 23, 2011

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

10:00 a.m. Rooms 210-211, LOB Regular Business

NEW HAMPSHIRE RAIL TRANSIT AUTHORITY (RSA 238-A:2)

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

COMMITTEE TO STUDY THE EFFECTIVENESS OF CRITERIA FOR ESTABLISHING ATV AND TRAIL BIKE TRAILS ON STATE LANDS (SB 107, Chapter 124:1, Laws of 2011)

1:00 p.m. Room 103, LOB Organizational Meeting

COMMITTEE TO STUDY SOURCES OF FUNDING FOR THE SEARCH AND RESCUE OPERATIONS OF THE FISH AND GAME DEPARTMENT (SB 128, Chapter 147:1, Laws of 2011)

2:00 p.m. Room 103, LOB Organizational Meeting

MONDAY, SEPTEMBER 26, 2011

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

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

COMMISSION TO STUDY BUSINESS TAXES (RSA 77-F)

10:00 a.m. Room 203, LOB Regular Meeting

TUESDAY, SEPTEMBER 27, 2011

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)

9:00 a.m. Room 205, LOB Children, Youth, and Family
Subcommittee Work Session on
Prevention Programs

WEDNESDAY, SEPTEMBER 28, 2011

HEALTH INFORMATION ORGANIZATION BOARD (RSA 332-I:8)

8:00 a.m. Room 205, LOB Regular Meeting

FRIDAY, SEPTEMBER 30, 2011

WORKERS' COMPENSATION ADVISORY COUNCIL (RSA 281-A:62)

9:00 a.m. Room 307, LOB Regular Meeting

THURSDAY, OCTOBER 6, 2011

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

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

MONDAY, OCTOBER 10, 2011

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

10:30 a.m. Room 308, LOB Regular Meeting

COMMISSION RELATIVE TO CHILDREN'S HEALTH INSURANCE (RSA 126-H:10)

1:00 p.m. Room 103, LOB Regular Meeting

WEDNESDAY, OCTOBER 12, 2011

HEALTH INFORMATION ORGANIZATION BOARD (RSA 332-I:8)

8:00 a.m. Room 205, LOB Regular Meeting

FRIDAY, OCTOBER 14, 2011

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I)

9:30 a.m. Room 101, LOB Regular Meeting

THURSDAY, OCTOBER 20, 2011

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

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

FRIDAY, OCTOBER 21, 2011

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

1:00 p.m. Room 101, LOB Regular Meeting

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

2:30 p.m. Rooms 302-304, LOB Regular Meeting

MONDAY, OCTOBER 24, 2011

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

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

WEDNESDAY, OCTOBER 26, 2011

HEALTH INFORMATION ORGANIZATION BOARD (RSA 332-I:8)

8:00 a.m. Room 205, LOB Regular Meeting

THURSDAY, OCTOBER 27, 2011

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

9:30 a.m. New Hampshire Department of Regular Board Meeting
 Revenue Administration
 109 Pleasant Street
 Concord, NH

FRIDAY, OCTOBER 28, 2011

NEW HAMPSHIRE RAIL TRANSIT AUTHORITY (RSA 238-A:2)

10:00 a.m. Room 201, 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 2011 RE-REFERRED AND RETAINED BILLS:

SENATE BILLS: 71, 74, 83, 132, 142, 152, 155, 159, 160, 163, 168, 185, 186, 188

HOUSE BILLS: 72, 186, 210, 330, 466, 520, 528

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NOTICES

The LOB garage will be closed for essential repairs beginning July 5th and ending November 11th. Storrs Street garage will be open to all employees and legislators who will be displaced during the repairs. Thank you.

Senator Peter Bragdon, Senate President

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FRIDAY, SEPTEMBER 16, 2011

The 38th Annual Bill White & Junie Blaisdell Ceremonial & Memorial Legislative Golf Tournament for the benefit of the American Heart Association is scheduled for Friday, September 16, 2011 at Beaver Meadow Golf Club located in Concord, NH. The entry fee for this annual tournament is \$70 per legislator and legislative staff and \$100 for all others. Entry fees must be received by Friday, September 2nd.

Registration begins at 7:15 a.m. and the shotgun start is scheduled for 8:30 a.m. The format is a "Scramble".

Sign-up as a foursome or sign-up by yourself in order to be placed in a foursome (*subject to availability of open slots*).

Please return your completed entry form and payment no later than September 2nd. (*Please note that, for planning purposes, payment must be made no later than September 2nd. All entry forms received after Friday, September 2nd will be assessed a \$25 late admittance fee per player. Cancellation must occur two weeks prior to the tournament date to receive a refund*)

Checks should be made payable to: NH Legislative Golf Committee.

Mailed to: Bob Blaisdell, The Demers Group, 72 North Main Street, Suite 301, Concord, NH 03301.

Point of contact: Robert.Blaisdell@TheDemersGroup.com

38th Annual Bill White & Junie Blaisdell Ceremonial & Memorial Golf Tournament

Beaver Meadow Golf Course
Concord, NH

Name: 1. _____
2. _____
3. _____
4. _____

Telephone: _____ Amount Enclosed: _____

Senator Peter Bragdon, Senate President

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TUESDAY, SEPTEMBER 20, 2011 AND WEDNESDAY, SEPTEMBER 21, 2011

Health Services is inviting you to be trained or recertified in CPR for adult, child, and infant; use of automated external defibrillator (AED) for adult and child; and basic first aid. Classes will be held in the LOB on Tuesday, September 20th and Wednesday, September 21st with two sessions available each day, one at 8:30 a.m. – 12:00 p.m. and one at 12:30 p.m. – 4:00 p.m. Please contact the Health Services office at 271-2757 to reserve a spot. Thank you.

Senator Molly M. Kelly

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LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee has voted unanimously to issue the following advisory opinion, which is printed below in its entirety.

Advisory Opinion 2011- 2 Response to a Request for an Advisory Opinion From Rep. David S. Robbins (July 7, 2011)

By memorandum dated June 24, 2011, Representative David S. Robbins has requested an Advisory Opinion whether, consistent with applicable statutes and the Ethics Guidelines, it would be permissible for him to apply for and accept a scholarship with a potential value of up to \$900 from the Greater Nashua Chamber of Commerce, to participate in the 2011-2012 Leadership Greater Nashua Program.

According to information provided to the Committee by Rep. Robbins, the full cost of participation in the program is \$1000, of which he would personally pay as little as \$100.00, with the balance of the tuition to be covered by a scholarship provided by the Chamber.

Relevant provisions of statute appear to be:

RSA 15-B:2 Definitions. * * *

VI. "Honorarium" means a payment in any form to an elected official, public official, public employee, constitutional official, or legislative employee for an appearance, speech, written article or other document, service as a consultant or advisor, or participation in a discussion group or similar activities. * * *.

RSA 15-B:7 Honorarium, or Expense Reimbursement Report. The secretary of state shall establish a uniform report of receipt of an honorarium or expense reimbursement, which may be in paper or electronic form.

I. The report shall include at a minimum the following information, which shall be public:

(a) The full name, work address, work phone number, the office, appointment, or employment held by person subject to the reporting requirement.

(b) The full name, post office address, occupation, and principal place of business, if any, of the source of any reportable honorarium or expense reimbursement. When the source is a corporation or other entity, the name and work address of the person representing the corporation or entity in making the honorarium or expense reimbursement must be provided in addition to the name of the corporation or entity.

(c) The value of the honorarium or expense reimbursement. When the exact value is unknown, the person filing the report shall provide an estimate of the value of the gift or honorarium and identify the value as an estimate.

(d) A brief description of the service or event that gave rise to the honorarium or expense reimbursement. Reports of expense reimbursement must include a copy of the agenda or an equivalent document.

(e) The date on which the honorarium or expense reimbursement was received.

(f) The following statement followed by a line for the person filing the form to sign and date the form: "I have read RSA 15-B and hereby swear or affirm that the foregoing information is true and complete to the best of my knowledge and belief."

II. The secretary of state may also require information such as home phone numbers, home addresses, and other information helpful to the administration and enforcement of laws relating to honorariums or expense reimbursements. This information shall be non-public and shall not be subject to the provisions of RSA 91-A.

The Committee advises as follows: The Committee understands that the Leadership Greater Nashua Program consists of a series of seminars and informational sessions designed to familiarize participants with local institutions and issues faced by them. Accordingly, participation in the program would appear to qualify as "participation in a discussion group or similar activities" within the meaning of RSA 15-B:2, VI. Under these circumstances, the proceeds of the scholarship would qualify as an honorarium, which may be accepted, provided that the reporting provisions of RSA 15-B:7 are fully complied with. The limitation on acceptance of honoraria imposed by RSA 15-B:4 would not apply, because as specified in the statute, it applies only to "public official[s] or public employee[s]." These are terms defined in RSA 15-B:2, IX and X and do not include legislators.

This is consistent with advice previously supplied by the Committee in the case of legislative employees.
See Letter to David Frydman, Esq. re his participation in Carsey Institute, dated November 15, 2007.

Martin L. Gross, Chairman
 For the Committee

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SENATE SCHEDULE

Monday, September 5, 2011	Labor Day (State Holiday)
Monday, October 10, 2011	First day to file legislation for 2012 Senate Session
Friday, October 21, 2011 at 4:00 p.m.	Last day for the Office of Legislative Services to accept drafting of a Senate Bill or Resolution with complete information for the 2012 Session.
Thursday, November 10, 2011 at 4:00 p.m.	Deadline for sponsor to sign off on legislation.
Friday, November 11, 2011	Veterans' Day (State Holiday)
Tuesday, November 22, 2011 at 4:00 p.m.	Deadline for co-sponsors to sign off on legislation.
Thursday, November 24, 2011	Thanksgiving Day (State Holiday)
Friday, November 25, 2011	Day after Thanksgiving (State Holiday)
Monday, December 26, 2011	Christmas Day (State Holiday)

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