



## **THE PARKER REPORT**

**LIGHTS, CAMERA, ACTION...**Recording conversations with on-duty police officers would be allowed under a bill passed in the NH House. The House voted 206-142 to overturn the recommendation by the House Criminal Justice and Public Safety Committee to ITL HB 312. The House vote exempts video or audio recordings from the wiretapping statutes as long as the officer is told in advance. Opponents said that the recording could interfere with investigations of crime scenes, domestic disputes, or highly charged situations like a high speed chase. They said that police could mistake someone reaching for a recorder as reaching for a weapon. Supporters argued that police have the right to record citizens, and citizens should have the right to record police. The NH Police Chiefs Association and the Department of Safety opposed the bill.

**SPEEDO TIP OF THE WEEK...**The NH has rejected legislation requiring swimmers in six state lakes to wear a colored cap while swimming 150 feet beyond the shore. The House Transportation Committee had recommended passing HB 224, but the House said no, voting 201-91 to kill the bill. The committee said that the bill's intent was to make our lakes safer by allowing boaters to see and identify swimmers in open water. Opponents said that the state didn't need a law telling swimmers what to wear. If passed the new law would have applied to Newfound Lake, Ossipee Lake, Squam Lake, Lake Winnepesaukee, and Lake Winnisquam.

**BREAKING THE TERM BARRIER...**The NH State Senate gave its approval to increasing the term of office for governor from 2 years to 4 years. On a vote of 19-4, the Senate passed CACR 9, a constitutional amendment that would go to the voters for their consideration in the November 2010 election. Even then, four-year terms wouldn't begin until after Governor John Lynch leaves office. New Hampshire and Vermont are the only two states in the union to still have two-year terms. Previous attempts to pass this legislation have failed.

**FINAL LESSON PLAN...**The NH Senate gave its blessing to legislation that ensures schools are held accountable for delivering an adequate education. SB 108 represents the final piece of a three-year effort to address a ruling by the State Supreme Court to define, determine the cost and ensure accountability for delivering the opportunity for an adequate education.. The legislation sets up two systems. The "input system" will be based on existing school approval standards that dictate among other things how many students per teacher and what subject areas must be offered as they relate to the state's definition of adequacy. The "performance-based system" would require schools to show that their students are meeting certain academic goals.

**SMOKEN...**The NH House voted 234-138 to pass HB 648 which would allow ill patients to grow their own marijuana plants or purchase small amounts of the drug for medicinal purposes. The bill would allow severely ill patients or their caregivers to grow and possess six marijuana plants and two ounces of the drug. It requires doctors to certify that a patient has a debilitating medical condition and would benefit from the therapeutic or palliative benefit from using marijuana. Only patients in constant pain for at least three months would qualify for the drug. Opponents charged that the law could invite abuse. Supporters cited the need for compassion towards those seriously ill. The House defeated a similar bill two years ago. Thirteen states now allow medical marijuana use.

**WITH THIS RING I THEE WED...**Two years after granting same-sex couples the right to enter into civil unions, the NH House narrowly passed legislation that would make New Hampshire only the third state to allow same-sex marriage. The House voted 186-179 to send HB 436 to the Senate. Backers of the bill said that it was a matter of equal rights and that it will bring to an end discrimination against homosexuals. However, opponents said that the measure upends tradition and religious practice that reserves marriage for the union between a man and woman. Governor John Lynch has indicated his opposition to same-sex marriages.

**BARKING UP THE RIGHT TREE...**The Senate Public and Municipal Affairs Committee is considering SB 195 that would make it easier for utilities to trim or remove trees on private property to protect their power lines. Under current law, utilities need consent from property owners before cutting. The bill would waive that requirement if owners do not respond to a written notice within 45 days. More than 400,000 state residents lost power during last winter's ice storm from falling branches damaging power lines. Utility providers spoke in favor of the bill, but opponents argued that the bill violates an owners property rights by allowing the utility to keep wood from trees it cuts and haul away. State law requires utilities to trim trees near their power lines on public roads to maintain service. The House killed a bill last week that would have lifted the \$250,000 limit on fines against utility companies in lieu of a 2.5% fine of their annual revenue for failure to trim trees.

**TEXTING N N...**The NH House gave its endorsement to HB 34 which would ban text messaging while driving a motor vehicle. The bill would make it illegal for drivers to send text messages on cell phones or type on laptop computes or other electronic devices. The House voted 222-137 to pass the bill which exempts entering a number or name in a cell phone to make a call. Violators would face a \$100 fine. A similar measure passed the House last year, but died in the Senate when it was attached to a controversial statewide policy on transportation planning. Supporting the measure were the Police Chiefs Association, the Department of Safety, and the American Automobile Association.

### **THEY SAID IT...**

***“They’ve asked us for compassion to treat them as patients and not as criminals”.*** Representative Cindy Rosenwald (D-Nashua) Chair of the House Health, Human Services & Elderly Affairs Committee speaking in favor of HB 648. (AP)

***“Each pot smoker is his or her own doctor. Medical use is a Trojan horse to ultimately legalize marijuana”.*** Representative John Cebrowski (R-Bedford) speaking in opposition to HB 648. (AP)

***“We all want the same things during our time on earth. It doesn’t matter if you’re straight or gay”.*** Representative David Pierce (D-Etna) supporting passage of HB 436. (Union Leader)

***“Make no mistake. It is an inherently dangerous and inherently unique growing phenomenon”.*** Representative David Campbell (D-Nashua) speaking in favor of HB 34 to ban text messaging while driving. (Nashua Telegraph)

***“Are we creating a law that is going to require people to give up their Fifth Amendment rights?”*** Representative John Hickel (R-Goffstown) speaking in opposition to HB 34. (Nashua Telegraph)

# *Denis Parker*