

State of New Hampshire

HOUSE RECORD

Second Year of the 161st General Court Calendar and Journal of the 2010 Session

Vol. 32	Concord, N.H.	Friday, May 14, 2010	No. 39
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Contains: Proposed Filing Deadlines for 2011, Legislative Ethics Committee Notice, Reports from Joint Committee on Address, Opinion of the Justices on HB 1146, Governor's Veto Message on HB 276-FN, Committee of Conference Procedures, House Bills Amended by the Senate, Hearings, Meetings, and Notices

HOUSE CALENDAR

MEMBERS OF THE HOUSE:

The next House sessions will be held at 10:00 a.m. on **Wednesday, May 19th**, when the House will take final action on House Bills amended by the Senate, Bills of Address, veto messages, and proposed filing deadlines for the 2011 session. Members might wish to review the Committee of Conference Procedures which are printed elsewhere in this Calendar.

A photograph of the House membership will be taken on Wednesday, **May 19th**, at the lunch break. We will take one photo inside the House chamber, and if the weather cooperates, one in front of the State House as well. Members will be provided with information on how to obtain copies of the photo(s).

The Speaker's Annual Ice Cream Social for members and staff will also take place on Wednesday, **May 19th**, in the driveway of the Upham-Walker House, or in case of inclement weather, in the LOB.

Terie Norelli, Speaker

NOTICE

There will be a meeting of committee Chairmen and Vice Chairmen on Tuesday, **May 18** at **8:30 a.m.** in Rooms 301-303, LOB.

Terie Norelli, Speaker

NOTICE

There will be a Democratic Caucus on Wednesday, **May 19** at **9:00 a.m.** in Representatives Hall.
Rep. Mary Jane Wallner, Majority Leader

NOTICE

There will be a Republican Caucus on Wednesday, **May 19** at **9:00 a.m.** in Rooms 305-307, LOB.
Rep. Sherman A. Packard, Republican Leader

NOTICE

The Calendar closes at 3:00 p.m. on Wednesdays for scheduling and notices. Members and staff who need to schedule meetings should make arrangements with the Clerk's Office for room availability/assignment and publication of meeting notices.

Karen O. Wadsworth, Clerk of the House

HOUSE DEADLINES

Thursday, May 20, 2010	Last day to form Committees of Conference
Thursday, May 27, 2010	Last day to sign Committee of Conference reports
Wednesday, June 2, 2010	Last day to act on Committee of Conference reports

PROPOSED FILING DEADLINES FOR 2011 SESSION

Proposed by the Rules Committee

Amend House Rule 64 by adding the following:

Wednesday, September 15, 2010	First day for House incumbents running for reelection to file LSRs with complete information
Friday, October 1, 2010 (3:00 p.m.)	Last day prior to the General election for House incumbents running for reelection to file LSRs with complete information
Monday, November 1, 2010	Last day to file Interim Study reports
Monday, November 15, 2010	Last day for all Representatives to file LSRs with complete information. 10 day sign off period begins
Friday, December 3, 2010 (3:00 p.m.)	Last day to file House LSRs with complete information
Wednesday, January 12, 2011 (noon)	Last day to sign off all House LSRs, including petitions, other than petitions involving the election or qualifications of a member to serve the House
Wednesday, February 2, 2011	Last day to introduce HBs etc. and amend House Rules by majority vote.

NOTICE

LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee has recently issued a Letter of Caution and would like to remind the members of the General Court that the first "Principle of Public Service" set forth in the General Court's Ethics Guidelines requires members to treat their office as a public trust, using the powers and resources of public office only to "advance public interests and not to attain personal benefits...."

The Committee believes it is particularly important to comply with this Principle of Public Service where members have private contractual relationships with the State and other outside commercial relationships. Such members must be continually mindful of, and make special efforts to avoid, any conduct that could be perceived as use of the member's official position to

advance personal interests, in violation of the Ethics Guidelines.

Also, Section 5 of the Ethics Guidelines requires members to prepare and submit a Declaration of Intent to the Clerk of their chamber, when an official activity involves a potential conflict of interest not adequately disclosed in the member's Financial Disclosure Form. For all members who have substantial private business interests, the better practice would be to avoid concerns by filing a Declaration of Intent whenever a bill or other official activity involves such business interests.

Finally, best ethical practices should indicate to members that their private business relationships with the State of New Hampshire must be conducted with utmost probity and circumspection, in precise compliance with whatever rules and terms that govern the relationship. This would avoid provoking concerns about use of a member's official position to gain preferred treatment in the relationship.

If members are in doubt about the applicability of a provision of the ethics statutes or Guidelines to a specific factual situation, they are, of course, entitled to submit to the Committee a request for an Advisory Opinion, in accordance with RSA 14-B:3, I (c). Also, members are reminded that the Committee's website contains current information about the ethics statutes and Guidelines, and actions the Committee has taken to interpret, apply and enforce them. The website is viewable at <http://gencourt.state.nh.us/ethics/default.htm>.
For the Committee,
Martin L. Gross
Chairman

THE SUPREME COURT OF NEW HAMPSHIRE

Request of the House
No. 2010-166

OPINION OF THE JUSTICES

(Eliminating Requirement for Additional Breath Test Samples)

Submitted: April 5, 2010
Opinion Issued: April 27, 2010

The New Hampshire House of Representatives adopted the following resolution on March 11, 2010, and filed it with the supreme court on March 15, 2010:

"Whereas, there is pending in the House, House Bill 1146, 'An Act eliminating requirements for additional breath tests for blood alcohol content'; and

"Whereas, HB 1146 eliminates the requirement that samples of breath of a DWI suspect be sufficient to allow an additional test for each breath sample taken and the captured sample or sample be given to the suspect for his or her own independent analysis; and

"Whereas, HB 1146 has been introduced and is presently pending before the House; and

"Whereas, certain questions have arisen concerning the constitutionality of HB 1146; now, therefore, be it

"Resolved by the House of Representatives:

"That the Justices of the Supreme Court be respectfully requested to give their opinion on the following questions of law:

“(1) Does HB 1146 violate the due process clause of either the United States constitution or the New Hampshire constitution?”

“(2) Does HB 1146 violate any other provisions of the United States constitution or the New Hampshire constitution?”

To the Honorable House of Representatives:

The undersigned justices of the Supreme Court, reaching differing conclusions, return the following separate replies to the questions presented in your resolution.

OPINION OF CHIEF JUSTICE BRODERICK AND JUSTICES DUGGAN AND CONBOY

House Bill (HB) 1146 proposes to amend RSA 265-A:7 (Supp. 2009) and RSA 265-A:8 (Supp. 2009) to eliminate the requirement that a second sample of breath taken pursuant to RSA 265-A:4 (Supp. 2009) be collected or preserved. RSA 265-A:4:16 (Supp. 2009) comprise the statutory scheme relating to the implied consent of motor vehicle drivers to submit to blood alcohol testing. Pursuant to RSA 265-A:7, I, when the police extract a sample of blood from a person arrested for driving under the influence of alcohol for the purpose of performing a chemical test to determine blood alcohol content, the police must extract a sufficient quantity of blood to allow two tests to be conducted. Additionally, the testing laboratory must retain for thirty days “a quantity of said sample sufficient for another test, which quantity shall be made available to the [arrested person] or his or her counsel upon request.” RSA 265-A:7, I. Under RSA 265-A:7, II, when the police capture the arrested person’s breath, the sample must be “sufficient to allow an equivalent additional test” to be conducted. RSA 265-A:8, I(a) mandates that the person be informed of his or her right to “a similar test or tests made by a person of his or her own choosing.” If law enforcement fails to comply with the prerequisites to tests set forth in RSA 265-A:8, the test administered at law enforcement’s direction is inadmissible. RSA 265-A:8, III.

As amended by HB 1146, RSA 265-A:8, I(a) would give the arrested person the right to have additional blood or urine tests by a person of his or her own choosing, instead of the right to have “similar test or tests” conducted. Additionally, as amended by HB 1146, RSA 265-A:7, II would no longer require that a second sample of the arrested person’s breath be collected or preserved, but would mandate that the person “be given a reasonable opportunity to arrange for an alternative chemical test.” HB 1146 would leave the remaining requirements of RSA 265-A:7 and RSA 265-A:8 unchanged.

We have been asked to opine upon two questions. First, whether enactment of HB 1146 would violate the Due Process Clause of the Federal or State Constitution, and second, whether enactment of HB 1146 would “violate any other provisions” of the Federal or State Constitution. Historically, we have declined to answer general inquiries on constitutional infirmity and, in keeping with that practice, we respectfully decline to answer the second question. See Opinion of the Justices (Weirs Beach), 134 N.H. 711, 717 (1991). We turn, therefore, to the first question.

We first address this question under the State Constitution, citing federal opinions only for guidance. See State v. Ball, 124 N.H. 226, 231-33 (1983). In assessing a defendant’s due process claim under the State Constitution, we look to the principles of fundamental fairness. State v. Hearn, 151 N.H. 226, 238 (2004); see N.H. CONST. pt. I, art. 15. “[T]his standard of fairness . . . require[s] that criminal defendants be afforded a meaningful opportunity to present a complete defense.” California v. Trombetta, 467 U.S. 479, 485 (1984). Towards this end, due process “imposes a duty on the State to preserve evidence at least in those circumstances where

its exculpatory value is apparent and comparable evidence is unavailable.” Opinion of the Justices, 131 N.H. 583, 596 (1989) (opinion of Johnson, J.); see Trombetta, 467 U.S. at 489.

In State v. Cornelius, 122 N.H. 925, 928-31 (1982), a majority of the court (King, C.J., and Batchelder and Douglas, JJ.) ruled that when the police choose to administer a breath test, it is unconstitutional for the State not to take and preserve a second breath sample. The primary rationale for the majority’s ruling “was that due process was violated because the police were able to control a defendant’s access to a second sample through their unbridled discretion in selecting the type of test to be administered.” Opinion of the Justices, 131 N.H. at 592 (opinion of Souter and Thayer, JJ.); see State v. Martin, 125 N.H. 672, 676 (1984). By choosing the breath test, the police could choose the “evidentiary technique that [was] solely and completely in control of the prosecution despite the fact that other courses permitting independent analysis by the defendants [were] available.” Cornelius, 122 N.H. at 929 (Batchelder, J., and King, C.J., dissenting). The ability of the police to do this “undermine[d] the integrity of the fact-finding process” and, therefore, resulted in a process that was fundamentally unfair and violative of due process. Id. at 929-30 (Batchelder, J., and King, C.J., dissenting).

The statutory scheme, as amended by HB 1146, would be similar to that which existed when Cornelius was decided, and, therefore, raises the same constitutional concerns that the Cornelius majority identified. When Cornelius was decided, the statutory scheme required the State to take and preserve a second blood sample, but did not require the State to take and preserve a second breath sample. See RSA 265:86 (1982) (repealed 2006). Specifically, RSA 265:86 then in effect provided that any person to whom RSA 265:84 (1982) (repealed 2006) applied had the right “at his own expense to have a similar test or tests made by any person of his own choosing”; however, the statute required that only blood and urine samples “be of sufficient quantity to allow 2 tests” and that the testing laboratory keep such samples for another test for thirty days. Similarly, the statutory scheme as amended by HB 1146 gives the arrested person the right to have “additional blood or urine tests” by a person of his or her own choosing and no longer requires that a second sample of the arrested person’s breath be collected or preserved.

The State argues that Cornelius should be overruled because, since it was decided, “facts have so changed, or come to be seen so differently, as to have robbed the old rule of significant application or justification.” Alonzi v. Northeast Generation Servs. Co., 156 N.H. 656, 660 (2008) (quotation omitted). Specifically, the State notes that the State now uses much improved technology to measure blood alcohol content. The State contends:

[U]nlike the breath analyses that were being performed when this Court previously addressed the issue of due process and the availability of separate breath samples, the current procedure involves the analysis of two separate breath samples by the testing instrument (called “replicate testing”), as well as internal and external tests of the instrument itself. Unless all of the internal accuracy criteria are met, the instrument will not provide a reported value. The replicate testing and built-in safeguards in the instrument itself make having the additional sample superfluous in protecting a [driving while intoxicated] defendant’s right to due process.

Additionally, the State observes, the department of safety has promulgated new rules to ensure the “continued accuracy and reliability” of the technology now used to capture breath samples, as well as rules pertaining to instrument operators. Moreover, the State argues that after Cornelius was decided, New Hampshire became the only state that requires preservation of a second breath sample. Because only one state requires this, according to the State, only one manufacturer makes the instrument that captures and preserves a breath sample, and only one company makes the silica gel tubes used for capturing samples.

The State also asserts that the second breath sample requirement has prevented New Hampshire “from staying current with emerging technology,” such as models that test each of a subject’s breath samples with two different technologies. For all of these reasons, the State contends that requiring the capture and preservation of a suspect’s breath sample for independent testing is no longer required by due process. See Moss v. Superior Court, 857 P.2d 400, 404-05 (Ariz. Ct. App. 1993) (holding that because of the reliability and accuracy of the model used by the State to test breath samples, neither due process nor fundamental fairness required the State to provide defendants with breath samples), review denied, 868 P.2d 318 (Ariz. 1994).

We are not persuaded that either technological advances or increased administrative oversight of the breath testing process have robbed Cornelius “of significant application or justification.” Alonzi, 156 N.H. at 660 (quotation omitted). “The ultimate Cornelius holding advanced two primary reasons why due process requires preservation of a second sample of breath in light of the statutory requirement of preserving a second blood or urine sample.” Opinion of the Justices, 131 N.H. at 587 (opinion of Brock, C.J., and Batchelder, J.). First, “the technology existed for taking such a sample and the cost of it was reasonable,” and second, “the prosecution, by choosing to take a breath sample . . . , could opt for the only evidentiary technique solely and completely in its control despite the statute’s requirement that the State preserve second samples of blood or urine when police chose to administer either of those tests.” Id. at 587-88 (opinion of Brock, C.J., and Batchelder, J.). These reasons are as compelling now as they were when Cornelius was decided.

As when Cornelius was issued, the technology still exists for taking and preserving a second breath sample. The State has not contended that the cost is unreasonable. Further, the statutory scheme, as amended by HB 1146, like the scheme at issue in Cornelius, vests the police with the sole discretion to choose which of the three bodily substances will be examined. See Cornelius, 122 N.H. at 929 (Batchelder, J., and King, C.J., dissenting). As in Cornelius, “[t]he State’s discretion in choosing the only test method which [does] not require a second sample undermine[s] the integrity of the fact-finding process,” and renders that process fundamentally unfair. Opinion of the Justices, 131 N.H. at 588 (opinion of Brock, C.J., and Batchelder, J.). Accordingly, we believe that the statutory scheme, as amended by HB 1146, suffers from the same constitutional infirmities as the scheme at issue in Cornelius.

The State further contends that “even with the proposed elimination of the captured sample, . . . New Hampshire law would still require that an arrestee be given a reasonable opportunity to have a test of his or her blood or urine taken for independent testing.” We are not persuaded that the right to an independent test of one’s blood or urine diminishes the unconstitutionality of HB 1146. See id. (opinion of Brock, C.J., and Batchelder, J.). In Opinion of the Justices, two justices observed that suspects “face numerous practical difficulties” in obtaining an independent test. Id. at 587 (opinion of Brock, C.J., and Batchelder, J.). “While in police custody, the suspect [has] . . . to locate an available, licensed technician capable of promptly performing a second test, no matter what time of day or night.” Id. (opinion of Brock, C.J., and Batchelder, J.). HB 1146 does nothing to alleviate these concerns. Given the current statutory scheme, we fear that the right of a suspect to have timely independent testing of his blood or urine is merely illusory. But see Vermont Stat. Ann. tit. 23, §§ 1203 (Supp. 2009), 1203a (2007) (requiring law enforcement to make arrangements for independent blood draw and state agency to maintain sample, and allowing medical facilities to be reimbursed for cost of blood draw).

While we recognize that technological advances may well obviate the need to capture and preserve a second breath sample, we note that no legislative findings have been rendered in that regard. Moreover, in light of the apparent absence of realistic access to additional testing, we are

reluctant to conclude that the proposed breath testing is substantially without risk of error. Thus, “[w]e are of the opinion that the dictates of basic fairness require the employment of the technology currently in place which preserves second samples of breath, blood, and urine.” Opinion of the Justices, 131 N.H. at 588 (opinion of Brock, C.J., and Batchelder, J.). For all of the above reasons, therefore, we conclude HB 1146, which would eliminate the requirement that a second breath sample be preserved, violates the Due Process Clause of the State Constitution.

Because we find HB 1146 unconstitutional under the State Constitution, we need not address in detail whether it violates the Due Process Clause of the Federal Constitution. We observe, however, that the United States Supreme Court in Trombetta, 467 U.S. at 488-91, upheld the constitutionality of a statute that did not require that a second breath sample be preserved. Based upon this precedent, likely HB 1146 would pass muster under the Due Process Clause of the Federal Constitution. We decline, however, to adopt the reasoning of the United States Supreme Court in Trombetta when interpreting the Due Process Clause of the State Constitution.

We therefore answer question one in the affirmative as it pertains to the State Constitution and respectfully decline to answer question one as it pertains to the Federal Constitution and question two.

JOHN T. BRODERICK, JR.
JAMES E. DUGGAN
CAROL ANN CONBOY

OPINION OF JUSTICES DALIANIS AND HICKS

Under the current statutory scheme, when the police capture the breath of a person arrested for driving under the influence for the purpose of testing it for blood alcohol content, the sample must be “sufficient to allow an equivalent additional test” to be conducted, RSA 265-A:7, II (Supp. 2009), and the person must be informed of his or her right to “a similar test or tests made by a person of his or her own choosing,” RSA 265-A:8, I(a). House Bill (HB) 1146 proposes to eliminate the requirement that the breath sample be sufficient to allow for an equivalent additional test to be conducted. HB 1146 also proposes to eliminate the requirement that the person be informed of his or her right to have a “similar test” conducted. Under HB 1146, a person arrested for driving under the influence would have the right only to have “additional blood or urine tests” conducted by a person of his or her own choosing and the “reasonable opportunity to arrange for an alternative chemical test.” Pursuant to HB 1146, the law will no longer require that a second sample of the person’s breath be collected or preserved.

Question (1) asks whether HB 1146 would violate the Due Process Clause of the State or Federal Constitution. For the reasons that follow, we answer question (1) in the negative. Like our colleagues, we respectfully decline to answer question (2). See Opinion of the Justices (Weir Beach), 134 N.H. 711, 717 (1991).

We begin by addressing question (1) under the State Constitution, citing federal opinions for guidance. See State v. Ball, 124 N.H. 226, 231-33 (1982). We agree with our colleagues, for the reasons they propound, that the statutory scheme, as amended by HB 1146, would be similar to that which existed when the court decided State v. Cornelius, 122 N.H. 925 (1982), and, therefore, raises the same constitutional concerns as the majority in that case identified. Unlike our colleagues, however, we are persuaded by the State’s argument that technological advances have robbed Cornelius “of significant application or justification.” Alonzi v. Northeast Generation Servs. Co., 156 N.H. 656, 660 (2008) (quotation omitted). We agree with the State that given these technological advances, the Due Process Clause of the State Constitution no longer requires the capture and preservation of a suspect’s breath sample for independent testing. Accordingly, we believe that Cornelius is no longer good law. See id.

In reaching this conclusion, we find Arizona law instructive. Arizona, like New Hampshire, used to require the capture and preservation of a suspect's breath for independent analysis. See Baca v. Smith, 604 P.2d 617, 620 (Ariz. 1979). As breath-testing technology has advanced, Arizona courts have modified due process requirements. Mack v. Cruikshank, 2 P.3d 100, 104-05 (Ariz. Ct. App. 1999) (citing cases), review denied (Ariz. 2000). While in Baca, 604 P.2d at 620, the Arizona Supreme Court ruled that due process required the state to take and preserve a second sample when the test sample is destroyed, later Arizona court decisions have ruled that due process is satisfied as long as the second sample is "reasonably reliable," State v. Harrison, 755 P.2d 1172, 1174 (Ariz. Ct. App.), review denied (Ariz. 1988), and disapproved of on other grounds by State v. Velasco, 799 P.2d 821 (Ariz. 1990), and that no second sample is required when the suspect is offered a choice between a replicate breath test with no preserved sample and a blood test at state expense with a preserved blood sample, State ex rel. Dean v. City Court, 789 P.2d 180, 184 (Ariz. 1990).

In 1993, in response to a statutory amendment, the Arizona Court of Appeals ruled that because of the reliability and accuracy of replicate testing by an Intoxilyzer 5000, which is the predecessor to the model used in New Hampshire, due process and fundamental fairness no longer required the state to capture and preserve a second breath sample. Moss v. Superior Court, 857 P.2d 400, 404-05 (Ariz. Ct. App. 1993), review denied, 868 P.2d 318 (Ariz. 1994). The Moss court observed that "[a]s the technological development of the testing equipment used increases in sophistication and, concomitantly, in reliability – from . . . the GCI Mark IV Intoximeter used in Baca to the Intoxilyzer 5000 used in Dean . . . – the demonstrable value of an extra breath sample as the unique means of impeaching test results correspondingly wanes in inverse proportion." Id. at 404. Unlike prior instruments for testing the blood alcohol content of a suspect's breath, "[t]he Intoxilyzer 5000 is a very accurate and reliable testing method with built-in safeguards." Id. at 405. It is even "more accurate than the independent test methods used to analyze the silica gel sample or secondary sample." Id. Given the sophisticated technology of the Intoxilyzer 5000 and the replicate testing procedures, the court opined that it was extremely unlikely that preserved samples would be exculpatory. Id.; see California v. Trombetta, 467 U.S. 479, 489 (1984). The court ruled that given the accuracy and reliability of the Intoxilyzer 5000, secondary breath samples "no longer add anything meaningful to the opportunity to present a defense," and are no longer required by due process. Moss, 857 P.2d at 405 (quotation omitted); see Trombetta, 467 U.S. at 485.

Like the Moss court, we too believe, based upon the evidence submitted to the legislature, that given the accuracy and reliability of the current technology used to analyze the blood alcohol content of breath, secondary breath samples are no longer required by due process and fundamental fairness. Accordingly, we conclude that HB 1146, which eliminates the requirement that a second breath sample be captured or preserved, does not violate the Due Process Clause of the State Constitution. We reach the same result under the Federal Constitution. See Trombetta, 467 U.S. at 488-91.

LINDA STEWART DALIANIS
GARY E. HICKS

Michael A. Delaney, attorney general (Diana E. Fenton, assistant attorney general, on the memorandum), filed a memorandum on behalf of the State in support of negative answers to the questions presented.

Lothstein Law Office, PLLC, of Concord (Theodore Lothstein on the memorandum), and Burns, Bryant, Cox, Rockefeller & Durkin, P.A., of Dover (John Durkin on the memorandum), and Law Office of Mark Stevens, of Salem (Mark Stevens on the memorandum), filed a memorandum on behalf of the New Hampshire Association of Criminal Defense Lawyers in support of affirmative answers to the questions presented.

David M. Rothstein, acting chief appellate defender, of Concord, & a., filed a memorandum on behalf of the New Hampshire Appellate Defender Program, in support of affirmative answers to the questions presented.

Representative Stephen J. Shurtleff, of Penacook, filed a memorandum on behalf of the Committee on Criminal Justice and Public Safety of the New Hampshire House of Representatives, in support of negative answers to the questions presented.

GOVERNOR'S VETO MESSAGE ON HB 276-FN

By the authority vested in me, pursuant to Part II, Article 44 of the New Hampshire Constitution, on February 12, 2010, I vetoed HB 276-FN, an act relative to challenges of voters.

This legislation was passed by the House of Representatives on April 8, 2009 and was sent to the Senate. The Senate first heard and then re-referred the bill to the Senate Election Law and Veteran's Affairs Committee. The bill was brought forward this year and approved by the Senate on January 21, 2010. In passing the bill, the Senate should have amended the effective date to provide for prospective application of the voter challenge law. For this reason, I am vetoing HB 276-FN.

I appreciate the sponsor's efforts to clarify the procedures for voter challenges in state elections. I believe that any legislation governing voter challenges must continue to allow our state elections to proceed in an efficient manner while protecting the rights of all voters.

Respectfully submitted,
John H. Lynch
Governor
Dated: February 12, 2010

JOINT COMMITTEE ON ADDRESS

HA 1, for the removal of Michael Garner, marital master in the judicial branch family division in Laconia. **MAJORITY: OUGHT NOT TO PASS. MINORITY: OUGHT TO PASS**

Rep. Lucy M. Weber for the **Majority** of the Joint Committee on Address: This bill of address seeks the removal of Michael Garner, a marital master in the judicial branch family division. The basis for his removal is one post-divorce action. In this action, the marital master issued an order requiring a formerly home schooled 10 year old to attend public school in the upcoming school year. The sponsors assert that this order was based on an unconstitutional infringement on the mother's freedom of religion. They further argue on the basis of the orders in this single case that the marital master has a bias against religion, which necessitates his removal from office. Special Procedural Rule 7, adopted by the committee in this as in prior address proceedings, sets out the constitutional requirement that "[t]he joint committee shall recommend the Address only if it meets the following three criteria, and shall include such determination in a committee report.

- a. The Address states a reasonable cause for removal.
- b. The reasons for the removal are fully and substantially stated.
- c. The reasons for removal are not grounds for impeachment."

With respect to whether the bill states a reasonable cause for removal, the bipartisan majority finds it does not. The sponsors conceded that the address was brought on the basis of two orders made in a single case. The case is one in which parents who share decision-making responsibility for the child were unable to agree on the appropriate school placement. The mother, who had been home schooling the child, wanted to continue to do so. The father believed that a public school setting was more appropriate. Master Garner noted his reluctance to impose an educational decision on parents, and stated he had the authority to do so only because the parents were unable to agree. He based his decision to order public schooling on the advisability of a child

experiencing a wide variety of “experiences, people, concepts and surroundings.” The magistrate specifically noted the court’s obligation to avoid any consideration of the specific tenets of any of the parties’ religion. The court recognized and preserved the right of each parent to provide the child with religious training and to teach the child his or her own religious beliefs. The magistrate’s orders reveal not a bias against religion, but, on the contrary, a careful attempt to preserve to each parent their own religious freedom and the right to instruct their child in accordance with their beliefs. A second concern was raised about a possible bias against home schooling. Here again, the magistrate stated that home schooling is an approved method of education in this state. He noted that had the parents agreed on a home school plan, he would have been without any authority to change that decision.

The majority notes that the issues complained of in the decision are ones of first impression in this state, and the decisions are currently on appeal before the Supreme Court. The Supreme Court may ultimately find that the decisions were made in error. In that case, the remedy is reversal of the decision. Any further sanction for the master would be inappropriate. The majority is concerned that the serious nature of an address should not be used as a means by which litigants can express their disagreement or dissatisfaction with the rulings in discrete cases, particularly when significant legal or factual questions exist as to the validity of the litigant’s claims. The majority finds that the requirement that the Address state a reasonable cause for removal is not met.

The second flaw that the majority finds in the bill of address is grounded in the language of Part II, Article 73 of the New Hampshire Constitution, which states that “[t]he governor with consent of the council may remove any commissioned officer for reasonable cause upon the address of both houses of the legislature...” In 2000, when Michael Garner became a marital master, appointments to the position were made solely by the judicial branch. Michael Garner has continued as an at-will employee of the judicial branch to this day. He has never been commissioned by the Governor and Council. He has never held a commission of any kind. Under the plain meaning of the language of Article 73, he cannot be subject to address. Moreover, the purpose of Article 73 is to allow for the removal, when necessary, of judges who cannot be removed from office except by impeachment or address. This is not the case with marital masters. Under the family division court rules, the administrative judge may at any time respond to a complaint against a marital master and “take whatever action is appropriate, including termination.”

Part II, Article 73 also specifies that the grounds for an address “shall not be a cause which is a sufficient cause for impeachment.” Part II, Article 38 defines the causes for impeachment as “bribery, corruption, malpractice or maladministration, in office.” The relevant definition of “malpractice” in Webster’s New World Collegiate Dictionary is “[m]isconduct or improper practice in any professional or official position.”

The majority notes that even if they had found that the actions complained of rose to the level of reasonable cause for removal, the actions, being in the course of the magistrate’s regular duties in his official position, would have fallen under the plain meaning of the word malpractice, and the offense, had there been one, would have been impeachable, and therefore not addressable.

The minority argues that more time was necessary to consider and discuss the materials presented by the sponsors. The majority is convinced that no amount of delay or discussion could possibly have transformed Marital Master Gardner into a “commissioned officer” as required by the constitution as a condition for address. For all the foregoing reasons, the majority recommends a vote of ought not to pass. **Vote 8-3**

Rep. Robert H. Rowe for the **Minority** of the Joint Committee on Address: A house address is a procedure authorized under Part 2, Article 73 of our Constitution whereby the House and Senate can advise the Governor and Executive Council of an appointed public official that the House and Senate believe is not behaving well and recommend the official be removed. A house address can be a process for the removal of a judge, marital master, attorney general or another public official appointed by the Governor and Executive Council for life or a term of years. In HA 1 the address was against Marital Master Michael Garner. The normal process is for a joint House and Senate

committee to be appointed to investigate the behavior of the official, in this case Marital Master Michael Garner. The procedural rule established by the joint committee was to use the first day in the process to allow the sponsors (just like a regular House bill introduction) to present their facts, then the joint committee would hear comments from the public. We established that there would then be a two-week delay after the introduction to allow the named party to prepare and present a rebuttal to the joint committee. On the introduction day, the sponsors and members of the public presented their claim that Marital Master Garner “exceeded his constitutional authority and acted badly, resulting in the failure to preserve the religious rights of a citizen appearing before him ... when he recommended to the presiding justice an order removing a child from an educational setting on the basis of religious prejudice.” On the introduction day, the committee was given voluminous material at the start of the hearing, without providing for an opportunity for members to read the material before a motion of “ought not to pass” was offered at the close of presentations. The minority requested time to absorb the material handed out and receive the response from Marital Master Garner, but the committee voted it down. Subsequently, no opportunity was given for discussion of the prior vote. The issue before the committee was important, and dealt with constitutional rights. It is the opinion of the minority that the committee reached its decision without adequate time to discuss the issues involved. The process was flawed and the minority oppose the majority motion and request HA 1 be returned to the committee so the matter may be heard on the merits.

HA 2, for the removal of Lucinda Sadler, district court judge, from her said office. MAJORITY: OUGHT NOT TO PASS. MINORITY: OUGHT TO PASS.

Rep. Lucy M. Weber for the **Majority** of the Joint Committee on Address: This bill of address seeks the removal of Lucinda Sadler, a judge in the judicial branch family division. The complaint against Judge Sadler is that she approved and signed orders written by Marital Master Philip Cross and Marital Master Michael Garner. The orders complained of are the same orders that were the basis for HA 1 for the removal of Michael Garner and HA 3 for the removal of Philip Cross. The orders all pertain to some of the most highly contested divorce cases in the state. Special Procedural Rule 7, adopted by the committee in this as in prior address proceedings, sets out the constitutional requirement that “[t]he joint committee shall recommend the address only if it meets the following three criteria, and shall include such determination in a committee report.

- a. The Address states a reasonable cause for removal.
- b. The reasons for the removal are fully and substantially stated.
- c. The reasons for removal are not grounds for impeachment.”

With respect to whether the bill states a reasonable cause for removal, the majority finds it does not. The bill alleges that Judge Sadler abused her discretion or was negligent or incompetent in the performance of her duties by failing to make due inquiry before approving orders of the marital masters.

The bill alleges that the judge approved an order that held a parent in criminal contempt after a hearing noticed as a civil contempt hearing. There is no finding of criminal contempt. The complaining party concludes that he was held in criminal contempt on the basis of the terms of the order. An alternative reading of the order is that at the hearing, a determination of ability to pay the bail was made, precisely as required in an action for civil contempt.

Another paragraph complains that Judge Sadler approved an order changing a child’s educational placement on the basis of religious prejudice. A reading of orders in that case showed the master was extremely deferential to the religious beliefs of both parents, and made a decision on educational placement only because the parents were unable to agree on an educational placement, and had mutually exclusive desires as to the child’s placement. The orders carefully preserved to both parents the right to instruct the child as to their own religious beliefs, and to provide religious training of their own choice to the child.

Several of the actions stated as grounds for removal have been appealed to the New Hampshire Supreme Court, and have been upheld by that court on appeal. The remaining complaints set

out in the bill of address might also, if fully substantiated, be grounds for appeal and possible reversal, but do not, even taken as a group, amount to reasonable cause for removal from office. The exceedingly contentious nature of these specific divorce proceedings has resulted in an elevated number of appeals.

A majority of the Joint Committee has already voted that the orders of the marital masters were not reasonable cause for them to be removed. It follows that the actions of the judge who read and approved those orders are likewise not reasonable cause for removal.

Part II, Article 73 of the New Hampshire Constitution specifies that the grounds for an address "shall not be a cause which is a sufficient cause for impeachment." Part II, Article 38 defines the causes for impeachment as "bribery, corruption, malpractice or maladministration, in office."

The relevant definition of "malpractice" in Webster's New World Collegiate Dictionary is "[m]isconduct or improper practice in any professional or official position."

The majority notes that even if they had found that the actions complained of rose to the level of reasonable cause for removal, the actions, being in the course of the judge's regular duties in her official position, would have fallen under the plain meaning of the word malpractice, and the offense, had there been one, would have been impeachable, and therefore not addressable. For all the foregoing reasons the majority recommends a vote of ought not to pass. **Vote 6-4**

Rep. Andrew Renzullo for the **Minority** of the Joint Committee on Address: New Hampshire's founding fathers, when they crafted the New Hampshire Constitution, created a system of checks and balances. As part of that system, it empowered that branch most representative of the people, the Legislative, with the tools to ensure that the Executive and the Judiciary meet the people's high standards of justice and integrity embodied in the Constitution.

It should be noted that the constitution allows the Legislature to employ two modes of removal for judicial officers, a Bill of Address and Impeachment. Part II, Article 38 defines the causes for impeachment as "bribery, corruption, malpractice or maladministration, in office." Part II, Article 73 allows that "The governor with consent of the council may remove any commissioned officer for reasonable cause upon the address of both houses of the legislature." It also specifies that the grounds for an address "shall not be a cause which is a sufficient cause for impeachment." Both by structure and tradition, the legislature has used these tools sparingly. The joint committee heard testimony and accepted submissions concerning the rulings and actions of Judge Lucinda Sadler relative to several cases involving marital masters Philip Cross and Michael Garner. Both marital masters were under the "supervision" of Judge Sadler. The testimony and submissions the committee received, if taken at face value, showed a pattern of conduct inconsistent with the administration of justice. Unfortunately, the judge did not avail herself of the opportunity to counter or clarify these submissions. An argument has been made that statutorily, the judge is only providing the legal authority to enforce a master's ruling and is not ultimately accountable for the master's decision or behavior. However, it is claimed that marital masters are "at-will employees" of the judicial branch. If that is the case, then supervisory responsibilities for the marital master's conduct and work product must inure to the presiding judge.

In addition, the committee received testimony claiming a vastly inordinate number of Supreme Court appeals of Judge Sadler's decisions in comparison to other judges. Again, there was no clarifying rebuttal.

The legislature does not second guess the decisions of judges on a case-by-case basis. However, the legislature should determine whether a judge has behaved properly in hearing his/her cases. To allow this determination, the judge should provide the legislature the necessary information. The interests of justice demands judges to be held accountable. Based on the evidence provided, there is a reasonable argument that a recommendation of impeachment for maladministration could be made. However, lacking that option, the minority recommends the House pass the bill of address.

HA 3, for the removal of Philip Cross, marital master in the judicial branch family division in the Derry District Court, from his said office. **MAJORITY: OUGHT NOT TO PASS. MINORITY:**

OUGHT TO PASS

Rep. Lucy M. Weber for the **Majority** of the Joint Committee on Address: This bill of address seeks the removal of Philip Cross, a marital master in the judicial branch family division. The complaints arise out of three of the most hotly contested divorce cases in the State of New Hampshire.

As a threshold matter, the majority notes the bill of address is grounded in the language of Part II, Article 73 of the New Hampshire Constitution, which states that “[t]he governor with consent of the council may remove any commissioned officer for reasonable cause upon the address of both houses of the legislature...” Part II, Article 86 provides further clarification regarding commissions, stating, “All commissions shall be in the name of the state of New Hampshire, signed by the governor...” Philip Cross was initially appointed by Governor Benson and the Executive Council in 2004. As the statute requires, he held that commission until September 8, 2007, at which time his commission expired. Philip Cross has continued as an at-will employee of the judicial branch to this day. Under the plain meaning of the language of Article 73, he cannot be subject to address. Moreover, the purpose of Article 73 is to allow for the removal, when necessary, of judges who cannot be removed from office except by impeachment or address. This is not the case with marital masters. Under the family division court rules, the administrative judge may at any time respond to a complaint against a marital master and “take whatever action is appropriate, including termination.” The majority believes this address should be summarily dismissed because Philip Cross is not a commissioned officer as required by the constitution.

Turning to the merits of the bill, Special Procedural Rule 7, adopted by the committee in this as in prior address proceedings, sets out the constitutional requirement that “[t]he joint committee shall recommend the Address only if it meets the following three criteria, and shall include such determination in a committee report.

The Address states a reasonable cause for removal.

The reasons for the removal are fully and substantially stated.

- a. The Address states a reasonable cause for removal.
- b. The reasons for the removal are fully and substantially stated.
- c. The reasons for removal are not grounds for impeachment.”

With respect to whether the bill states a reasonable cause for removal, the bipartisan majority finds it does not. The numerous actions complained of in the bill of address arise out of only three of the hundreds of divorce cases that Master Cross has heard since his appointment in 2004. The voluminous filings in the bill of address and the testimony of the litigants complaining against Master Cross give some insight into the incredibly difficult task marital masters face in contentious cases. The combined number of docket entries in these three cases total an astounding 2,045 entries as of the week before the bill was heard. On the day after the bill was heard, one of the litigants requested copies of the Joint Committee’s records in the matter with the intent of filing further proceedings in the family court, based on what occurred at the Joint Committee hearing. While members of the majority believed that some of the allegations stated in the bill of address might, if fully proven, give grounds for concern, the allegations were such that the appropriate remedy is an appeal to the Supreme Court for review and possible reversal. The majority finds that the requirement that the address state a reasonable cause for removal is not met.

The bill alleges that the Master issued an order that held a parent in criminal contempt after a hearing noticed as a civil contempt hearing. There is no finding of criminal contempt. The complaining party concludes that he was held in criminal contempt on the basis of the terms of the order. An alternative reading of the order is that at the hearing, a determination of ability to pay the bail was made, precisely as required in an action for civil contempt.

Part II, Article 73 also specifies that the grounds for an address “shall not be a cause which is a sufficient cause for impeachment.” Part II, Article 38 defines the causes for impeachment as “bribery, corruption, malpractice or maladministration, in office.” The relevant definition of “malpractice” in Webster’s New World Collegiate Dictionary is “[m]isconduct or improper practice

in any professional or official position.”

The majority notes that even if they had found that the actions complained of rose to the level of reasonable cause for removal, the actions, being in the course of the magistrate’s regular duties in his official position, would have fallen under the plain meaning of the word malpractice, and the offense, had there been one, would have been impeachable, and therefore not addressable.

For all the foregoing reasons, the majority recommends a vote of ought not to pass. **Vote 6-3.** Rep. William B. Smith for the **Minority** of the Joint Committee on Address: The sponsors of HA 3 and members of the public provided evidence to document all actions that they claim prove that Marital Master Cross “exceeded his authority and abused his discretion, resulting in the failure to afford justice to the parties appearing before him...” Of particular concern was evidence presented that MM Cross, 1) on more than one occasion refused to allow one parent’s argument to be heard, 2) changed the purpose of a hearing at the last moment without notice to one of the parties, 3) altered court documents previously signed by the parties without their consent, and 4) recommended conflicting orders that effectively required a parent to be in contempt. Further evidence that Cross was a Marital Master for the Family Courts in Derry and Portsmouth, which each averaged about 11 appeals per year accepted by the Supreme Court (2005-10), compared with an average to two per year for the other 22 courts. Specifically, he was involved in 31 of 37 accepted appeals from the Derry Family Court. A list of 12 appeals to the Supreme Court (2009-10) of MM Cross’s recommended orders were given. Four grievances against MM Cross have been filed with the Judicial Conduct Committee, and another four are under consideration. The appeal process and the grievance process look at one case at a time, and might not reveal a pattern of bad behavior by a Marital Master. Neither is there within the court system a process that would necessarily discover inappropriate actions as listed above. The Bill of Address allows investigation of both patterns and actions, and the minority feels that the legislature has the constitutional authority to recommend removal of a Marital Master. The fair and correct approach would be to have MM Cross appear before the Joint Committee to give his account of the testimony presented, before any determination of removal from office can be made. It is the view of the minority that Marital Master Cross breached his duty to the state and his constitutional obligation to “Behave well” according to Part II, Article 73 in our Constitution. The minority believes the original appointing authority should remove MM Cross.

LAI D ON TABLE

HB 133, requiring employers to report certain information regarding outsourcing to the department of employment security.

HB 1146, eliminating requirements for additional breath tests for blood alcohol content. (Pending question is Ought to Pass.)

HB 1188, relative to nominating a political organization by nomination papers. (Pending question is the Majority report of Ought to Pass with Amendment.)

HB 1336, relative to health care liability claims. (Pending question is Refer for Interim Study)

HB 1664-FN, making appropriations reductions in the operating budget for fiscal year 2011 and relative to state revenues and expenditures. (Pending question is the adoption of the committee amendment.)

SB 154, naming a certain portion of route 18 in the town of Franconia in honor of Corporal Bruce McKay. (Pending question is the committee report of Inexpedient to Legislate)

HOUSE BILLS AMENDED BY THE SENATE

HB 138, revising certain provisions of the sexually violent predators statute. (SJ 5/5/10)

HB 154, relative to truancy. (House Concurred 4/14/10)

HB 213-FN, requiring the bureau of emergency communications to develop and maintain a statewide emergency notification system. (SJ 5/5/10)

HB 216-FN, relative to fees for legal services rendered to workers’ compensation claimants. (House Concurred 4/14/10)

HB 219, relative to hearings for incapacitated persons admitted to state institutions by their guardians. (SJ 5/5/10)

HB 230, relative to the burden of proof for a finding of abuse in domestic violence cases. (House Nonconcurrent; C of C 4/14/10)

HB 478-FN, relative to remotely readable devices and relative to the illegal use of a payment card scanning device or reencoder. (House Nonconcurrent; C of C 5/5/10)

HB 523-FN, requiring DNA testing of all persons convicted of a felony. (SJ 5/12/10)

HB 561-FN, relative to insurance coverage for persons having deafness and hearing loss. (SJ 4/21/10)

HB 569-FN, clarifying insurance coverage for diagnosis and treatment of pervasive developmental disorder or autism. (SJ 5/5/10)

HB 587-FN, establishing an information and analysis center within the department of safety. (House Concurred 4/14/10)

HB 598-FN, relative to the regulation of auctioneers by the state board of auctioneers. (SJ 1/6/10)

HB 615, relative to organization, reorganization, or withdrawal from a school administrative unit. (House Concurred 4/14/10)

HB 621, relative to establishing procedures for identifying criminal defendants who may have mental illness. (House Nonconcurrent; C of C 4/21/10)

HB 626-FN, relative to voter identification. (SJ 4/28/10)

HB 629-FN-A, relative to habitual offenders, relative to implements of husbandry, and relative to registration of vehicles under the Unified Carrier Registration Act of 2005. (SJ 4/7/10)

HB 630-FN-A, relative to live racing in New Hampshire. (House Concurred 4/28/10)

HB 651-FN, relative to regulations of private investigative agencies and security services. (House Nonconcurrent; C of C 5/5/10)

HB 660-FN, relative to the life settlements act. (House Concurred 5/5/10)

HB 1133, relative to the duration of involuntary emergency admissions. (SJ 5/12/10)

HB 1149, relative to incorporation by reference and filing of electronic documents in state agency rulemaking. (House Concurred 4/28/10)

HB 1152, naming a bridge in Wolfeboro in honor of Corporal Matthew J. Stanley. (House Concurred 4/14/10)

HB 1155, relative to water district contracts. (House Concurred 4/14/10)

HB 1164, relative to newborn screening tests. (SJ 5/5/10)

HB 1166, relative to procurement procedures of the director of plant and property management, and relative to approval of design build projects. (SJ 4/28/10)

HB 1167, establishing a committee to study parole boards and parole board procedures. (SJ 5/12/10)

HB 1168, clarifying the definition of gross misconduct for purposes of unemployment compensation. (SJ 4/21/10)

HB 1171, repealing the prohibitions on Sunday business activities. (SJ 4/28/10)

HB 1174, relative to terms for appointed town officials and relative to pay for members of park or recreation commissions. (SJ 4/28/10)

HB 1177, establishing a committee to study education and career development programs for youth and young adults in the juvenile and adult criminal justice systems. (SJ 4/28/10)

HB 1183, relative to the effective date of certain provisions of the involuntary commitment of sexually violent predators statute. (SJ 5/12/10)

HB 1184, relative to the administration of the unused prescription drug program. (House Concurred 5/5/10)

HB 1187, relative to residential elevators and accessibility lifts. (SJ 5/5/10)

HB 1195, relative to height, length, width, and weight limits for trucks. (SJ 5/5/10)

HB 1198-L, relative to public hearings on municipal budget preparation. (House Concurred 5/5/10)

HB 1208, relative to rebate exemptions. (House Concurred 5/5/10)

HB 1224, relative to school employee and volunteer background investigations and relative to applicants for driver education certificates and school licenses. (House Concurred 5/5/10)

HB 1252, relative to the duration of medical payments coverage under motor vehicle liability policies. (SJ 5/5/10)

HB 1254, relative to insurance coverage in tort cases. (SJ 5/5/10)

HB 1259, relative to subrogation claims and liens in civil actions. (SJ 5/12/10)

HB 1262, relative to disabled parking signs. (SJ 5/12/10)

HB 1267-L, relative to applications for hawkers and peddlers licenses. (SJ 5/12/10)

HB 1271, establishing a task force on work and family. (SJ 4/28/10)

HB 1279-FN-A, relative to the licenses of mortgage bankers and mortgage brokers. (SJ 4/21/10)

HB 1280-FN, relative to life and health guaranty limits. (House Concurred 4/14/10)

HB 1286, requiring nonpublic schools and public academies to obtain a criminal history records check on employees and volunteers. (SJ 5/5/10)

HB 1293-FN, relative to the oil discharge cleanup fund. (House Concurred 4/28/10)

HB 1304, extending the task force on homeless teenagers, the commission to study alternate fuel vehicles, the task force to study access to dental care, and the committee to study the certificate of need process. (House Concurred 5/5/10)

HB 1314, relative to approval of changes to a capital budget project. (House Nonconcurrent; C of C 4/28/10)

HB 1318, relative to victim services while the court is considering post-conviction DNA testing. (SJ 5/12/10)

HB 1326, relative to the use of long-term antibiotics for the treatment of Lyme disease. (SJ 5/12/10)

HB 1334, relative to penalties for unpaid fines concerning hazardous materials accidents. (SJ 5/5/10)

HB 1337, relative to requirement for public forums for the assessing standards board and the equalization standards board. (SJ 4/28/10)

HB 1352, relative to direct shippers. (SJ 5/12/10)

HB 1358, relative to the amendment of property tax inventories and tax lists by selectmen or assessors. (SJ 5/5/10)

HB 1359, relative to the enforcement of humane slaughter laws. (SJ 5/5/10)

HB 1361, relative to procedures for notification of parole hearings. (House Nonconcurrent; C of C 5/5/10)

HB 1368, relative to the definition of “employee” for workers’ compensation purposes. (SJ 5/12/10)

HB 1371, allowing recording of an examination by health care providers performing independent medical examinations. (SJ 5/12/10)

HB 1372, establishing a committee to study the provisions of RSA 570-A, the wiretapping and eavesdropping statute, and to study permitting a person to record a law enforcement officer in the course of such officer’s official duties. (SJ 5/12/10)

HB 1373, establishing a committee to study the effects of current state and federal laws on illegal drugs and the possession and use of such drugs. (SJ 5/12/10)

HB 1376, relative to the regulation of pharmacies and pharmacists. (SJ 5/5/10)

HB 1377, permitting utilities to establish loan programs for owners of residential and business property engaging in renewable energy and energy efficiency projects. (SJ 5/12/10)

HB 1378-FN, establishing an adopt-a-state park program in the state park system and establishing an adopt-a-forest fire tower program in the division of forests and lands. (House Concurred 4/28/10)

HB 1380-FN, relative to assessing fees by zoning boards of adjustment. (SJ 5/5/10)

HB 1387, establishing a committee to study the need for supportive housing for homeless veterans. (House Concurred 5/5/10)

HB 1393, relative to the treatment of New Hampshire investment trusts. (SJ 5/12/10)

HB 1398, allowing a surviving spouse to have access to the deceased spouse's medical records when there is no estate administration. (SJ 5/12/10)

HB 1404, relative to the regulation of real estate brokers and salespersons. (SJ 5/12/10)

HB 1411, requiring notice to educational support personnel and non-certified school district employees. (SJ 5/12/10)

HB 1415, relative to the donation of official records of state governors and members of Congress to the state of New Hampshire. (SJ 5/5/10)

HB 1418, naming a bridge across the Connecticut River from Hinsdale, New Hampshire to Brattleboro, Vermont the Charles Dana Bridge and correcting the naming of a bridge across the Connecticut River in the town of Chesterfield, New Hampshire from the Judge Harlan Fiske Stone Bridge to the Justice Harlan Fiske Stone Bridge. (House Concurred 4/14/10)

HB 1420, relative to the calculation of child support. (SJ 5/12/10)

HB 1427, relative to the conversion period for quarterly billing for property taxes. (House Concurred 4/21/10)

HB 1429, establishing a committee to study the inclusion of universal design requirements in the state building code. (House Concurred 5/5/10)

HB 1436, requiring a report to the general court on New Hampshire's participation in the National Violent Death Reporting System. (SJ 5/12/10)

HB 1448, relative to town audits. (House Nonconcurrent; C of C 5/5/10)

HB 1462, establishing a shoreland advisory committee. (SJ 5/12/10)

HB 1470, establishing a committee to study laws relating to condominium and homeowners' associations. (SJ 5/12/10)

HB 1477, relative to checklist information. (SJ 5/12/10)

HB 1486, prohibiting the mandating of fire sprinkler systems in certain dwellings and establishing a committee to study municipal residential fire sprinkler requirements. (SJ 5/12/10)

HB 1493, establishing a committee to study comprehensive mental health and substance use disorders parity. (SJ 5/5/10)

HB 1495, relative to approval of chartered public schools from July 1, 2009 through June 30, 2011. (House Concurred 5/5/10)

HB 1497, relative to the governance of the Concord school district. (SJ 5/12/10)

HB 1512, establishing a deferred retirement option in the judicial retirement plan. (SJ 5/12/10)

HB 1516-FN-A, relative to funding the Claremont, Colebrook, Milford and Keene District Courts in fiscal year 2011. (House Nonconcurrent; C of C 4/14/10)

HB 1518-FN, increasing certain OHRV registration fees and fee for transfer of registration of an OHRV or snowmobile. (House Concurred 5/5/10)

HB 1523, revising the pupil safety and violence prevention act. (SJ 5/12/10)

HB 1528, relative to observing voter check-in. (SJ 5/5/10)

HB 1533, establishing a committee to study the statute governing annulment of criminal records. (SJ 5/5/10)

HB 1534, relative to the issuance of air permits and certain fees relative to air permits. (House Concurred 5/5/10)

HB 1535-FN, relative to absentee voting, special elections, election returns, preservation of ballots, recounts, and the ballot law commission. (SJ 5/12/10)

HB 1554, allowing municipalities to establish energy efficiency and clean energy districts. (SJ 5/12/10)

HB 1561-FN, relative to off highway recreational vehicle registration. (SJ 4/7/10)

HB 1563, naming a bridge in Salem in honor of Corporal Nicholas Arvanitis, Staff Sergeant Edmond L. Lo, and Marine Lance Corporal Robert L. Mosillo. (House Concurred 4/14/10)

HB 1566-FN, requiring financial institutions to disclose certain information regarding recipients of medical assistance for the aged, blind, and disabled through an electronic asset verification system. (House Nonconcurrent; C of C 5/5/10)

HB 1569-FN, relative to the salaries of certain unclassified positions. (SJ 4/14/10)

HB 1571, relative to the penalty for failure to file an annual inventory of taxable property. (SJ

5/5/10)

HB 1574-FN, relative to retention of election records. (House Concurred 5/5/10)

HB 1609-FN, relative to current use and the land use change tax. (SJ 5/5/10)

HB 1610-FN, establishing a New Hampshire commission on Native American affairs and recognizing Native American residents of the state as a minority population in New Hampshire. (SJ 5/5/10)

HB 1613-FN, relative to the general banking laws of the state. (SJ 5/5/10)

HB 1620-FN-A, establishing state park number plates. (SJ 4/21/10)

HB 1623, requiring certain patient identification for a pharmacist to dispense a schedule II or III controlled drug. (SJ 5/5/10)

HB 1625, relative to eligibility for the New Hampshire veterans' home. (House Concurred 5/5/10)

HB 1651-FN, requiring that current information and reports relative to the state budget be made available on the state website. (House Concurred 4/14/10)

HB 1667-FN, relative to possession of controlled substances obtained by valid prescription. (House Concurred 5/5/10)

HB 1680-FN, establishing the crime of aggravated harassment by an inmate. (House Concurred 5/5/10)

HB 1686, relative to juvenile diversion programs. (House Concurred 5/5/10)

HB 1688, relative to the regulation of the installation and operation of boiler and pressure vessels. (SJ 4/21/10)

HB 1689, exempting certain non-regulatory boards, commissions, councils, advisory committees, and task forces from repeal on June 30, 2011. (SJ 5/5/10)

HB 1690, making statutory changes required by the repeal of certain non-regulatory boards, commissions, councils, advisory committees, and task forces. (SJ 5/5/10)

HB 2010, relative to the state 10-year transportation improvement program. (SJ 5/12/10)

HCR 30, urging the attorney general to fully investigate the proposed transaction between Catholic Medical Center Healthcare System and Dartmouth-Hitchcock Health. (SJ 5/12/10)

COMMITTEES OF CONFERENCE

HB 230, relative to the burden of proof for a finding of abuse in domestic violence cases. (Reps. Chandley, Stevens, Welch and Shurtleff)

HB 478-FN, relative to remotely readable devices and relative to the illegal use of a payment card scanning device or reencoder. (Reps. Nord, Winters, Schlachman and Dowling)

HB 621, relative to establishing procedures for identifying criminal defendants who may have mental illness. (Reps. Cushing, Rodd, Swinford and Gagne)

HB 651-FN, relative to regulations of private investigative agencies and security services. (Reps. Houde-Quimby, Hawkins, Ryder and Stevens)

HB 1314, relative to approval of changes to a capital budget project. (Conference Report Adopted 5/5/10)

HB 1361, relative to procedures for notification of parole hearings. (Reps. Welch, Cushing, Stevens and Burridge)

HB 1448, relative to town audits. (Reps. Cooney, Gagnon, Schuett and Patten)

HB 1516-FN-A, relative to funding the Claremont, Colebrook, Milford and Keene District Courts in fiscal year 2011. (Reps. Leishman, Anderson, L. Weber and Keans)

HB 1566-FN, requiring financial institutions to disclose certain information regarding recipients of medical assistance for the aged, blind, and disabled through an electronic asset verification system. (Reps. Bridgham, Cebrowski, McEachern and Mitchell)

2010 HOUSE COMMITTEE OF CONFERENCE PROCEDURES

The Chairmen of the policy committees will receive bills amended by the Senate and should check with their committees to determine whether the committee will recommend that the House concur, non-concur, or non-concur and request a Committee of Conference.

When a committee requests that the bill be sent to a Committee of Conference, the Chairman will recommend members for appointment. If the bill has gone to more than one committee, the members may come from the different committees as determined by the Speaker. Chairmen should recommend only those members from their policy committees. The Speaker shall make the final decision of Conference committee members.

The **first named House member shall serve as Chairman of the House Conferees**. For House bills in Committee of Conference, the House Conferee Chairman shall set the time and place of the first meeting and shall chair each meeting of the Committee of Conference. **Each meeting shall be posted in the Clerk's Office and outside the committee room at least 24 hours in advance.** [House Rule 43 (c)]. If a Committee of Conference meeting recesses, the reconvening time shall be posted in the Clerk's office and outside the committee room.

The House and Senate Conferees on a bill shall meet jointly but vote separately while in conference.

The Committee of Conference may not change the title of the bill. The Committee also may not add amendments that are not germane to the subject matter of the bill or contain subject matter that has been indefinitely postponed. A non-germane amendment is one in which the subject matter is not contained in either the House or Senate version of the bill. [House Rule 49 (g)]

The sponsor of a bill that is in Committee of Conference shall, upon request, be provided an opportunity to be heard.

A unanimous vote of both the House and Senate Conferees, voting separately, is necessary for an agreed upon report to be sent to the House and Senate.

Reports of all Committees of Conference **must be filed with the Office of Legislative Services by the deadline adopted by the House in Rule 64 (Thursday, May 27, 2010).** All Committee of Conference members must sign their reports in the Office of Legislative Services.

The **first-named House member on all bills in Committee of Conference must prepare an analysis of the report.** This "blurb" should contain a complete explanation of all changes made to the bill since it was passed by the House and must be submitted to the House Clerk for printing in the calendar.

All Committee of Conference reports shall be distributed in seat pockets to be acted on some subsequent day. [House Rule 49 (f)].

See House Rule 49 for more information

COMMITTEE MEETINGS

MONDAY, MAY 17

**COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2), NH
Higher Education Assistance Foundation, 4 Barrell Court, Concord
10:00 a.m. Regular meeting.**

**COMMISSION TO STUDY LAND DEVELOPMENT REGULATIONS AND THE EFFECTS
OF LAND DEVELOPMENT WITHIN UPLAND AREAS THAT MAY AFFECT WETLANDS
AND SURFACE WATER OF THE STATE (HB 1579, Chapter 294:1, Laws of 2008), Room**

305, LOB

1:00 p.m. Regular meeting.

ETHICS COMMITTEE (RSA 14-B:2), Room 100, State House

1:00 p.m. Regular meeting.

INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c), Room 100, State House

9:00 a.m. Regular meeting.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:00 a.m. Full committee work session to review Senate amendments to House bills.

11:30 a.m. Interim study subcommittee work session on **HB 1186**, prohibiting smoking within certain areas of New Hampshire state parks and historic sites, **HB 1194**, prohibiting smoking on beaches at state parks.

TUESDAY, MAY 18**CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB**

11:00 a.m. Full committee work session to review Senate amendments to House bills.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

10:00 a.m. Full committee work session to review Senate amendments to House bills.

FISCAL COMMITTEE (RSA 14:30-a), Rooms 210-211, LOB

9:00 a.m. Rescheduled regular business.

9:30 a.m. Rescheduled audits: State of New Hampshire, Office of Energy and Planning, financial audit report for the fiscal year ended June 30, 2009.

JUDICIARY, Room 208, LOB

10:00 a.m. Full committee work session to review Senate amendments to House bills.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

10:00 a.m. Full committee presentation on geothermal energy generation.

1:00 p.m. Hydro power briefing.

2:00 p.m. Office of Energy and Planning review of performance audit.

WAYS AND MEANS, Room 202, LOB

10:00 a.m. Full committee work session on **HR 26**, affirming revenue estimates for fiscal years 2010 and 2011.

WEDNESDAY, MAY 19**LEGISLATIVE YOUTH ADVISORY COUNCIL (RSA 19-K), Central High School, Manchester**

5:00 p.m. Public forum.

THURSDAY, MAY 20**ADVANCED MANUFACTURING EDUCATION ADVISORY COUNCIL (RSA 188-E:21), Department of Education, Walker Building, Room 330, 21 South Fruit Street, Concord**

3:00 p.m. Regular meeting.

FRIDAY, MAY 21**ADMINISTRATIVE RULES (RSA 541-A:2), Rooms 306-308, LOB**

9:00 a.m. Regular meeting.

COMMERCE AND CONSUMER AFFAIRS JOINT WITH SENATE COMMERCE, LABOR AND CONSUMER PROTECTION, Rooms 302-304, LOB

9:00 a.m. Financial Resource Mortgage (FRM) failure.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

1:00 p.m. Interim study subcommittee work session on *HB 607-FN*, relative to residential pharmaceutical waste.

GUARDIANS AD LITEM BOARD (RSA 490-C:1), Room 102, LOB

10:00 a.m. Non-public session of the Complaint Review Committee.

1:00 p.m. Regular meeting.

MONDAY, MAY 24

COMMISSION TO STUDY LAND DEVELOPMENT REGULATIONS AND THE EFFECTS OF LAND DEVELOPMENT WITHIN UPLAND AREAS THAT MAY AFFECT WETLANDS AND SURFACE WATER OF THE STATE (HB 1579, Chapter 294:1, Laws of 2008)/COMMISSION TO STUDY ISSUES RELATIVE TO GROUNDWATER WITHDRAWALS (SB 155, Chapter 305:1, Laws of 2003)/COMMISSION TO STUDY WATER INFRASTRUCTURE SUSTAINABILITY FUNDING (SB 60, Chapter 245:1, Laws of 2009), Department of Environmental Services, Room 112, 29 Hazen Drive, Concord

9:00 a.m. Regular meeting.

TUESDAY, MAY 25

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Rooms 205-207, LOB

2:00 p.m. Committee presentation on integrated care by NH Mental Health Council.

THURSDAY, MAY 27

COMMISSION TO EVALUATE LONG-TERM USES OF LAKES REGION FACILITY LOCATED IN LACONIA (HB 2, Chapter 144:281, Laws of 2009), Room 104, LOB

3:00 p.m. Regular meeting.

FRIDAY, MAY 28

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration, 109 Pleasant Street, Concord

9:30 a.m. Regular meeting.

COMMERCE AND CONSUMER AFFAIRS JOINT WITH SENATE COMMERCE, LABOR AND CONSUMER PROTECTION, Rooms 210-211, LOB

9:00 a.m. Financial Resource Mortgage (FRM) failure.

COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB

1:00 p.m. Interim study subcommittee work session on *HB 607-FN*, relative to residential pharmaceutical waste.

TUESDAY, JUNE 1

COMMUNITY COLLEGE SYSTEM LEGISLATIVE OVERSIGHT COMMITTEE (SB 82, Chapter 361:37, Laws of 2007), Room 212, LOB

11:00 a.m. Regular meeting.

FRIDAY, JUNE 4

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

9:00 a.m. Continued regular meeting.

MONDAY, JUNE 7

CITIZENS TRADE POLICY COMMISSION (RSA 19-L), Room 307, LOB

9:00 a.m. Regular meeting.

COMMISSION TO EXAMINE DRIVING WHILE IMPAIRED EDUCATION AND INTERVENTION PROGRAMS (HB 1311, Chapter 256:10, Laws of 2008), Room 202, LOB

1:30 p.m. Regular meeting.

COMMISSION TO STUDY THE ISSUE OF STORMWATER MANAGEMENT (HB 1295, Chapter 71:1, Laws of 2008), Room 305, LOB

1:00 p.m. Regular meeting.

FRIDAY, JUNE 11

NEW HAMPSHIRE LAND AND COMMUNITY HERITAGE AUTHORITY BOARD OF DIRECTORS (RSA 227-M:4), Church Landing, Meredith

10:00 a.m. Regular meeting.

STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD PROGRAM (RSA 99-E), Room 101, LOB

9:30 a.m. Regular meeting.

TASK FORCE TO DEVELOP A PERFORMANCE-BASED SCHOOL ACCOUNTABILITY SYSTEM (RSA 193-E:3-c), Department of Education, State Board Room, 101 Pleasant Street, Concord

9:00 a.m. Regular meeting.

MONDAY, JUNE 14

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE, (RSA 126-A:13), Room 205, LOB

1:00 p.m. Regular meeting.

FRIDAY, JUNE 18

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

9:00 a.m. Regular meeting.

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND TREATMENT (RSA 12-J), Rooms 305-307, LOB

9:30 a.m. Regular meeting.

GUARDIANS AD LITEM BOARD (RSA 490-C:1), Room 102, LOB

10:00 a.m. Non-public session of the complaint review committee.

1:00 p.m. Regular meeting.

FRIDAY, JUNE 25

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration, 109 Pleasant Street, Concord

9:30 a.m. Regular meeting.

OFFICIAL NOTICES

COUNTY DELEGATION NOTICE

Carroll County Delegation will meet Monday, **May 17**, 2010 at 9:00 a.m. in the County Administrative Building, 95 Water Village Road, Ossipee, NH. The purpose of the meeting is to review the County's first quarter operating statement and to discuss elected officials salaries for the upcoming biennium. The Delegation will consider and act upon any other business that may properly be brought before the meeting.

Rep Karen Umberger, Clerk
Carroll County Delegation

COUNTY DELEGATION NOTICE

Grafton County Delegation will meet at the County Complex at 10:00 a.m. on **May 17th**, 2010 to vote on elected officials' salaries.

Rep. Catherine Mulholland, Chairman
Grafton County Delegation

REVISED FISCAL NOTES

The following House and Senate Bills have revised fiscal notes: HBs 133, 213, 216, 218, 232, 286, 425, 507, 523, 558, 561, 564, 569, 579, 598, 626, 629, 646, 651, 660, 662, 681, 1128, 1149, 1155, 1166, 1168, 1170, 1239, 1240, 1279, 1280, 1281, 1291, 1292, 1293, 1334, 1335, 1367, 1378, 1380, 1428, 1441, 1452, 1495, 1506, 1508, 1513, 1515, 1516, 1518, 1519, 1537, 1541, 1544, 1561, 1566, 1569, 1572, 1586, 1602, 1603, 1606, 1607, 1609, 1610, 1611, 1613, 1620, 1643, 1649, 1651, 1653, 1655, 1664, 1668, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1683, 1688. SBs 72, 73, 157, 166, 181, 313, 344, 361, 365, 382, 383, 385, 390, 392, 394, 397, 402, 425, 449, 452, 463, 470, 471, 485, 486, 492, 495, 497, 511, 513, 517, 520.

Karen O. Wadsworth, Clerk of the House

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 legislative social activities and political meetings or events. Publication should not be construed as support for either the events listed or the views espoused by the individual or organization sponsoring the event.

There are boxes in the legislators' break room on the first floor of the State House for male personal hygiene items, TP, magazines to be sent to a Marine Unit in Afghanistan. Please bring items for our troops.

Rep. Jordan G. Ulery

In recognition of your support, the New Hampshire Law Enforcement Officers Memorial Committee cordially invites you to the 17th Annual New Hampshire Law Enforcement Officers Memorial Ceremony. The ceremony will be held on Monday, **May 17**, 2010, beginning promptly at 10:00 a.m. on the memorial site in front of the Legislative Office Building. The ceremony will proceed rain or shine. Refreshments will be served immediately following the event. Please do

not hesitate to contact either Major Timothy J. Acerno of Fish and Game at 603-271-3129 or Chief Michael Greeley of the Deerfield Department at 603-463-7258 if you have any questions.
Terie Norelli, Speaker

New Hampshire House of Representatives, Children and Family Law Committee, Public Listening Sessions- May, 2010: In partnership with the state child protection and child support agencies the House Children and Family Law Committee hopes to learn from the public as to how the resources available are being utilized to result in the most positive outcomes for children and their families in New Hampshire. The last session will be held on Tuesday, **May 18** from 3:00-5:00 p.m. at the White Mountain Community College in Berlin. The primary purpose of the public listening session is to provide an opportunity for the public to participate in the Legislative process, in particular that of the Children and Family Law Committee of the NH House of Representatives. Information gathered at the meeting may be used to develop future legislation intended to improve our state's services to children and their families.

Rep. Mary Stuart Gile.

The New Hampshire chapter of the Community Associations Institute (CAI-NH) invites all legislators and staff to attend a Continental Breakfast (including fruit salad and juice) on Wednesday, **May 19th**, from 8:00 a.m. to 10:00 a.m. in the State House Cafeteria. CAI is a national, non-profit organization dedicated to fostering vibrant and competent communities.

Reps. Mary Jane Wallner and Sherman A. Packard

Members of the NH General Court are invited to General Lafayette Day Commemoration ceremonies at 9:30 a.m. on **May 19** (Statehouse Grounds). This represents the 185th anniversary of General Lafayette's address to the NH Legislature. Events will include the participation by a direct descendent of the General and includes the planting of a Liberty Elm.

Rep. Raymond Gagnon

Federal Health Reform Act "Inservice" for the House and Senate Commerce Committees and the House and Senate Health Committees will be held on **May 25th** from 10:00 a.m. to 12:00 noon in Rooms 302-304, LOB. Invited presenters will be: NH Insurance Department, NH Voices for Health and NH Citizens Health Initiative.

Rep. Donna L. Schlachman

Mental Health Caucus members and interested others are invited to attend the Health and Human Services presentation on integrated care by NH Mental Health Council on **May 25** in Rooms 205-207, LOB at 2:00 p.m. and to attend a caucus meeting after the discussion.

Rep. Liz Merry

Please attend the intergenerational walk sponsored by the Governor's Council on Physical Activity and Health to be held on **May 26**. This walk is a statewide health initiative centered on bringing together towns, cities, schools, organizations and businesses in New Hampshire. The

Concord event will start with registration at 9:00 a.m. in front of the State House with the 5K walk starting at 10:00 a.m. Everyone who walks will receive a T-shirt. For more information visit www.gov/gcpah.

Rep. John Hikel

The NH Child Advocacy Network (NH CAN), a program of the Children's Alliance of NH, invites you to participate in its Annual Spring Work Groups and End of Session Celebration on Wednesday, **June 9** at the NH Higher Education Assistance Foundation (NHHEAF), 4 Barrell Court in Concord. From 2:30-4:30 p.m. four work groups in child safety and well-being, economic security, education and health and wellness will review the 2010 legislative session and begin the process of developing NH CAN Priorities for 2011. From 4:30-5:30 p.m. you are invited to socialize, network and celebrate your hard work! Please RSVP on-line at www.childrennh.org or by email to dwalsh@childrennh.org.

Rep Mary Stuart Gile

All members of the Republican caucus are invited to the House Republican Alliance's weekly meeting. The HRA will meet every Tuesday at 8:30 a.m. at the Upham Walker House, Park Street, Concord.

Reps. Nancy Elliott, Robert Mead and William O'Brien

The Main Street Republicans will meet every Wednesday at 8:00 a.m. in Room 212, LOB. All Republicans are welcome.

Rep. Cynthia J. Dokmo

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 **May & June**. 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 Visitor Center concerning school tour booking information.

Legislators planning to meet with students should notify the Visitor 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
May 17	10:00	Maple Avenue School – Claremont	50/4
May 17	10:30/12:00	Auburn Village School	70/4
	SH/SC		
May 18	9:00	Bristol Elementary School	45/4
May 18	9:30	Salt & Light Homeschool- Nashua	12/2-5
May 18	10:00/11:15	Conant/Rumford School – Concord	88/4
	SH/HM		
May 19	9:30/11:00	Green Acres School – Manchester	105/4
	SH/HM		

May 19	1:00	Immaculate Conception Apostolic School-Meredith	25/HS
May 20	9:00	Salem Christian School	9/4
May 20	10:00	Newfields Elementary School	30/4
May 20	11:00	Pleasant St. School – Laconia	56/4
May 21	10:00	Bernice Ray School – Hanover	45/4
May 21	9:00	New Hampton Community School	26/4
May 21	11:30	Gilmanton Elementary School	44/4
May 21	12:00	Hopkinton High School	27/HS
May 24	11:00	St. Patrick’s School – Jaffrey	18/4
May 24	9:00	John Fuller School – Conway	47/4
May 24	10:00	Dr. Lewis Soule School – Salem	50/4
May 24	11:15	Jonathon Daniels School – Keene	36/4
May 25	9:00	Florence Rideout School – Wilton	45/4
May 25	10:00/11:30 SH/HM	William T. Barron School – Salem	85/4
May 26	10:00	Effingham Elementary School	13/4
May 26	10:00	Mountain Shadows School – Dublin	14/6
May 26	12:00	St. Elizabeth Seton School- Rochester	15/4
May 27	9:30/11:00 SH/HM	Enfield Village School	66/4
May 27	10:00	Portsmouth Christian Academy – Dover	12
May 28	10:00	LinWood Public School – Lincoln	26/4
May 28	1:00	Holderness Central School	26/4
May 28	10:00	Berniece Ray School – Hanover	45/4
May 28	11:00	Mount Pleasant School – Nashua	52/4
June 1	9:00	Merrimack Middle School	50/8
June 1	10:00	Kensington Elementary School	36/4
June 2	9:00 /10:30 SH/HM	Merrimack Middle School	100/8
June 2	11:00	Lincoln Akerman School – Hampton Falls	41/4
June 3	10:00	Salisbury School & Webster School	40/4
June 4	9:00/10:15 SH/SC	Riddle Brook School – Bedford	65/4
June 4	9:45/11:00 SH/HM	Sandown Central School	80/4
June 7	9:30/11:00 SH/HM	Hillsboro-Deering School	88/4
June 7	10:15	Pelham Elementary School	50/4
June 8	10:15	Pelham Elementary School	50/4
June 8	9:45/11:00 SH/HM	Richards Elementary School – Newport	84/4
June 9	9:15	Holy Trinity School – Laconia	11/3&4
June 9	10:15	Pelham Elementary School	50/4
June 9	11:00/12:30 SH/HM	Maple St. School – Hopkinton	60/4

NOTICE

The 37th Annual Bill White & Junie Blaisdell Ceremonial & Memorial Legislative Golf Tournament for the benefit of the **American Heart Association** is scheduled for **Friday, June 18** at the Beaver Meadow Golf Club, Concord, NH. The entry fee for this annual tournament is \$50 per legislator and legislative staff and \$100 for all others **if paid by June 2nd**. The entry

fee increases to \$75 per legislator and legislative staff and \$125 for all others if paid from June 3rd to June 11th. A continental breakfast and barbeque lunch will be provided.

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

Sign-up as a foursome or sign-up by yourself in order to be placed in a foursome.

Please note that, for planning purposes, payment must be made no later than June 11th. There will be no exceptions to this rule! Cancellation must occur two weeks prior to the tournament date to receive a refund.

Return your entry and payment no later than June 2nd to Bob Blaisdell to receive the discounted rate and reserve your spot **or** no later than **June 11th** to reserve your spot at the regular rate.

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**
Reps. Mary Jane Wallner and Sherman A. Packard

37th Annual Bill White & Junie Blaisdell Ceremonial & Memorial Golf Tournament
Beaver Meadow Golf Course
Concord, NH

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

Telephone: _____ Amount Enclosed: _____