

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 3, 2001, the Secretary of the Senate, on July 20, 2001, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 2216. An act making supplemental appropriations for the fiscal year ending September 30, 2001.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-139. A resolution adopted by the National Black Chamber of Commerce, Inc. relative to energy; to the Committee on Energy and Natural Resources.

POM-140. A resolution adopted by the City Council of Berea, Ohio relative to the Domestic Steel Industry; to the Committee on Finance.

POM-141. A petition presented by the Council on Administrative Rights entitled "Reaffirm America"; to the Committee on Finance.

POM-142. A concurrent resolution adopted by the House of the Legislature of the State of New Hampshire relative to the Individuals with Disabilities Education Act; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION 13

Whereas, since its enactment in 1975, the Individuals with Disabilities Education Act (IDEA) has helped millions of children with special needs to receive a quality education and to develop to their full capacities; and

Whereas, the IDEA has moved children with disabilities out of institutions and into public school classrooms with their peers; and

Whereas, the IDEA has helped break down stereotypes and ignorance about people with disabilities, improving the quality of life and economic opportunity for millions of Americans; and

Whereas, when the federal government enacted the Individuals with Disabilities Education act, it promised to fund up to 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, the federal government currently funds, on average, less than 14 percent of the average per pupil expenditure in public elementary and secondary schools in the United States; and

Whereas, local school districts and state government end up bearing the largest share of the cost of special education services; and

Whereas, the federal government's failure to adequately fulfill its responsibility to special needs children undermines public support for special education and creates hardship for disabled children and their families; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring;

That the New Hampshire general court urges the President and the Congress, prior to spending any surplus in the federal budget, to fund 40 percent of the average per pupil expenditure in public elementary and secondary schools in the United States as prom-

ised under the Individuals with Disabilities Education Act to ensure that all children, regardless of disability, receive a quality education and are treated with the dignity and respect they deserve; and

That copies of this resolution be forwarded by the house clerk to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the New Hampshire congressional delegation.

POM-143. A concurrent resolution adopted by the House of the Legislature of the State of New Hampshire relative to authorizing greater state regulation of gas pipelines carrying other hazardous substances; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION 12

Whereas, ensuring the safety of citizens residing near pipelines carrying hazardous substances and protecting the surrounding environment from the deleterious effects of pipeline spills are vital state and local responsibilities, yet the federal government is responsible for the oversight of interstate pipelines; and

Whereas, several significant pipeline spills have occurred in other parts of the nation in recent years, including a major petroleum spill in Bellingham, Washington, resulting in a fire which killed 3 people and destroyed much of a city park; and

Whereas, Washington governor Gary Locke thereafter formed a study team of local and state fuel accident response agencies, which in the course of numerous meetings, briefings, and public hearings learned that current federal oversight of pipeline safety is inadequate in many respects; and

Whereas, the state of Washington is providing an example of how oversight of pipeline safety can be effectively accomplished at the state level by developing a strong, coordinated program of state and local oversight of pipeline safety that will be well integrated with concurrent federal oversight; and

Whereas, such state programs cannot be fully implemented without action by the Congress and the President to modify existing statutes and provide necessary administrative and budgetary support; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring;

That Congress enact legislation amending the federal Pipeline Safety Act (49 U.S.C. Section 60101, et seq.) to allow states to adopt and enforce standards stricter than federal standards where to do so would not interfere with interstate commerce; and

That such act be further amended to allow states at their option to seek authority to administer and enforce federal pipeline safety standards; and

That as an interim measure pending congressional consideration of such legislative enactments the President direct the federal Office of Pipeline Safety to grant authority to states that qualify to enforce federal standards; and

That Congress increase funding to assist states in responding to pipeline accident emergencies, to implement pipeline safety measures, to support states with delegated authority to enforce federal standards, and to the Office of Pipeline Safety for additional research and development of technologies for testing, leak detection, and oversight operations; and

That the clerk of the New Hampshire house of representatives forward copies of

this resolution to the President of the United States, the Secretary of the United States Department of Transportation, the President of the United States Senate, the Speaker of the United States House of Representatives, and to the members of the New Hampshire congressional delegation.

POM-144. A concurrent resolution adopted by the House of the Legislature of the State of New Hampshire relative to allowing military retirees to receive service-connected disability compensation benefits without requiring them to waive an equal amount of retirement pay; to the Committee on Armed Services.

HOUSE CONCURRENT RESOLUTION 1

Whereas, American servicemen and women have dedicated their careers to protecting the rights we all enjoy; and

Whereas, military personnel endure hardships, the threat of death and disability, and long separation from their families in service to their country; and

Whereas, career military personnel accrue retirement pay based on longevity of service and rank at retirement; and

Whereas, service-connected disability pay serves a different purpose from longevity retirement pay and is intended to compensate military personnel for pain, suffering, disfigurement, and impaired earning ability to due to disability; and

Whereas, under a 19th century law that is still in effect, military retirees are denied concurrent receipt of full retirement pay and service-connected disability compensation benefits. They must choose receipt of one or the other or waive an amount of retirement pay equal to the amount of disability compensation; and

Whereas, no other federal employees face a reduction in civil service retirement benefits if they also receive compensation for a service-connected disability; and

Whereas, federal legislation has been introduced to amend Title 38 of the U.S. Code to treat career military retirees like other federal retirees and permit them to receive service-connected disability compensation without requiring a concurrent deduction from retirement pay; and

Whereas, it is fundamentally unfair to require military veterans to essentially fund their own disability compensation by offsetting it against retirement benefits earned in service to their country; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring;

That the general court of New Hampshire hereby urges the United States Congress to enact legislation to allow disabled, military retirees to receive service-connected disability compensation benefits without requiring them to waive an equal amount of retirement pay; and

That copies of this resolution be sent by the house clerk to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the chairpersons of committees of the United States Congress having jurisdiction over Veterans Affairs, the Secretary of Defense; and each member of the New Hampshire congressional delegation.

POM-145. A concurrent resolution adopted by the House of the Legislature of the State of New Hampshire relative to supporting the electoral college; to the Committee on the Judiciary.