

State of New Hampshire HOUSE RECORD

First Year of the 157th Session of the General Court Calendar and Journal of the 2001 Session

Vol. 23 Concord NH Thursday, July 12, 2001 No. 59

Contains: Governor's Veto Messages on House Bills, Committee Meetings, Work Sessions, Notices and Unsigned Sponsor List

HOUSE CALENDAR

NOTICE

Members of the House:

Rob Johnson has left his position as House Sergeant at Arms. Rob has served the House admirably during his tenure and his quiet yet thorough demeanor will be missed. I hope you join with me in wishing Rob and his family nothing but the best as he makes this career change.

At some point in the fall an interim Sergeant at Arms will be named. Due to the number of people who have expressed an interest in the position and out of fairness to all those who may run for the position, I will not be appointing a potential candidate to the interim position.

Statutory and other study committees are being formed. Some may be meeting during the summer months so those members who have been appointed to those committees should check the House calendar for scheduling. The House calendar will show the committees chaired by both Representatives and Senators.

The NH Bar Association will be holding their examinations on July 24, 25, and 26 in the LOB. This exam will occupy the second and third floor committee rooms and offices.

Continued best wishes for the best of summers.

Gene G. Chandler, Speaker

NOTICE

House Calendars will be published every two weeks during July and August. Members and staff who need to schedule meetings should make arrangements with the Clerk’s Office for room availability and publication of meeting notices. Please note Calendar will close on **Wednesdays**.

CLOSES NOON <i>WEDNESDAY</i> :	TO BE MAILED <i>THURSDAY</i> :
July 25	July 26
August 8	August 9
August 22	August 23

Karen O. Wadsworth

Clerk of the House

HOUSE DEADLINES

Thursday, January 24, 2002	Last day to report retained bills and supplemental House bills being referred to a second committee.
Thursday, January 31, 2002	Last day to act on retained bills and supplemental House bills being referred to a second committee.
Thursday, February 21, 2002	Last day to report all remaining retained bills and supplemental House bills.
Thursday, March 7, 2002	CROSSOVER. Last day to act on all remaining retained bills and supplemental House bills.
Friday, May 3, 2002	Last day to act on committee of conference reports.

Clerk’s Note:

On June 7th the House suspended the deadline for the last day to sign-off all supplemental bills until Friday, September 7th and for the last day to introduce supplemental bills until Friday, September 21st.

Karen O. Wadsworth, Clerk of the House

LAID ON TABLE

- HB 50-FN-A-L**, relative to sources of funding an adequate education. (Pending question is Inexpedient to Legislate.)
- HB 185-FN-L**, repealing the prospective repeals of the education property tax and related laws. (Pending question is the adoption of the majority committee report of Ought to Pass.)
- HB 358-FN**, relative to tolls on the Everett turnpike. (Pending question is the adoption of the committee report of Inexpedient to Legislate.)
- HB 478**, relative to campaign finance reporting requirements, availability of voter checklists on computer disks, and permissible campaign contributions by business organizations. (Pending question is adoption of the committee amendment.)

HB 562-FN-A-LOCAL, establishing a New Hampshire education tax on consumption and transactions and accumulating certain principal sums in a state trust for education to provide for future education funding. (Pending question is the adoption of the committee report of Inexpedient to Legislate.)

HB 747-FN-LOCAL, relative to increases in the cost of an adequate education. (Pending question is the adoption of the committee amendment.)

HR 10, affirming revenue estimates for fiscal years 2001, 2002, and 2003. (Pending question is Ought to Pass.)

GOVERNOR'S VETO MESSAGE ON HB 201

July 5, 2001

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 this day vetoed House Bill 201, an Act relative to voters presenting identification to obtain a ballot.

The right to vote is the bedrock of our democracy. For over 200 years, the United States has transferred political power, not through violence, but through the peaceful use of the ballot box. Our forefathers died at Bunker Hill and Lexington and Concord to obtain this right; tens of thousands more have died in wars to protect our democracy. We must respect their memory by protecting the right of all of our citizens to vote.

New Hampshire is a leader in promoting the right to vote. Our same day registration laws permit every eligible citizen to vote with ease. Our ballots are simple to read, and easy to count. We should be proud of New Hampshire's efforts to encourage voting.

While the proponents of H.B. 201 say the purpose of this legislation is to protect our elections from fraud, there is no evidence that voter fraud is a problem in New Hampshire. That is, in large part, because our laws already provide protection from voter fraud. Our statutory requirement that the checklists be purged on a regular basis prevents "graveyard" voting. Our laws also permit any voter to challenge the identity and eligibility of any other voter, with any so challenged voter required to sign an affidavit under penalty of perjury before being permitted to vote.

H.B. 201 would have the effect of discouraging eligible voters from exercising their right to vote. Not all voters have drivers' licenses or passports. Under H.B. 201, if a voter either has no photo identification or forgets his or her wallet at home, and therefore has no photo identification to present, the ballot clerk must notify the voter of the affidavit provisions of the "challenge" statute, RSA 659: 27. That could be intimidating to many voters, particularly senior citizens, who have voted all their lives without being required to show photo identification. Moreover, no discretion is given to the ballot clerk under H.B. 201. No matter how well the ballot clerk knows the voter, he or she must still follow all the procedures laid out in H.B. 201. This would potentially cause lengthy delays for all voters.

Another problem with H.B. 201 is that it would create a system where there will be a lack of uniformity in voting procedures among our municipalities. Under H.B. 201 towns and cities must vote to adopt the photographic identification requirement. As a result, a voter in Londonderry might be required to show photo identification, while a voter in Derry would not. This lack of uniformity in voting procedures can lead to confusion among both voters and election officials.

On June 28, 2001 I signed into law Senate Bill 19, which establishes a committee to study the prevention of voter fraud. It would be premature to enact H.B. 201 while a legislative study of voter fraud laws is underway.

Almost one-third of all registered voters in New Hampshire did not vote in the November 2000 general election, an election where we were choosing the next President of the United States. While New Hampshire's voter turnout percentage compares well with the rest of the country, it is troubling that one-third of our voters last year did not exercise their franchise. Rather than erecting new barriers to voting, lawmakers should instead investigate why so many of our fellow citizens do not vote and develop public policy to encourage every eligible citizen to exercise this precious and fundamental right.

For all of the above reasons, and mindful that 225 years ago yesterday, our Founding Fathers approved the Declaration of Independence, putting their lives and property at risk for the sake of representative democracy, I am today vetoing House Bill 201.

Respectfully submitted,

Jeanne Shaheen Governor

GOVERNOR'S VETO MESSAGE ON HB 399

July 5, 2001

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 this day vetoed House Bill 399, an Act relative to proof of qualifications for voter registration.

In order to be eligible to vote in New Hampshire, one must be a citizen of the United States, be 18 years of age or older, and be domiciled where he or she intends to vote. Under current New Hampshire law, supervisors of the checklist and town or city clerks may ask an applicant to provide proof of citizenship, age and domicile. If House Bill 399 became law, voting registration officials would be required to demand this proof.

I am vetoing H.B. 399 for the same reasons that I vetoed H.B. 201 today. The right to vote is a fundamental right. Restrictions should be placed on that right if, and only if, there is a compelling need. H.B. 399 does not meet that test. There is no evidence that voting fraud is a problem in New Hampshire, and it makes no sense to enact additional barriers to voting in the absence of such evidence. At the same time the legislature was passing H.B. 399 and H.B. 201, the legislature acknowledged the need for further study of this issue. On June 28, 2001 I signed into law Senate Bill 19, which establishes a committee to study the prevention of voter fraud. At the very least, it would be premature to enact H.B. 399 while a legislative study of voter fraud laws is underway.

As I stated in my veto message for H.B. 201, while New Hampshire's voter turnout percentage compares well with the rest of the country, it is troubling that last year one-third of our registered voters did not exercise their franchise. Rather than erecting new barriers to voting, lawmakers should instead investigate why so many of our fellow citizens do not vote and develop public policy to encourage every eligible citizen to exercise this precious and fundamental right.

For all of the above reasons, and mindful that 225 years ago yesterday, our Founding Fathers approved the Declaration of Independence, putting their lives and property at risk for the sake of representative democracy, I am today vetoing House Bill 399.

Respectfully submitted,

Jeanne Shaheen

Governor

GOVERNOR'S VETO MESSAGE ON HB 503

July 5, 2001

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 this day vetoed House Bill 503, an Act relative to incompatible offices.

H.B. 503 would prohibit a New Hampshire citizen from simultaneously seeking election to the New Hampshire House of Representatives and to any federal office. In an era when many seats for the New Hampshire House go uncontested, H.B. 503 makes no sense. In the 2000 general election, there was no Republican candidate for 54 House seats and no Democratic candidate for 112 House seats. Given the great number of House seats that are uncontested, the legislature should be considering ways to attract more candidates for the House, not ways to prevent willing candidates from running.

Current New Hampshire law expressly contemplates the possibility of a citizen being elected to two incompatible offices and provides an orderly process for resolution. Pursuant to RSA 659:85, "If... any person shall have received the largest number of

votes for 2 or more incompatible offices, the secretary of state shall notify the candidate of that fact. Thereupon, the candidate shall, within 10 days, notify the secretary of state of which office he intends to accept. The secretary of state shall then declare that person elected to that office and declare vacant the other offices for which the person received a sufficient number of votes to win. Such a vacancy shall be filled as provided by RSA 661."

In addition, voters have the ultimate power in this situation. If New Hampshire voters are troubled by a citizen running simultaneously for both a state and federal office, voters can manifest their displeasure with such a candidate at the ballot box.

Respectfully submitted,

Jeanne Shaheen

Governor

COMMITTEE MEETINGS

FRIDAY, JULY 13

COMMISSION ON THE EDUCATION OF THE DEAF (HB 1283, Chapter 43:2, Laws of 2000), Room 205, LOB

10:00 a.m. Subcommittee work session.

MONDAY, JULY 16

COMMISSION ON THE EDUCATION OF THE DEAF (HB 1283, Chapter 43:2, Laws of 2000), Room 205, LOB

10:00 a.m. Subcommittee work session.

TUESDAY, JULY 17

ON-LINE AND ELECTRONIC VOTING (HB 124, Chapter 21:2, Laws of 2001), Room 308, LOB

11:30 a.m. Organizational meeting.

STATUS OF VETERANS IN NEW HAMPSHIRE (HB 397, Chapter 27:2, Laws of 2001), Room 308, LOB

10:00 a.m. Regular meeting.

WEDNESDAY, JULY 18

FINANCE, Room 209, LOB

10:00 a.m. Subcommittee work session on ***HB 560-FN-A***, establishing a contributory judicial retirement plan.

REDISTRICTING COMMITTEE, Rooms 306-308, LOB

10:00 a.m. Regular meeting.

FRIDAY, JULY 20

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular meeting.

COMMISSION ON THE EDUCATION OF THE DEAF (HB 1283, Chapter 43:2, Laws of 2000), Room 207, LOB

10:00 a.m. Subcommittee work session.

GOVERNOR’S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT (RSA 12-J), Rooms 202-204, LOB

9:30 a.m. Regular meeting.

MONDAY, JULY 23

COMMISSION ON THE EDUCATION OF THE DEAF (HB 1283, Chapter 43:2, Laws of 2000), Room 205, LOB

10:00 a.m. Subcommittee work session.

TUESDAY, JULY 24

AD HOC COMMITTEE ON AIR CONDITIONING THE STATE HOUSE, Room 100, State House

9:30 a.m. Organizational meeting.

THURSDAY, JULY 26

WATER WITHDRAWALS ON INSTREAM FLOWS STUDY (SB 330, Chapter 242:2, Laws of 2000), Room 100, State House (Please note room change.)

10:00 a.m. Regular meeting.

FRIDAY, JULY 27

COMMISSION ON THE EDUCATION OF THE DEAF (HB 1283, Chapter 43:2, Laws of 2000), Room 205, LOB

10:00 a.m. Subcommittee work session.

MONDAY, JULY 30

COMMISSION ON THE EDUCATION OF THE DEAF (HB 1283, Chapter 43:2, Laws of 2000), Room 205, LOB

9:00 a.m. Subcommittee B&C work session.

COMMISSION TO STUDY THE RELATIONSHIP BETWEEN PUBLIC HEALTH AND THE ENVIRONMENT (HB 1390, Chapter 114:2, Laws of 2000), Room 205, LOB

10:00 a.m. Regular meeting.

TUESDAY, JULY 31

JUDICIARY, Room 208, LOB

1:00 p.m. Subcommittee work session on *SB 155-LOCAL*, limiting the liability of teachers and other educational employees.

WEDNESDAY, AUGUST 1

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Full committee work session on *HB 718-FN*, establishing minimum renewable standards for energy portfolios.

MONDAY, AUGUST 6

COMMISSION ON THE EDUCATION OF THE DEAF (HB 1283, Chapter 43:2, Laws of 2000), Room 205, LOB

1:00 p.m. Subcommittee B&C work session.

MONDAY, AUGUST 13

PERINATAL ALCOHOL TOBACCO AND OTHER DRUG USE TASK FORCE (RSA 132:19), Room 101, LOB

9:30 a.m. Regular meeting.

WEDNESDAY, AUGUST 15

BOARD OF MANUFACTURED HOUSING (RSA 205-A:25), Room 201, LOB

1:00 p.m. Complaint hearing.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Full committee work session on ***HB 718-FN***, establishing minimum renewable standards for energy portfolios.

11:00 a.m. Full committee work session on ***HB 284-FN***, relative to additional emissions reductions from grandfathered fossil fuel burning steam electric power plants.

FRIDAY, AUGUST 17

ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB

9:00 a.m. Regular meeting.

TUESDAY, AUGUST 21

COMMISSION ON THE EDUCATION OF THE DEAF (HB 1283, Chapter 43:2, Laws of 2000), Room 205, LOB

1:00 p.m. Subcommittee B&C work session.

MONDAY, AUGUST 27

NEW HAMPSHIRE LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4), Community Development Finance Authority, 14 Dixon Avenue, Concord

9:00 a.m. Regular meeting.

OIL FUND DISBURSEMENT (RSA 146-D:4), Room 305, LOB

9:00 a.m. Regular meeting.

THURSDAY, AUGUST 30

COMMISSION ON THE EDUCATION OF THE DEAF (HB 1283, Chapter 43:2, Laws of 2000), Room 205, LOB

1:00 p.m. Subcommittee B&C work session.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Rockingham County Delegation will meet Friday, July 20 at 9:00 a.m. for a public hearing at the Hilton Auditorium, Rockingham County Nursing Home, Brentwood. The Delegation will also meet at 10:00 a.m. (RSA 33:10). It is very important for all to attend as we need a quorum.

Rep. David A. Welch, Clerk

Rockingham County Delegation

Rockingham County Executive Committee will meet on Friday, July 20 at 9:30 a.m. at the Hilton Auditorium, Rockingham County Nursing Home, Brentwood, to recommend the bond issue. The executive Committee will meet following the 10:00 a.m. Delegation meeting for a Budget Review. It is very important for all to attend as we need a quorum.

Rep. David A. Welch, Clerk

Rockingham County Executive Committee

The Sergeant-at-Arms Barbecue generates a small surplus most years. After this year’s barbecue the surplus stood at \$500 and has been donated by the "Patrons of the NH House Sergeant-at-Arms Annual Barbecue" to the Alzheimers Association – Greater NH Chapter.

Rob Johnson, Sergeant-at-Arms

Copies of the NH Manual for the General Court 2001 (Red Book) are available for Representatives at the Office of the Secretary of State, Room 206, State House. Each member is entitled to three copies.

William M. Gardner, Secretary of State

The bound volumes of the 2000 Session Laws are now available on a first come, first served basis in the Office of Legislative Services for those members who are interested. A limited number of volumes of 1999 Session Laws are still available.

Carol J. Holahan, Director, Legislative Services

When the House Clerk’s Office is aware of House Members who are hospitalized or homebound by serious illness, we will publish a list of names and addresses requested.

Irene A. Pratt, 66 Clark Road, Winchester, New Hampshire 03470-2201.

Colleagues who so desire may send cards and greetings to the addresses listed above.

MEMBERS' NOTICES

The following notices are published in the House record as a courtesy to the member(s) requesting publication. These are not official public notices and will be limited to legislative policy or social activities and political meetings or events. Publication should not be construed as support for either the events listed or the view espoused by the individual or organization sponsoring the event.

The Kids Cabinet will meet at 2:00 p.m. on Friday, July 13th at Child Health Services in Manchester.

Rep. Raymond Buckley

All members of the General Court and the public are invited to the meeting of the Governor's Commission on Alcohol and Drug Abuse Prevention Intervention and Treatment on Friday, July 20 in Rooms 202-204, LOB at 9:30 a.m. There is a special briefing and program at each meeting that is interesting and helpful to those concerned with the problems of substance abuse.

Rep. William E. Leber

NASCAR Winston Cup Raffle for two Winston Cup Race Day Tickets for September 16 and two passes to the Budweiser hospitality tent plus breakfast, lunch and beverages. Benefits the Concord Republican Committee. Drawing will be September 7th.

Rep. John D. Hutchinson

The Department of Transportation will hold the following meetings:

July 17 – Easton Town Hall, Route 116, Easton, 7:00 p.m. Combined public officials/informational meeting, Easton-Woodstock, roadway and safety improvements beginning at NH 116 and extending east 3.7 miles on NH 112.

July 18 – Willing Workers Hall, Route 25, Glencliff Village, Warren, 6:00 p.m. Public informational meeting, Warren-Benton, pavement rehabilitation and addition of shoulders along NH 25 through Glencliff Village and the reconstruction of NH 25 south of the Village.

July 30 – Salem High School, 44 Geremonty Drive, Salem, 7:00 p.m. Public officials meeting, Salem-Manchester, I-93 widening.

August 14 – Windham Town Hall, 3 North Lowell Road, Windham, 7:00 p.m. Public officials meeting, Salem-Manchester, I-93 widening.

August 16 – West Running Brook School, 1 West Running Brook Lane, Derry, 7:00 p.m. Public officials meeting, Salem-Manchester, I-93 widening.

August 27 – North Gate Meeting Room, 50 Nashua Road, Suite 105, Londonderry, 7:00 p.m. Public officials meeting, Salem-

Manchester, I-93 widening.

Rep. Edwin O. Smith, Chairman

Public Works and Highways Committee

NOTICE

The members listed below have bills ready for signature in Legislative Services.

Carol J. Holahan, Director

SPONSOR	COUNTY	DISTRICT	LSR NUMBER
Avery, Stephen	Cheshire	08	2001-H-2116-R
Clark, Martha Fuller	Rockingham	36	2001-H-2169-R
Clegg, Robert	Hillsborough	23	2001-H-2357-R
Clemons, Jane	Hillsborough	31	2001-H-2311-R
Dickinson, Howard	Carroll	02	2001-H-2096-R
Fraser, Leo	Merrimack	09	2001-H-2140-R
Fraser, Leo	Merrimack	09	2001-H-2265-R
Gilmore, Gary	Strafford	11	2001-H-2018-R
Katsakiores, George	Rockingham	13	2001-H-2242-R
Katsakiores, Phyllis	Rockingham	13	2001-H-2124-R
Kurk, Neal	Hillsborough	05	2001-H-2076-R
Leach, Edward	Hillsborough	09	2001-H-2056-R
Leach, Edward	Hillsborough	09	2001-H-2062-R
Leach, Edward	Hillsborough	09	2001-H-2063-R
Lynde, Harold	Hillsborough	24	2001-H-2330-R
Mirski, Paul	Grafton	12	2001-H-2335-L
Mirski, Paul	Grafton	12	2001-H-2336-R
Palermo, Dian	Rockingham	21	2001-H-2228-R
Pappas, Marc	Hillsborough	48	2001-H-2193-R
Pepino, Leo	Hillsborough	40	2001-H-2122-L
Potter, Frances	Merrimack	24	2001-H-2342-R
Quandt, Matthew	Rockingham	20	2001-H-2115-R

Sullivan, P Judith	Carroll	02	2001-H-2249-R
Vaillancourt, Steve	Hillsborough	44	2001-H-2046-R
Whalley, Michael	Merrimack	05	2001-H-2096-R