



# Your State House Concord, New Hampshire



July 3, 2020

To my constituents in [Allenstown](#), [Epsom](#), & [Pittsfield](#):

This week, the House met again at UNH's hockey stadium. We had to vote on House bills amended by the Senate, and all but three were omnibus bills collecting a large number of Senate bills, usually on somewhat related topics. Many representatives, including myself, were concerned that the usual process had been vastly shortchanged and that public input into these bills had not met our standards of transparency. Because of that, and because nearly all the omnibus bills had at least one unacceptable section, I voted against all of them. Unless I mention otherwise, all these bills had minimal debate and passed on a party line vote.

The single element bills were HB 250, adding a dental benefit to the Medicaid program; HB 685, an insurance mandate that abortion be considered a maternity benefit; and HB 731, an increase in the state minimum wage. All passed (205-124, 196-132 and 199-124) and are expected to be vetoed.

HB 1162, a major child welfare bill, had seven more House bills and four Senate bills added, all related to children relative to the state. The conglomeration was slanted away from parental responsibility and towards state intervention “in the best interest of the child,” passing 209-119. HB 1249, extending the life of a commission on primary care, also included authorizing multi-county grand juries and allowing wills and other estate planning documents be notarized remotely: 224-105.

HB 1166, on unemployment, included six new sections addressing the pandemic, which only had a joint, remote Senate hearing, which doesn't allow

much in the way of public testimony and information. One major section extended the federal family leave provisions (unpaid leave) to small (down to 15 employees) businesses; another made “fear of COVID” an allowable reason to continue on unemployment even if you're called back to work. The commissioner had warned the Senate that these provisions would not only drain the unemployment trust fund, but were likely to violate federal law and so stop the ongoing federal contributions to that fund. This passed 178-154, with 23 Democrats joining all but two of the Republicans; I foresee a veto.

HB 1230, allocating \$750,000 for the Safe Stations (or its successor) program in Nashua, was debated with one opponent pointing out that the money is already in the budget ... but that didn't stop it passing, 229-102, with 31 Republicans (including James Allard) joining all Democrats. HB 1280 was an omnibus bill of price controls and insurance mandates on prescription drugs, including such feel good items as limits on the price of insulin and epi-pens. Again, 24 Republicans voted with all Democrats, 224-104. HB 1375 is an insurance mandate for medical monitoring, another popular but expensive idea, that passed 226-105, with 27 Republicans joining all but one Democrat.

HB 705, on sexual assault and other crimes, was debated at some length. Among the attachments was the elimination of a statute of limitations for *civil* cases of sexual assault; this is a problem because witnesses and evidence deteriorate or are lost over time, and it gets harder to defend oneself. Another section seemed to require affirmative consent to sex in marriage: one representative pointed out that in cases of dementia, one can't consent, so long-married couples could be criminalized for continuing to enjoy sex. Still, it passed, 254-75, with all Democrats in favor.



# Your State House

## Concord, New Hampshire



HB 1240, a omnibus bill only passed this Monday, started as a bill criminalizing any sexual contact between students and teachers, and added temporary licenses for health professionals, biennial licenses for pharmacies, virtual signatures for all licensing transactions, and a one-time marriage officiant license. This last was opposed by most Republicans because the license fee went to the domestic violence prevention fund, which is primarily used by unmarried families! 257-68. HB 1645, a collection of various criminal justice bills, would require law enforcement to report other officers' misconduct, prohibit choke holds (which are not taught or recommended in this state), and require psychological and drug screening for all law enforcement officers. I don't know any parts that are obviously unacceptable, and the debate was uninformative; it passed 255-74.

HB 1454, which allows local school boards to deny credit for extended learning programs (as some currently deny credit for courses completed at charter schools) had more debate than many before passing, 193-136. HB 1558, the education omnibus, also changed the vote to approve a town's bond from 2/3 to 60% of those voting; it passed, 201-129.

HB 1582, a collection of veterans' preferences, quietly passed 290-36. HB 1266 was a set of temporary (for this year only) changes to our voting laws that one representative claimed was unconstitutional because it included absentee ballots for anyone "concerned" about the virus. It passed 221-101; HB 1672, which was the same changes, plus online voter registration, with no sunset, passed 195-130.

I spoke against HB 1494, from my committee, which had become an omnibus of labor law changes, including card check (which allows a union to represent workers without an election,

simply by collecting enough signatures.) My concern was more about extending the federal OSHA regulations to public employers, since OSHA regulations are more oriented to what's easy to inspect than what's necessary to protect workers, and they have a one size fits all philosophy that disproportionately increases compliance costs. Case in point, backup beepers on trucks: not a bad idea when there's only one in your driveway, useless at a construction site filled with vehicles all moving back and forth. The vote was 202-127.

HB 1234, a massive compendium of fairly minor bills (both House and Senate) passed 198-129 on the second vote, since some members voted "present" the first time. Unlike in Washington, we cannot vote present or abstain, but must decide yes or no on every vote. My specific concern about this bill was that it repealed the interstate compact for emergency medical service personnel, which was not mentioned in the debate and I have been unable to learn why it's a problem.

HB 578, three sections dealing with long term care, passed 282-43. HB 1246, an omnibus on COVID related health care topics, had some debate on the sections that seemed to duplicate HB 578, and passed 194-132.

HB 1264, a cluster of bills relating to polyfluoro chemicals, included setting the outrageously low levels set by rule into statute and requiring insurance cover blood tests for these chemicals – even though nobody knows what a dangerous level is! The fund for assisting towns to meet the drinking water standards will be filled by settlements from the chemical manufacturers – maybe, someday. Epsom and Pittsfield are concerned because the requirements for groundwater levels may affect the closed waste disposal site at BCEP, and this bill won't allow loans to multi-town districts (such as BCEP.) The



# Your State House Concord, New Hampshire



vote was 210-116.

HB 1520 was just passed by the Senate on Monday, and has only two sections. One, quite innocuous, clarifies the authority of the state board of education regarding criminal records checks – the recent review of these rules at JLCAR identified that the statute needed to be updated to refer to licenses as well as certificates. The other section is brand new, and consolidates the impaired professional programs for doctors, dentists, nurses, pharmacists, and other professions into one program. As it happens, the doctors and dentists have independently chosen to go with the same program (I'm not sure about the others) and consolidation actually makes sense. Except for the lack of public input, I'd probably have supported this bill; I wasn't the only one, as it passed 222-82!

HB 1623 was an omnibus on telemedicine. The debate pointed out that by mandating telehealth visits get exactly the same payment as in-person visits, this will increase the cost of healthcare and health insurance. It passed 204-117. HB 1639 was a major omnibus on health care, with over 20 bills and some new language added. The debate was uninformative, and it passed 201-121.

HB 1247 was a collection of new sections dealing with evictions and foreclosures in the time of COVID. It extended the moratorium on evictions to rooming houses, allowed people to receive rental assistance before getting an eviction notice, and required banks and mortgage companies to engage in “good faith and fair dealing” (which is already in current law! The supporters stated that these businesses were not following the law, so they wanted to pass another...) Some of these provisions might help people who are having trouble paying their rent while unemployed – but they'll be devastating to the many small landlords in the state. Passed, 187-135.

HB 1245 was another massive omnibus bill, conglomerating five House bills (all innocuous) and over 30 Senate bills. I spoke against it on that ground, plus that it required a new license for cardiac imaging technicians, who were the ones so strongly opposed to being licensed when we created the board of medical imaging five years ago. Passed, 190-127.

HB 1111 combined three Senate bills on municipal broadband, allowing towns or groups of towns to build broadband infrastructure, and passed 248-64. HB 1129 extended various town meeting deadlines (since town meetings this year after March were affected by the virus) and allows notice for meetings be posted on the town website. Probably all reasonable, except that they haven't been scrutinized for unintended consequences; it passed 252-69.

HB 1135 was a naming bill, but had added to it a requirement for Holocaust and genocide studies in schools. The supporters pointed out that this requirement was very flexible, not specifying grade or curriculum, so it didn't count as an unfunded mandate. It passed, 299-17.

HB 466 was a net metering expansion, which passed 201-120, and is expected to be vetoed as all the other net metering bills have been.

HB 1182, about motor vehicles, included most of the ten-year highway plan update. This was debated as it deleted the “betterment” spending – which is maintenance on state roads and bridges that don't qualify as “highways.” The Senate, at the request of the DOT, had reallocated these funds to cover operating expenses, with the hope that there would be federal money available for the betterment work! I – and the opponents – would rather that office expenses be cut and the money be used as intended. The vote was 198-124.



# Your State House

## Concord, New Hampshire



After all the concurrences, we dealt with the one motion to not concur with Senate amendments. HB 1491 had come from my committee, and my chair opposed it, citing the bulk (80+ pages) of the amendment and the lack of time to analyze it properly! This bill was killed, 297-20, with nobody speaking in favor.



*Carol McGuire*

Representative Carol McGuire  
[carol@mcguire4house.com](mailto:carol@mcguire4house.com)  
782-4918

Finally we were asked to approve the recommendations of the joint committee on employee relations, which was an attempt to interfere with the ongoing negotiations with the state employee unions. This resulted in a lengthy debate, with some opposed to the process, and others concerned about the unfunded, retroactive pay raises included in the report we were being asked to approve. I was convinced that this was an attempt to weigh in on the union side when the situation (inevitably) went to court, but it passed 199-108.

That wound up the scheduled activity for this session. My committee has four bills in interim study, and two really do need study: HB 1367, on granting licenses to people from states where that profession doesn't require a license; and HB 1485, on installing cameras in group homes for the protection of residents and staff. I hope to work on HB 1367 later in the summer; the state house is closed until mid-August.

At least one session will be scheduled to vote on vetoes; SB 159 (net metering) has already been vetoed, and there are bound to be some from the concurrences. Anything that passed by less than 2/3 will fail if vetoed, so I'm already planning to resubmit some of my bills that got tucked into an omnibus – or tabled because they weren't important enough for the Senate to deal with!