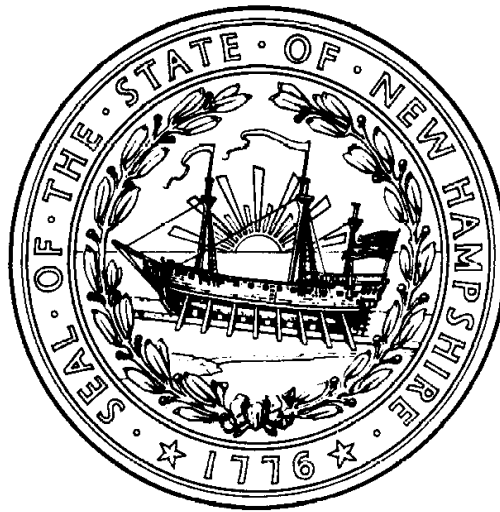


June 14, 2012
No. 22

STATE OF NEW HAMPSHIRE

WEB SITE ADDRESS:
www.gencourt.state.nh.us



Second Year of the 162nd Session of the New Hampshire General
Court Legislative

SENATE CALENDAR

THE SENATE WILL MEET IN SESSION ON WEDNESDAY, JUNE 27, 2012

VETO MESSAGE**Governor's Veto Message Regarding SB 175**

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on June 12, 2012, I vetoed SB 175.

SB 175 would codify a New Hampshire citizen's right to control and transfer to beneficiaries the commercial use of his or her identity for 70 years after death. Because I believe that this legislation is overly broad, would potentially have a chilling effect on legitimate journalistic and expressive works that are protected by the New Hampshire and United States constitutions, and would invite rather than diminish litigation over legitimate journalistic and expressive use of a person's identity, I have decided to veto this bill.

The protections for free speech that are guaranteed to all citizens under the state and federal constitutions are central to democracy and a free society. Legislation that could have the impact of restricting free speech must be carefully considered and narrowly tailored. SB 175 does not meet that test, in that it fails to distinguish clearly between commercial versus journalistic or expressive uses of identity.

Many states that have codified a person's right to control the commercial use of his or her identity have specifically exempted the use of a person's identity in conjunction with news, public affairs and expressive speech. The version of SB 175 that was passed by the Senate included these very exemptions that would have plainly established the line between expressive or journalistic and commercial use of a person's identity.

SB 175 was further amended as it moved through the legislature, and the final version of the bill contains no statutory exceptions to the right to control one's identity. I believe that the omission of legitimate, clear exceptions for news and expressive works will inhibit constitutionally protected speech and result in needless litigation to judicially establish what should have been made explicit in this bill.

While I understand that the sponsors of the legislation intended to codify the rights to control the commercial use of one's identity that has already been recognized in New Hampshire common law, SB 175 appears to go beyond the established common law and establishes the right to control the use of identity retroactively for 70 years after death. Such a result may lead to uncertainty, not finality. New Hampshire common law has not recognized a posthumous or retroactive right to transfer control of one's identity to their heirs, and in this manner I believe the bill goes beyond its stated purpose.

For all of these reasons, I have vetoed SB 175.

Respectfully submitted,

John H. Lynch
Governor

Date: June 12, 2012

LAID ON THE TABLE

CACR 33, relating to biennial legislative sessions. Providing that the general court shall meet biennially. **03/28/12, Internal Affairs, SJ 8, pg. 287**

SB 74-FN, relative to the life settlements act. **01/25/12, pending motion Inexpedient to Legislate, Commerce, SJ 3, pg. 80**

SB 163-FN, relative to the New Hampshire health benefit exchange. **01/18/12, pending motion Committee Amendment (0164s), Commerce, SJ 2, pg. 36**

SB 279-FN, establishing registers of probate as clerks of the probate division of the circuit court. **03/07/12, pending motion Inexpedient to Legislate, Judiciary, SJ 6, pg. 164**

SB 292-FN, relative to property taxation of certain manufactured housing. **03/21/12, pending motion Committee Amendment (1217s), Ways and Means, SJ 7, pg. 252**

SB 293-FN, relative to notice requirements and payment of interest by the department of revenue administration for overpayments and underpayments of tax. **03/21/12, pending motion Inexpedient to Legislate, Finance, SJ 7, pg. 237**

SB 341, authorizing electronic payment of payroll. **03/28/12, pending motion Inexpedient to Legislate, Commerce SJ 8, pg. 272**

SB 355, clarifying the exemption for attorneys from licensing requirements for mortgage brokers or bankers. **02/15/12, pending motion Ought to Pass, Commerce, SJ 5, pg. 129**

SB 377-FN, relative to unemployment compensation eligibility for participants in the return to work program. **02/15/12, pending motion Committee Amendment (0655s), Commerce, SJ 5, pg. 130**

HB 121, relative to eligibility for the property tax exemption for the disabled. **05/02/12, pending motion Committee Amendment (1721s), Public and Municipal Affairs, SJ 12, pg. 451**

HB 228-FN, prohibiting the use of public funds for abortion services. **04/25/12, pending motion Committee Amendment (1768s), Health and Human Services, SJ 11, pg. 411**

HB 383, prohibiting the collection of certain agency fees from state employees who are not members of the state employees' association. **04/18/12, pending motion Inexpedient to Legislate, Executive Departments and Administration, SJ 10, pg. 364**

HB 536-FN, relative to the natural right to carry a firearm, openly or concealed, without a license. **05/02/12, pending motion Ought to Pass with Amendment, Judiciary, SJ 12, pg. 468**

HB 1182, prohibiting the sale of baby food products containing bisphenol A in New Hampshire. **05/09/12, pending motion Ought to Pass, Commerce, SJ 13, pg. 478**

HB 1206, relative to continuing obligations under expired public employee labor agreements. **05/16/12, pending motion Inexpedient to Legislate, Executive Departments and Administration, SJ 14, pg. 521**

HB 1263, relative to the termination of tenancy and repealing the requirement that landlords of restricted residential property provide service of process information. **05/16/12, pending motion Ought to Pass, Judiciary, SJ 14, pg. 542**

HB 1300, relative to removing public officials for cause. **05/09/12, pending motion Committee Amendment (2004s), Executive Departments and Administration, SJ 13, pg. 484**

HB 1354, relative to a person's residence for voting and all other legal purposes. **05/09/12, pending motion Inexpedient to Legislate, Public and Municipal Affairs, SJ 13, pg. 491**

HB 1410, relative to securities regulation. **05/16/12, pending motion Committee Amendment (1951s), Commerce, SJ 14, pg. 548**

HB 1460, establishing a defined contribution retirement plan for public employees. **04/18/12, pending motion Ought to Pass with Amendment, Executive Departments and Administration SJ 11, pg. 367**

HB 1461, requiring school officials to notify parents of a class or event involving an outside speaker and allowing parents to opt for their child not to participate in the class or event. **05/16/12, pending motion Committee Amendment (2156s), Education, SJ 14, pg. 520**

HB 1478, relative to the definitions of resident for motor vehicle law purposes and domicile for voting purposes and relative to vehicle registration and driver's license requirements. **05/09/12, pending motion Inexpedient to Legislate, Public and Municipal Affairs, SJ 13, pg. 491**

HB 1560, relative to the interstate Health Care Compact. **05/09/12, pending motion Interim Study, Health and Human Services, SJ 13, pg. 488**

HB 1642-FN, relative to destination specialty hospitals. **05/02/12, pending motion Committee Amendment (1890s), Health and Human Services, SJ 12, pg. 466**

HB 1671, apportioning congressional districts. **04/25/12, pending motion Interim Study, Internal Affairs, SJ 11, pg. 395**

HB 1677-FN, relative to choice as to whether to join a labor union and eliminating the duty of a public employee labor organization to represent employees who elect not to join or to pay dues or fees to the employee organization. **04/11/12, pending motion Committee Amendment (1525s), Commerce, SJ 9, pg. 341**

MEETINGS

FRIDAY, JUNE 15, 2012

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

9:00 a.m.	Rooms 305-307, LOB	Regular Meeting
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MONDAY, JUNE 18, 2012

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

9:00 a.m.	Room 100, SH	Regular Meeting
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FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)

10:00 a.m.	Rooms 210-211, LOB	Regular Business
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10:30 a.m.	Rooms 210-211, LOB	Audits State of New Hampshire Joint Board of Licensure and Certification, Internal Control Over Revenue, June 2012
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MILK PRODUCERS EMERGENCY RELIEF FUND BOARD (RSA 184:109, I)

2:00 p.m.	Room 100, SH	Regular Meeting
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WEDNESDAY, JUNE 20, 2012

COMMISSION TO STUDY BUSINESS TAXES (RSA 77-F)

9:00 a.m.	Room 202, LOB	Regular Meeting
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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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GUARDIAN AD LITEM BOARD (RSA 490-C:1)

1:00 p.m.	Room 101, LOB	Regular Meeting
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THURSDAY, JUNE 21, 2012

GOVERNOR'S CAPITAL BUDGET HEARINGS

9:00 a.m.	Rooms 210-211, LOB	Opening Remarks
9:05 a.m.	Rooms 210-211, LOB	USNH
9:30 a.m.	Rooms 210-211, LOB	DoIT
9:45 a.m.	Rooms 210-211, LOB	Administrative Services
10:15 a.m.	Rooms 210-211, LOB	Secretary of State
10:30 a.m.	Rooms 210-211, LOB	Department of Justice

10:45 a.m.	Rooms 210-211, LOB	Police Standards & Training
11:15 a.m.	Rooms 210-211, LOB	NH Liquor Commission
1:30 p.m.	Rooms 210-211, LOB	Department of Safety
1:45 p.m.	Rooms 210-211, LOB	Department of Corrections
2:15 p.m.	Rooms 210-211, LOB	Department of Health & Human Services

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 Services Improvement Subcommittee Meeting
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FRIDAY, JUNE 22, 2012

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

9:30 a.m.	NH Department of Revenue Administration 109 Pleasant Street Concord, NH	Regular Meeting Subcommittee Meeting on Manual update to follow
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NEW HAMPSHIRE RAIL TRANSIT AUTHORITY (RSA 238-A:2)

10:00 a.m.	Room 201, LOB	Regular Meeting
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TUESDAY, JUNE 26, 2012

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

10:00 a.m.	Room 304, LOB	Regular Meeting
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THURSDAY, JUNE 28, 2012

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

10:00 a.m.	Room 101, LOB	Special Meeting The purpose of this special board meeting is to work on proposed changes to our administrative rules.
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FRIDAY, JUNE 29, 2012

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

9:00 a.m.	Rooms 305-307, LOB	Continued Meeting
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THURSDAY, JULY 19, 2012

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

9:00 a.m.	Rooms 305-307, LOB	Regular Meeting
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SHORELAND ADVISORY COMMITTEE (RSA 483-B:21)

9:00 a.m.	Department of Environmental Services, Room 214 29 Hazen Drive Concord, NH	Regular Meeting
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FRIDAY, JULY 20, 2012

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

1:00 p.m.

Room 101, LOB

Regular Meeting

THURSDAY, AUGUST 2, 2012

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

9:00 a.m.

Rooms 305-307, LOB

Continued Meeting

THURSDAY, AUGUST 16, 2012

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

9:00 a.m.

Rooms 305-307, LOB

Regular Meeting

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 2012 BILLS:

SENATE BILLS: 19, 48, 71, 74, 83, 84, 132, 142, 152, 153, 155, 159, 160, 163, 168, 185, 186, 188, 198, 203, 212, 217, 218, 219, 225, 227, 229, 234, 239, 244, 247, 258, 266, 271, 272, 275, 276, 279, 285, 289, 294, 302, 303, 305, 307, 309, 311, 312, 313, 314, 320, 321, 324, 326, 330, 331, 338, 343, 347, 348, 358, 366, 369, 370, 372, 375, 381, 383, 392, 399, 401, 402, 404, 405, 407, 409

HOUSE BILLS: 72, 110, 186, 210, 222, 225, 228, 234, 242, 247, 263, 269, 325, 330, 344, 351, 378, 420, 440, 449, 466, 479, 508, 518, 520, 528, 602, 652, 654, 1155, 1185, 1204, 1230, 1251, 1274, 1297, 1302, 1366, 1383, 1418, 1440, 1455, 1460, 1483, 1490, 1495, 1505, 1510, 1526, 1534, 1546, 1593, 1607, 1611, 1642, 1644, 1652, 1658, 1679, 1680, 1698, 1721

ENROLLED BILL AMENDMENTS ARE AVAILABLE IN THE SENATE CLERK'S OFFICE FOR 2012 BILLS:

SENATE BILLS: 48, 83, 153, 203, 204, 218, 237, 247, 254, 281, 284, 289, 306, 311, 326, 342, 343, 344, 356, 363, 372, 375, 402, 406, 409

HOUSE BILLS: CACR 13, 137, 217, 222, 234, 247, 283, 325, 344, 533, 574, 582, 602, 648, 1133, 1168, 1171, 1172, 1204, 1230, 1231, 1274, 1297, 1402, 1409, 1415, 1418, 1448, 1477, 1483, 1487, 1490, 1508, 1521, 1552, 1553, 1579, 1607, 1617, 1658, 1666, 1716, 1721

NOTICES

STATE HOUSE COMPLEX DISPOSAL BOXES

The General Court is exploring the issue of the disposal of dirty syringes, needles, and any other sharps into the proper disposal boxes.

During the first phase of exploration, we will have a sharps box for collection in the Health Services Department to place all sharps in. This will assist us in planning if there is any viability of placing like containers in the complex.

Senator Jeb Bradley, Senate Majority Leader

SENATE SCHEDULE

Wednesday, July 04, 2012	Independence Day (State Holiday)
Monday, September 03, 2012	Labor Day (State Holiday)
Monday, November 12, 2012	Veterans' Day (State Holiday)
Thursday, November 22, 2012	Thanksgiving Day (State Holiday)
Friday, November 23, 2012	Day after Thanksgiving (State Holiday)
Tuesday, December 25, 2012	Christmas Day (State Holiday)
Tuesday, January 01, 2013	New Year's Day (State Holiday)

VISITORS' CENTER SCHEDULE – JUNE

State House Visitation Schedule

As a convenience to the members of the NH General Court, the Visitors' Center offers the following schedule of schools and other groups visiting the State House in 2012. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule is tightly booked for the school year and subject to changes.

Please contact the Visitors' Center concerning school tour booking information. Legislators planning to meet with students should notify the Visitors' Center. Thank you for your continued participation with your School Visitation Program.

Virginia J. Drew, Director
Deborah Rivers, Public Information Administrator

DATE	TIME	GROUP	Group#/Grade
June 25	2:00	Young Rescuers - Manchester	12
June 29	10:30	Sugar Hill Retirement Community-Wolfeboro	14