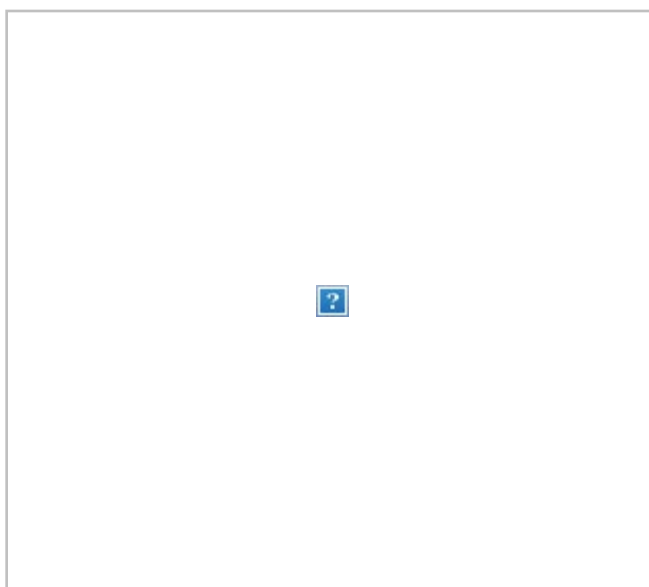


STATE OF NEW HAMPSHIRE

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Second Year of 161st Session of the New Hampshire General Court

Legislative

SENATE CALENDAR

VETO MESSAGE, HEARING, MEETINGS AND NOTICES

THE SENATE WILL MEET IN SESSION ON WEDNESDAY, OCTOBER 13, 2010 AT 1:00 P.M.

VETO

Governor's Veto Message Regarding SB 440

By the authority vested in me, pursuant to part II, Article 44 of the New Hampshire Constitution, on July 20, 2010, I vetoed SB 440.

Since becoming Governor, I have worked hard to establish effective, comprehensive and clear ethics standards for state government. As part of my efforts to assure integrity in state government, I signed into law in 2006 bipartisan legislation strengthening state ethics laws, including the establishment of the first-ever Executive Branch Ethics Committee. The Committee consists of seven members, who are charged with investigating allegations of violations of state ethics laws by executive branch officials and issuing interpretive rulings and advisory opinions on the application of ethics standards.

The Executive Branch Ethics Committee plays an important role in enforcing and interpreting our state's ethics laws. It is critical that members of the Committee be thoughtful, fair and impartial – both in actions and in the public's perception. Under existing law, during their service, Committee members may not hold or campaign for elective office, permit their names to be used in support of or in opposition to any candidate or proposition, participate in any way in an election campaign, or make a contribution to any candidate for office, among other prohibited activities. I strongly support the requirement that Committee members refrain from partisan political activities while serving in order safeguard against conflicts of interest and to ensure that the public has full confidence that ethics standards are enforced in the executive branch irrespective of partisan politics.

SB 440 would allow members of the Executive Branch Ethics Committee during their term of service to participate actively in elections for federal offices – President and Vice President, U.S. Senator and U.S. Representative, including allowing their names to be used in support of or in opposition to a candidate for federal office, campaigning for candidates for federal office, and by contributing to a candidate for a federal office.

I believe that SB 440 would weaken the Executive Branch Ethics Committee and would compromise the ability of its members to discharge their obligations impartially in the eyes of the public. It could create the perception that partisan politics plays a role in the decisions of the Committee.

Under SB 440, one or more Committee members could openly endorse and campaign for a candidate for federal office, or contribute to their campaign, and then be placed in the position of deciding whether or not to investigate allegations against an executive branch official who had endorsed the same, or a competing, candidate for the same federal office. In addition, an executive branch employee – who openly supports a candidate for federal office -- might seek an advisory opinion from the Committee on the application of an ethics standard. If one or more members of the Committee are publicly supporting the same or an opposing candidate, the motivations behind the Committee's opinion could be called into question even though partisan politics played no actual role in the Committee's work.

I believe that State government has a duty to ensure that even the appearance of politics is removed from the administration of executive branch ethics standards. I will not support any changes to our ethics laws that could jeopardize the public's trust in how these laws are implemented and applied, and that is why I have vetoed this bill.

Respectfully submitted,

Governor

Date: July 20, 2010

LAI D ON THE TABLE

CACR 34, relating to funding of public education. Providing that the general court shall define an adequate education and distribute state funds for public education in a manner that alleviates local disparities. **3/17/10, pending motion ITL, Judiciary, SJ 10, pg. 158**

SB 94, relative to the creation of express trusts for payment of claims for materials and services rendered in building projects. **1/21/10, pending motion Interim Study, Commerce, Labor and Consumer Protection, SJ 3, pg. 33**

SB 345-FN, relative to automatic renewal of contracts. **3/3/10, pending motion ITL, Commerce, Labor and Consumer Protection, SJ 8, pg. 96**

SB 386-FN, extending the pilot program for chartered public schools approved by the state board of education. **3/3/10, pending motion Committee Amendment (0774s) Education, SJ 8, pg. 99**

SB 389-FN-A, relative to the interest and dividends tax on certain distributions to investors in investment organizations. **3/24/10, pending motion OTP, Finance, SJ 11, pg. 213**

SB 446, relative to the governance of the Concord school district. **3/10/10, pending motion OTP, Public and Municipal Affairs, SJ 9, pg. 144**

SB 467-FN-A, establishing job creation incentives under the business profits tax and the business enterprise tax. **3/10/10, pending motion OTP, Ways and Means, SJ 9, pg. 147**

SB 468, relative to tort reform. **3/24/10, pending motion ITL, Commerce, Labor and Consumer Protection, SJ 11, pg. 191**

SB 473-FN, making distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares, and requiring a reduction in general fund appropriations for the biennium ending June 30, 2011. **3/10/10, pending motion ITL, Ways and Means, SJ 9, pg. 148**

SB 474-FN-A-L, changing the rate of the meals and rooms tax, repealing the meals and rooms tax on campsites, and requiring a reduction in general fund appropriations for the biennium ending June 30, 2011. **3/10/10, pending motion Committee Amendment (0890s), Ways and Means, SJ 9, pg. 148**

SB 476-FN, clarifying the business profits tax deduction for reasonable compensation. **3/10/10, pending motion ITL, Ways and Means, SJ 9, pg. 149**

SB 479, relative to administrative review by the commissioner of safety of decisions by the bureau of hearings. **3/24/10, pending motion Floor Amendment (1155s), Executive Departments and Administration, SJ 11, pg. 212**

SB 482, relative to bullying and cyberbullying in schools. **3/17/10, pending motion Interim Study, Education, SJ 10, pg. 161**

SB 487-L, relative to charter limitations on the growth of budgets and taxes and to the validity of certain city and town charter provisions. **3/24/10, pending motion ITL, Public and Municipal Affairs, SJ 11, pg. 240**

SB 488, relative to the adoption of local spending caps. **3/24/10, pending motion ITL, Public and Municipal Affairs, SJ 11, pg. 241**

HB 50, (New Title) relative to proceedings of medical injury claims screening panels. **5/5/10, pending motion OTP, Judiciary, SJ 17, pg. 388**

HB 314-L, (New Title) relative to the assessment of certain costs associated with proposed large groundwater withdrawals from wells. **1/27/10, pending motion ITL, Energy, Environment and Economic Development, SJ 4, pg. 55**

HB 1201, (New Title) including loaded muzzleloaders in the prohibition of hunting from a vehicle. **4/28/10, pending motion Committee Amendment (1502s), Wildlife, Fish and Game and Agriculture, SJ 16, pg. 352**

HB 1324, relative to staffing exceptions for geographically isolated small schools. **5/5/10, pending motion ITL, Education, SJ 17, pg. 369**

HB 1355-FN, relative to certain Medicaid appropriations. **4/7/10, pending motion Interim Study, Finance, SJ 13, pg. 282**

HB 1367-FN, (New Title) relative to political advertising and campaign expenditures and contributions by business organizations and labor unions. **4/28/10, pending motion Committee Amendment (1340s), Election Law and Veterans' Affairs, SJ 16, pg. 336**

HB 1469, relative to the required number of instructional days and instructional hours in a school district's calendar. **5/5/10, pending motion ITL, Education, SJ 17, pg. 369**

HB 1484, relative to residency restrictions for sex offenders. **4/28/10, pending motion OTP, Judiciary, SJ 16, pg. 349**

HB 1491, relative to the child support calculation in cases of shared parenting. **5/12/10, pending motion OTP, Judiciary, SJ 18, pg. 478**

HB 1543, relative to the annual rate of interest on judgments. **5/12/10, pending motion Committee Amendment (1945s), Judiciary, SJ 18, pg. 479**

HB 1579-FN, relative to electioneering by public employees. **4/14/10, pending motion ITL, Executive Departments and Administration, SJ 14, pg. 290**

HB 1628, establishing guidelines for neighborhood notification upon release of a sexual offender. **5/12/10, pending motion Interim Study, Judiciary, SJ 18, pg. 479**

HCR 22, (New Title) urging Congress to develop and pass a comprehensive immigration reform program. **5/5/10, pending motion OTP, Judiciary, SJ 17, pg. 391**

HCR 29, requiring the Congress of the United States of America to reaffirm its adherence to the Constitution of the United States regarding international agreements and treaties. **5/5/10, pending motion ITL, Election Law and Veterans' Affairs, SJ 17, pg. 371**

PROPOSED AMENDMENT TO SENATE RULE 48

Amendment to Senate Rule 48

Amend Senate Rule 48 by replacing with the following:

48. Deadlines:

(a) Wednesday, October 13, 2010 – First day to file legislation for 2011 Senate Session.

HEARING

TUESDAY, OCTOBER 12, 2010

JOINT SENATE AND HOUSE COMMERCE HEARING, Rooms 205-207, LOB

Sen. Hassan (C), Sen. DeVries (VC), Sen. Reynolds, Sen. Cilley, Sen. Bragdon, Sen. Roberge
10:00 a.m. REGARDING THE STATE'S REGULATORY OVERSIGHT OF FINANCIAL RESOURCES MORTGAGE, INC.
AND SIMILAR COMPANIES.

MEETINGS

FRIDAY, OCTOBER 8, 2010

ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD (RSA 125-O:5-a)

9:00 a.m. Crotched Mountain Regular Meeting
Rehabilitation Center
1 Verney Drive
Greenfield, NH

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

9:30 a.m. Room 101, LOB Regular Meeting
ESTABLISHING A COMMISSION TO DEVELOP A LEGISLATIVE PLAN TO MEET THE NEEDS OF CERTAIN
ADULTS WITH DEVELOPMENTAL DISABILITIES (SB 112, Chapter 255:1, Laws of 2009)
11:00 a.m. Room 100, SH Regular Meeting

TUESDAY, OCTOBER 12, 2010

CITIZENS TRADE POLICY COMMISSION (RSA 19-L:1)

9:00 a.m. Room 305, LOB Regular Meeting
LEGISLATOR ORIENTATION (RSA 17-C:1)

9:30 a.m. Room 104, LOB Regular Meeting
CAPITAL BUDGET OVERVIEW COMMITTEE (RSA 17-J:2)

10:00 a.m. Room 201, LOB Regular Business
COMMISSION TO STUDY LAND DEVELOPMENT REGULATIONS AND THE EFFECTS OF LAND DEVELOPMENT
WITHIN UPLAND AREAS THAT MAY AFFECT WETLANDS AND SURFACE WATERS OF THE STATE (HB 1579,
Chapter 294:1, Laws of 2008)

10:00 a.m. Room 303, LOB Subcommittee Meeting
COMMITTEE TO STUDY CERTAIN ASPECTS OF INDEPENDENT MEDICAL EXAMINATIONS (HB 1371, Chapter
227:2, Laws of 2010)

10:00 a.m. Room 307, LOB Regular Meeting
COMMITTEE TO STUDY HEALTH CARE SERVICES IN CORRECTIONAL FACILITIES AND THE ISSUE OF
ACCESS TO INMATES BY MEDICAL CARE, MENTAL HEALTH CARE, AND SUBSTANCE ABUSE TREATMENT
PROVIDERS (HB 214, Chapter 153:1, Laws of 2009)

10:00 a.m. State Prison Regular Meeting
281 North State Street
Concord, NH

AIR POLLUTION ADVISORY COMMITTEE (RSA 125-J:11)

1:00 p.m. Room 304, LOB Meeting to Receive a Report from the
Department of Environmental
Services

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

1:00 p.m. Room 206, LOB Children, Families & Youth
Subcommittee Meeting

CITIZENS TASK FORCE TO STUDY STATE REVENUES AND EXPENDITURES (RSA 21-I:92)

1:30 p.m. Room 201, LOB Organizational Meeting
ELECTRIC UTILITY RESTRUCTURING LEGISLATIVE OVERSIGHT COMMITTEE (RSA 374-F:5) JOINT WITH AIR
POLLUTION ADVISORY COMMITTEE (RSA 125-J:11)
1:30 p.m. Room 304, LOB Joint Meeting to Receive Reports

from the Public Utilities Commission
and the Department of
Environmental Services

ELECTRIC UTILITY RESTRUCTURING LEGISLATIVE OVERSIGHT COMMITTEE (RSA 374-F:5)

2:00 p.m. Room 304, LOB Meeting to Receive a Report from the
Public Utilities Commission

HOME EDUCATION ADVISORY COUNCIL (RSA 193-A:10)

3:30 p.m. Department of Education Regular Meeting
101 Pleasant Street, Room 15
Concord, NH

WEDNESDAY, OCTOBER 13, 2010

TASK FORCE ON STATE PROCUREMENT POLICIES AND PROCEDURES (RSA 21-T)

10:00 a.m. Room 212, LOB Regular Meeting

COMMITTEE TO STUDY MUNICIPAL RESIDENTIAL FIRE SPRINKLER REQUIREMENTS (HB 1486, Chapter 282:5, Laws of 2010)

11:00 a.m. Room 302, LOB Regular Meeting

COMMISSION TO EVALUATE MENTAL HEALTH COURTS AND ESTABLISH STANDARDS FOR THE OPERATION OF MENTAL HEALTH COURTS (HB 171, Chapter 274:1, Laws of 2009)

3:00 p.m. Room 205, LOB Regular Meeting

THURSDAY, OCTOBER 14, 2010

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

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

COMMITTEE TO STUDY METHODS OF ENCOURAGING THE INSTALLATION AND USE OF SMALL SCALE RENEWABLE ENERGY RESOURCES BY HOMEOWNERS AND BUSINESSES (HB 1377, Chapter 229:3, Laws of 2010)

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

COMMITTEE TO STUDY PHARMACY BENEFITS MANAGEMENT FOR INJURED WORKERS COVERED BY THE WORKERS' COMPENSATION LAW (SB 420, Chapter 313:1, Laws of 2010)

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

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

10:00 a.m. Room 205, LOB Mental Health and Substance Abuse
Subcommittee Meeting

COMMITTEE TO STUDY PERMITTING A PERSON TO RECORD A LAW ENFORCEMENT OFFICER IN THE COURSE OF SUCH OFFICER'S OFFICIAL DUTIES (HB 1372, Chapter 278:1, Laws of 2010)

10:30 a.m. Room 204, LOB Regular Meeting

COMMISSION EXPLORING MONETIZING CERTAIN STATE ASSETS, ENTERPRISES, AND RESOURCES (RSA 21-I:87)

2:00 p.m. Room 100, SH Regular Meeting

FRIDAY, OCTOBER 15, 2010

COMMISSION TO STUDY THE DEATH PENALTY IN NEW HAMPSHIRE (HB 520, Chapter 284:1, Laws of 2009)

9:00 a.m. Rooms 206-208, LOB Regular Meeting

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

9:00 a.m. Rooms 308, LOB Regular Meeting

GOVERNOR'S COMMISSION ON ALCOHOL AND DRUG ABUSE PREVENTION, INTERVENTION, AND

TREATMENT (RSA 12-J:1)

9:30 a.m. Rooms 305-307, LOB Regular Meeting

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

10:00 a.m. Room 102, LOB Non-Public Meeting of the Complaint
Review Committee

RIGHT TO KNOW OVERSIGHT COMMISSION (RSA 91-A:11)

10:00 a.m. Room 304, LOB Regular Meeting
10:15 a.m. Room 304, LOB Cost Receiving Subcommittee
Meeting (If Needed)

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

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

MONDAY, OCTOBER 18, 2010

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

9:00 a.m. Room 100, SH Regular Meeting

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

9:30 a.m. Room 205, LOB Regular Meeting

COMMISSION ON PRIMARY CARE WORKFORCE ISSUES (RSA 126-T)

10:00 a.m. Room 206, LOB Organizational Meeting

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

1:00 p.m. Room 305, LOB Regular Meeting

COMMISSION TO STUDY FUTURE SUSTAINABLE REVENUE SOURCES FOR FUNDING IMPROVEMENTS TO STATE AND MUNICIPAL HIGHWAYS AND BRIDGES (HB 2, Chapter 144:291, I, Laws of 2009)

2:00 p.m. Room 201, LOB Regular Meeting

TUESDAY, OCTOBER 19, 2010

ESTABLISHING A COMMISSION TO STUDY HOSPITAL BILLING PRACTICES OF HEALTH CARE PROVIDERS (SB 188, Chapter 265:1, Laws 2009)

8:30 a.m. Room 307, LOB Regular Meeting

COMMISSION ON HEALTH CARE COST CONTAINMENT (RSA 21-S:2)

9:00 a.m. Room 100, SH Regular Meeting

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

9:00 a.m. Rooms 210-211, LOB Regular Business

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

Cancelled Room 103, SH Regular Meeting

COMMISSION TO STUDY ISSUES RELATIVE TO GROUNDWATER WITHDRAWALS (SB 155, Chapter 305:1, Laws of 2003)

10:00 a.m. Room 305, LOB Regular Meeting

COMMITTEE TO STUDY THE LAWS RELATING TO CONDOMINIUM AND HOMEOWNERS' ASSOCIATIONS (RSA 356-B:70)

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

COMMITTEE TO STUDY SAFE HARBORS AND TAXATION OF INVESTMENT ORGANIZATIONS (RSA 77-A:4-c)

2:00 p.m. Room 102, LOB Regular Meeting

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

2:00 p.m. Room 205, LOB Subcommittee Long Term
Care/Developmental Disabilities and
Elderly Subcommittee Meeting

CURRENT USE BOARD (RSA 79-A:3)

6:30 p.m. North Country Resource Center Public Forum
629B Main Street
Lancaster, NH

WEDNESDAY, OCTOBER 20, 2010

HEALTH AND HUMAN SERVICES OVERSIGHT COMMITTEE (RSA 126-A:13)
10:00 a.m. Room 205, LOB Mental Health and Substance Abuse
Subcommittee Meeting
COMMUNITY COLLEGE SYSTEM LEGISLATIVE OVERSIGHT COMMITTEE (SB 82, Chapter 361:37, Laws of 2007)
Cancelled Room 212, LOB Regular Meeting
COMMISSION TO STUDY ISSUES RELATING TO STORMWATER (HB 1295, Chapter 71:1, Laws of 2008)
1:00 p.m. Room 305, LOB Regular Meeting
**COMMITTEE TO STUDY EDUCATION AND CAREER DEVELOPMENT PROGRAMS FOR YOUTH AND YOUNG
ADULTS, 17 TO 21 YEARS OF AGE, IN THE JUVENILE AND ADULT CRIMINAL JUSTICE SYSTEMS (HB 1177,
Chapter 276:2, Laws of 2010)**
1:00 p.m. Room 206, LOB Regular Meeting
**LEGISLATIVE OVERSIGHT COMMITTEE TO MONITOR COMPLIANCE WITH THE REQUIREMENTS FOR
ONLINE ACCESS TO BUDGET INFORMATION AND REPORTS UNDER RSA 9-F:1 (RSA 9-F:2)**
1:00 p.m. Rooms 210-211, LOB Organizational Meeting

THURSDAY, OCTOBER 21, 2010

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)
9:00 a.m. Rooms 306-308, LOB Regular Meeting
**COMMITTEE TO STUDY COMPREHENSIVE MENTAL HEALTH AND SUBSTANCE USE DISORDERS PARITY (HB
1493, Chapter 323:1, Laws of 2010)**
10:00 a.m. Room 303, LOB Regular Meeting
**COMMITTEE TO STUDY THE ADMINISTRATIVE STRUCTURE AND ADJUDICATIVE PROCESS AT THE LIQUOR
COMMISSION (SB 181, Chapter 248:2, Laws of 2010)**
11:00 a.m. Room 100, SH Regular Meeting
**COMMITTEE TO STUDY PHARMACY BENEFITS MANAGEMENT FOR INJURED WORKERS COVERED BY THE
WORKERS' COMPENSATION LAW (SB 420, Chapter 313:1, Laws of 2010)**
1:00 p.m. Room 103, LOB Regular Meeting
HEALTH INSURANCE REFORM OVERSIGHT COMMITTEE (RSA 420-L:6)
Cancelled NH Insurance Department Regular Meeting
21 South Fruit Street, Suite 14
Concord, NH
**COMMISSION TO DEVELOP ALTERNATIVES TO THE DISPOSAL OF MEDICAL SHARPS IN HOUSEHOLD
WASTE (HB 1502, Chapter 259:2, Laws of 2008)**
1:30 p.m. Room 304, LOB Regular Meeting
COMMISSION TO STUDY BUSINESS TAXES (RSA 77-F)
2:00 p.m. Room 103, SH Regular Meeting

FRIDAY, OCTOBER 22, 2010

OBD II TESTING ADVISORY COMMITTEE (RSA 266:59-b, VII (a))
10:00 a.m. Room 301, LOB Regular Meeting
BOARD OF MANUFACTURED HOUSING (RSA 205-A:25)
1:00 p.m. Room 201, LOB Regular Meeting
**COMMISSION TO EXAMINE DRIVING WHILE IMPAIRED EDUCATION AND INTERVENTION PROGRAMS (HB
1311, Chapter 256:10, Laws of 2008)**
1:30 p.m. Room 202, LOB Regular Meeting

MONDAY, OCTOBER 25, 2010

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

9:00 a.m. Room 305, LOB Regular Meeting
NH COLLEGE TUITION SAVINGS PLAN ADVISORY COMMISSION (RSA 195-H:2)

10:00 a.m. NH Higher Education Regular Meeting
Assistance Foundation
4 Barrell Court
Concord, NH

AUTOMATED EXTERNAL DEFIBRILLATOR ADVISORY COMMISSION (RSA 195-I:2)

1:00 p.m. Room 303, LOB Regular Meeting
COMMISSION TO STUDY LAND DEVELOPMENT REGULATIONS AND THE EFFECTS OF LAND DEVELOPMENT WITHIN UPLAND AREAS THAT MAY AFFECT WETLANDS AND SURFACE WATERS OF THE STATE (HB 1579, Chapter 294:1, Laws of 2008)

1:00 p.m. Room 305, LOB Regular Meeting
HEALTH INSURANCE REFORM OVERSIGHT COMMITTEE (RSA 420-L:6)

1:00 p.m. NH Insurance Department Regular Meeting
21 South Fruit Street, Suite 14
Concord, NH

COMMISSION TO STUDY FUTURE SUSTAINABLE REVENUE SOURCES FOR FUNDING IMPROVEMENTS TO STATE AND MUNICIPAL HIGHWAYS AND BRIDGES (HB 2, Chapter 144:291, I, Laws of 2009)

2:00 p.m. Room 201, LOB Regular Meeting

TUESDAY, OCTOBER 26, 2010

COMMITTEE TO STUDY THE CERTIFICATE OF NEED PROCESS (HB 234, Chapter 77:1, Laws of 2009)

9:30 a.m. Room 205, LOB Regular Meeting
COMMUNITY COLLEGE SYSTEM LEGISLATIVE OVERSIGHT COMMITTEE (SB 82, Chapter 361:37, Laws of 2007)

10:00 a.m. Room 212, LOB Regular Meeting
MILK PRODUCERS EMERGENCY RELIEF FUND BOARD (RSA 184:109, I)

2:00 p.m. Room 103, SH Regular Meeting
CURRENT USE BOARD (RSA 79-A:3)

6:30 p.m. Hanover Street School Public Forum
193 Hanover Street
Lebanon, NH

WEDNESDAY, OCTOBER 27, 2010

COMMITTEE TO STUDY THE INCLUSION OF UNIVERSAL DESIGN REQUIREMENTS IN THE STATE BUILDING CODE (HB 1429, Chapter 110:1, Laws of 2010)

11:00 a.m. Room 205, LOB Regular Meeting

THURSDAY, OCTOBER 28, 2010

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

1:00 p.m. New Hampshire Department of Revenue Administration Regular Board Meeting
109 Pleasant Street
Concord, NH

COMMISSION TO EVALUATE THE LONG-TERM USES OF THE LAKES REGION FACILITY LOCATED IN LACONIA (HB 2, Chapter 144:282, Laws of 2009)

6:00 p.m. Laconia Middle School Presentation by Vita Nuovo-

McGrath Street
Laconia, NH

SRA-EPA to Full Committee

FRIDAY, OCTOBER 29, 2010

RIGHT TO KNOW OVERSIGHT COMMISSION (RSA 91-A:11)
10:00 a.m. Room 304, LOB Regular Meeting
10:15 a.m. Room 304, LOB Cost Receiving Subcommittee Meeting (If Needed)

THURSDAY, NOVEMBER 4, 2010

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)
9:00 a.m. Rooms 306-308, LOB Continued Meeting
LEGISLATOR ORIENTATION (RSA 17-C:1)
9:30 a.m. Room 104, LOB Regular Meeting
JOINT LEGISLATIVE HISTORICAL COMMITTEE (RSA 17-I:1)
11:00 a.m. Room 100, SH Regular Meeting

MONDAY, NOVEMBER 8, 2010

CURRENT USE BOARD (RSA 79-A:3)
9:30 a.m. Department of Revenue Administration Public Forum
109 Pleasant Street The Forum will be followed
Concord, NH by a Regular Meeting

TUESDAY, NOVEMBER 9, 2010

MEDICAL MALPRACTICE PANEL AND INSURANCE OVERSIGHT COMMITTEE (RSA 519-B:11)
10:00 a.m. Room 103, SH Regular Meeting

FRIDAY, NOVEMBER 12, 2010

ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD (RSA 125-O:5-a)
9:00 a.m. NH Public Utilities Commission Regular Meeting
Hearing Room A
21 South Fruit Street, Suite 10
Concord, NH
STATE SUGGESTION AND EXTRAORDINARY SERVICE AWARD EVALUATION COMMITTEE (RSA 99-E:1, I)
9:30 a.m. Room 101, LOB Regular Meeting
ESTABLISHING A COMMISSION TO DEVELOP A LEGISLATIVE PLAN TO MEET THE NEEDS OF CERTAIN ADULTS WITH DEVELOPMENTAL DISABILITIES (SB 112, Chapter 255:1, Laws of 2009)
11:00 a.m. Room 100, SH Regular Meeting
STATE PARK SYSTEM ADVISORY COUNCIL (RSA 216-A:3-k)
1:00 p.m. Room 305, LOB Regular Meeting

MONDAY, NOVEMBER 15, 2010

FISCAL COMMITTEE OF THE GENERAL COURT (RSA 14:30-a)
9:00 a.m. Rooms 210-211, LOB Regular Business
INTERAGENCY COORDINATING COUNCIL FOR WOMEN OFFENDERS (RSA 21-H:14-c)
9:00 a.m. Room 100, SH Regular Meeting
LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE (RSA 17-M:1)
12:30 p.m. Room 201, LOB Regular Business

TUESDAY, NOVEMBER 16, 2010

COMMISSION ON HEALTH CARE COST CONTAINMENT (RSA 21-S:2)
9:00 a.m. Room 100, SH Regular Meeting

THURSDAY, NOVEMBER 18, 2010

JOINT LEGISLATIVE COMMITTEE ON ADMINISTRATIVE RULES (RSA 541-A:2)
9:00 a.m. Rooms 306-308, LOB Regular Meeting

FRIDAY, NOVEMBER 19, 2010

GUARDIAN AD LITEM BOARD (RSA 490-C:1)
10:00 a.m. Room 102, LOB Non-Public Meeting of the Complaint
Review Committee

GUARDIAN AD LITEM BOARD (RSA 490-C:1)
1:00 p.m. Room 102, LOB Regular Meeting

MONDAY, NOVEMBER 22, 2010

OIL FUND DISBURSEMENT BOARD (RSA 146-D:4)
9:00 a.m. Room 305, LOB Regular Meeting

NOTICES

For planning purposes, please note that the **New Legislator Orientation Program** will be held on Tuesday, November 16th through Thursday, November 18th.

Sylvia B. Larsen, Senate President

MONDAY, OCTOBER 11, 2010

On Monday, October 11, 2010 at 9:00 a.m., the Commission exploring monetizing certain state assets, enterprises, and resources (SSHB1, Chapter 1:95, Laws of 2010) will be conducting a fact-finding tour of the Lakes Region Facility in Laconia.
Senator Lou D'Allesandro

TUESDAY, OCTOBER 12, 2010

All legislators and staff are invited to join the Council for Children and Adolescents with Chronic Health Conditions (CCACHC) when Governor John Lynch declares October 10-16 Childhood Chronic Health Conditions Awareness Week in New Hampshire. The ceremony will be held Tuesday, October 12, beginning at 11:30 a.m., at the Upham Walker House. CCACHC will recognize teenagers contending with chronic health conditions for their tireless work in raising awareness of the state's chronic health conditions epidemic.

Senator Molly Kelly

WEDNESDAY, OCTOBER 13, 2010

In appreciation to all of her loyal patrons who were inconvenienced during the cafeteria refurbishment project, Elizabeth Haralabatos of Elizabeth's Kitchen cordially invites all legislators and staff to a complimentary luncheon on Wednesday, October 13th to mark the official re-opening of the State House cafeteria. The luncheon will be held in the main dining area at noon. We hope you will join us.

Sylvia B. Larsen, Senate President

LEGISLATIVE ETHICS COMMITTEE

The Legislative Ethics Committee has issued the following advisory opinion, which is printed below in its entirety.

**Advisory Opinion 2010-5
Response to a Request for an Advisory Opinion
from Representative Alida I. Millham
(September 20, 2010)**

Representative Millham has requested an Advisory Opinion whether, consistent with applicable statutes and the Ethics Guidelines, it would be permissible for her to participate in official activity as a member of the Joint Legislative Committee on Administrative Rules in considering certain rule changes which may be proposed by the New Hampshire Insurance Department (NHID) pertaining to the New Hampshire Medical Malpractice Joint Underwriting Association (JUA).

According to information provided to the Committee by Representative Millham, she currently is an unpaid member of the Board of Trustees of Lakes Region General Healthcare (LRGH), and has no pecuniary interest in the organization. LRGH has been engaged in litigation with the Insurance Department regarding the JUA, and is associated with a position adverse to the rule changes currently proposed by NHID which she expects will be presented to JLCAR.

Specifically, Rep. Millham asks whether her participation in considering the proposed rule changes as member of JLCAR would violate Ethics Guidelines Section 4, Prohibited Activities, Paragraph II (d).

Relevant provisions of the Ethics Guidelines are:

1 PRINCIPLES OF PUBLIC SERVICE.

I. Public Office As A Public Trust Legislators should treat their office as a public trust, only using the powers and resources of public office to advance public interests, and not to attain personal benefits or pursue any other private interest incompatible with the public good.

II. Principle Of Independent Objective Judgment Legislators should employ independent objective judgment in performing their duties, deciding all matters on the merits free from conflicts of interest and both real and apparent improper influences.

III. Principle Of Accountability Legislators should assure that government is conducted openly, equitably and honorably in a manner that permits the citizenry to make informed judgments and hold government officials accountable.

2 DEFINITIONS.

* * * II. "Conflict Of Interest" is the condition in which a legislator has a financial interest in any official activity.

* * * V. "Financial Interest" is a reasonably foreseeable direct material financial effect which is greater on the legislator, legislative officer, legislative employee, or a family member than on the general public.

* * * X. "Official Activities" is the conduct of activities which relate to official responsibilities including the introduction of legislation, testifying before any legislative committee or state agency, voting in committee or in house or senate session or otherwise participating in, influencing, or attempting to influence any decision of the legislature, county delegation or any state agency.

4 PROHIBITED ACTIVITIES

* * * II. Legislators shall not:

* * * (d) Conduct private negotiations with any governmental agency in an attempt to obtain a decision on a pending matter which would result in special personal benefit to the legislator, to the legislator's immediate family, or to certain constituents which would not be available to others under similar conditions.

* * * V. Legislators shall not become involved in any official activity without complying with the conflict of interest procedure set forth in this document.

5 CONFLICT OF INTEREST PROCEDURE.

I. No declaration shall be required if no benefit or detriment could reasonably be expected to accrue to the legislator or the legislator's family member as a member of a business, profession, occupation, or other group, to any greater extent than to any other member of such business, profession, occupation, or other group, provided that disclosure of the legislator's or family member's membership is made in the Financial Disclosure Form pursuant to section 3 of the Ethics Guidelines. For purposes of these guidelines, groups shall be limited to ones generally recognized and of a substantial size.

II. When a legislator becomes aware that a conflict of interest exists or may exist and the conditions set forth in paragraph I are not met, the legislator shall proceed in accordance with either subparagraph (a) or (b):

- (a) Declare that the legislator will not participate in any official activity associated with the issue.
- (b) Declare that the legislator intends to participate in the official activity and will provide a description of the conflict of interest including:
 - (1) names of all entities, both public and private, which might be affected;
 - (2) the nature of any benefit which may accrue to the legislator or legislator's family member;
 - (3) the nature of any financial interest in the issue;
 - (4) the nature of any relationship which existed, exists or may exist between the legislator and
 - (5) any person or entity which might be affected;
 - (6) such additional information as may be required to permit clear public awareness and understanding of the nature and extent of the conflict.

III. The declaration required in subparagraphs II (a) and (b) of this procedure shall be publicly announced prior to the legislator's initial participation in the official activity. The information required in subparagraph (b) shall be filed with the clerk of the member's respective body within 24 hours of the time of the official activity and be made available for public inspection during normal business hours.

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We advise as follows: It appears from the facts presented that Rep. Millham has no discernible financial interest involved, and therefore no “conflict of interest” as narrowly defined in the Guidelines. However, as a member of the Board of LRGH, she has fiduciary duties to LRGH. That situation may be perceived as potentially affecting her decision as a member of JLCAR, where the proposed rule changes may directly affect the interests of LRGH. Thus the interests of LRGH may be viewed as a “private interest” which Principle I urges members not to pursue if “incompatible with the public interest,” or as Principle II urges, an “influence” to be avoided if apparently “improper.”

The Guidelines do not require disqualification under these circumstances. Instead, Guidelines Section 5 permits legislators to participate if its procedures are followed, even where a defined “conflict of interest” is present. Accordingly, we believe that to avoid violating Principles I and II of the Guidelines would require Rep. Millham to follow the procedures set forth in Guidelines Section 5, Paragraphs II and III, before engaging in official activity in the matter as a member of JLCAR in connection with the proposed rule changes.

If consistent with those procedures, she chooses to participate in the matter, so long as her activity as a member of JLCAR is conducted openly, rather than in any private negotiation with the New Hampshire Insurance Department, we perceive no potential violation of Guidelines Section 4, Prohibited Activities, Paragraph II (d).

We appreciate the opportunity to be of assistance.

Martin L. Gross, Chairman
For the Committee

SENATE SCHEDULE

Thursday, November 11, 2010	Veterans' Day (State Holiday)
Tuesday, November 16, 2010	New Member Orientation
Wednesday, November 17, 2010	New Member Orientation

Thursday, November 18, 2010	New Member Orientation
Thursday, November 25, 2010	Thanksgiving Day (State Holiday)
Friday, November 26, 2010	Day after Thanksgiving (State Holiday)
Friday, December 24, 2010	Christmas Day (State Holiday)

VISITORS' CENTER SCHEDULE – OCTOBER

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 **October 2010**. These listings are to ensure all members be notified in a timely manner of visitors from their district. Our schedule is tightly booked for the school year and subject to changes.

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

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

DATE	TIME	GROUP	Group#/Grade
Oct. 12	9:00	NH Children's Trust Fund Advocacy	50
Oct. 12	1:00	Indian Head Resort Trolley Tour	50/Srs
Oct. 13	10:00	St. Patrick School – Pelham	40/4&5
Oct. 14	10:30/12:00 SH/HM	Milford Elementary School at Heron Pond	100/4
Oct. 15	11:30	Mount Lebanon School	45/4
Oct. 18	10:00/11:30 SH/HM	Matthew Thornton School – Londonderry	75/4
Oct. 19	9:30	International Tourists	12
Oct. 19	9:45/11:15 SH/HM	East Rochester School	75/5
Oct. 20	10:00	Matthew Thornton School – Londonderry	50/4
Oct. 20	11:00	Windham Center School	55/4
Oct. 20	1:00	Henniker Area Home School Group	17
Oct. 21	9:00	Rivier College Nursing Students-Nashua	35/col
Oct. 21	10:00/11:00	Windham Center School	110/4
Oct. 22	9:00	Hillside Middle School ESL	55
Oct. 22	9:45	Kearsarge School @ Bradford	48/5
Oct. 25	10:00/11:30 SH/HM	Kearsarge Regional – New London	80/4
Oct. 26	10:15/11:45 SH/HM	Sunset Heights School – Nashua	84/4
Oct. 27	9:15	Rye Elementary School	45/4
Oct. 27	10:15/11:00	Windham Center School	65/4
Oct. 27	12:30	Belmont HS Spanish Students	40/HS
Oct. 28	10:00/11:00 SH/CC	Rindge Elementary School	60/4
Oct. 29	10:00/11:15 SH/HM	East Derry School	68/4