



# Your State House Concord, New Hampshire



March 13, 2020

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

This week, the House took Tuesday off for town election day, and then met Wednesday and Thursday on 400 bills. Thursday was the deadline for all House bills except the 129 that are in a second committee, so we had to act on all of them before ending Thursday night. Much of this was poor planning – we'd spent an entire afternoon doing reprimands for legislators who hadn't yet taken sexual harassment training, and when we had a week off for snow, the following week's calendar had almost no new bills on it. In addition, many committees had released their bills fairly late, so we had more bills than usual at this deadline. Most of the time, it didn't seem as if the Speaker and the majority were feeling any time pressure.

First we dealt with the consent calendar, 201 non-controversial bills at once. Then we debated HB 1102, requiring food service establishments to have allergy awareness procedures and training. This was “Rachel's Law” and Rachel's family was in the gallery; the bill passed, 232-81. I was one of the opponents, as every place I eat seems to have notices and warnings about food allergies; if they don't, I doubt a new law will make a difference.

We debated HB 1162, which replaced the words “husband and wife” with “two adults” in the adoption statutes. It's hard to say a same sex married couple shouldn't adopt, and adding unmarried couples was the point of the bill – but completely deleting “husband and wife” got a lot of people upset. The bill finally passed on a voice vote. HB 1167, on family court-ordered counseling, passed without debate, and HB 1278, on the use of psychotropic medications for children in foster care, was likewise held for interim study.

“Interim study” is used in the second year of the session in two ways. First, some committees use it to actually study the content of a bill, working with stakeholders to resolve the open issues and polish the language. It's kind of a study committee of people from that committee. Secondly, it's called “death with dignity” - you can't pass the bill (problems with language, unresolved fiscal issues, split positions that can't be resolved in the time available), but you don't want to directly kill it either. In that case, no actual study goes on, and if any issue will come back next session.

HB 1349, establishing a study committee on incidents involving children with access to unsecured firearms, passed 205-128, without debate. I voted against because I wouldn't want to serve on such a committee (my standard position on study committees); the 127 other Republicans who voted against it (based on conversations) thought it was a ruse to generate backup for gun control efforts. HB 1360, allowing legislators access to confidential information about a constituent (or the constituent's family) if authorized by the constituent, was debated and killed on a voice vote.

HB 1516, raising the minimum age for marriage to 18 (that is, deleting the option for a parental or judicial override of the normal minimum age) was debated at great length. It was not tabled, 128-209; debated on the committee amendment which allowed emancipated minors to marry, which failed, 113-230; debated on a floor amendment which simply forbids people under 18 to marry, which passed, 208-137; an amendment granting an exception for pregnancy was debated and not passed, 136-209; an amendment to delay the effective date by another year was debated and failed, 135-211 (I thought the argument about losing deposits on lavish weddings was particularly weak!); a motion to limit debate (that is, not adding any additional speakers who hadn't signed up



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already) passed 213-133; and after completing the planned debate it passed, 207-132. A motion to reconsider failed, 115-221. All these votes, except for the committee amendment, were overwhelmingly party line. I'm not in favor of 16 or 17 year olds marrying, as a rule, but absolutely banning the practice, even with parental and/or judicial approval, is ridiculous. For most of the history of the human race, 16 or 17 was considered a normal age for marriage, and even today there are some people who are ready to take on adult responsibilities at that age.

HB 1597, on children committed to the state, passed on a voice vote, then we reconsidered: the Speaker hadn't noticed that someone was signed up to debate the bill. Reconsideration passed, 213-121, then we passed the bill again. HB 1657, completely deleting any attempt to collect the cost of court-ordered services for juveniles from the parents, had a short debate then passed on a voice vote. I would have opposed this much more strongly if the fiscal note hadn't shown that the state spends nearly as much as it brings in when trying to collect these debts!

HB 546, licensing art therapists, had a second committee amendment to remove the insurance mandate, because there are so few art therapists that proper coverage was impossible. That passed, and the bill passed, 197-139, after a short debate.

HB 1140, establishing a commission to advise on hospital mergers, and HB 1186, a committee to study financial disclosure statements by advocacy and lobbying groups, both passed without comment. HB 1166, a committee to study why people don't have health insurance, was briefly debated before passing, 208-130. HB 1209, requiring fidelity insurance for condominiums, passed on a voice vote, as did HB 1233, an insurance mandate that children's early intervention services be covered without

deductibles or co-pays. HB 1274, which requires bottled water meet the same purity requirements as tap water, was amended to have the department of environmental services devise a way to enforce this on out-of-state suppliers without violating federal law! I would have thought that's what the legislature does, but this committee (and the full House, on a voice vote) passed it down to an agency. The bill passed as amended.

HB 1280, another insurance mandate, required insulin (any type, any quantity) be provided for no more than \$100/month. It passed, without debate, 223-121. HB 1287, mandating long-term antibiotic treatment for Lyme disease be covered, passed without comment.

Immediately after lunch, one representative who had been absent last week moved that his reprimand be delivered today, rather than stay hanging over his head. After some confusion, the speaker pro tem (who had been moving the previous reprimands) moved to table this request, as it did not have to be done before the deadline. Despite the argument that justice delayed was justice denied, we proceeded to table the reprimand, 210-115.

HB 1320, requiring landlords to notify tenants that their insurance did not cover the tenant's belongings, was debated and passed, 287-51; I voted against and was surprised the vote was so lopsided. HB 1345, allowing the alternative treatment centers for medical cannabis to reorganize as for-profit entities, was briefly debated and passed on a voice vote. One of the reasons medical cannabis is so expensive is that the operators have very expensive debt, and this change will allow them to convert the debt to equity.

HB 1410, raising the age to purchase tobacco products and e-cigarettes to 21, and incidentally forbidding the sale of e-cigarettes with flavors



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other than tobacco and menthol to adults, was debated on the latter point. If adults want to use bubble gum or fruit flavored vapes, that's their choice; after all, the state sells candy-flavored liquor. Nonetheless, HB 1410 passed, 192-143.

HB 1417, prohibiting the use or collection of biometric data, requires private entities to get permission before collecting or using biometric data. This allows fingerprint unlocks on phones, security eye scans, or facial recognition scans, as long as permission is granted. As is common in New Hampshire, this complex and important bill passed without debate. HB 1446, creating a study committee on product labeling regarding PFAS (per- and polyfluoralkyl compounds, this session's environmental scare product), *was* debated and passed on a voice vote.

HB 1455, requiring auto insurers to to cover repair procedures recommended by the manufacturer, is a slightly modified repeat of HB 664 from last year, which was vetoed by the governor. It still will likely increase insurance costs, favors dealers and large repair facilities that invest in expensive diagnostic equipment, and makes vehicle repairs more costly. The bill passed 216-120, without debate, as we had beat this issue to death last year, between the bill and the veto.

HB 1470, exempting school-produced maple syrup from labeling requirements, was not tabled, then passed on a voice vote. The requirements for maple syrup are so minimal, I didn't understand the problem, until the representative who made the tabling motion (Howard Pearl from Loudon, a maple producer in his day job) explained that determining the grade required a hygrometer, and several had already been donated to the few schools producing maple syrup.

HB 1472, forbidding the distribution of plastic straws, was debated and passed, 197-135. Besides my general opposition to self-conscious virtue

signaling, I was opposed because this bill only addressed "single use" straws, and the thought of reusing straws in a bar or restaurant just appalls. HB 1483, permitting restaurants to allow dogs on patios, was also debated before passing, 208-125.

At this point a representative who had missed the previous session moved to remove from the table HB 1149, on child obscenity. Considering the length of the calendar, the fact that the bill had been recommended to be killed by an overwhelming vote of the committee (17-3), and that it was tabled to avoid debate in the first place, no-one was surprised that the motion failed, 96-240.

HB 1484, a technical bill on denials of previously paid insurance claims, passed without comment, as did HB 1495, prohibiting the sale of over the counter rape test kits. HB 1500, creating a student loan bill of rights and a student loan ombudsman, and licensing student loan servicers in New Hampshire, is an attempt to solve a national problem with heavy handed state regulation. 90% of student loans are heavily regulated federal loans, and there was no evidence of poorly serviced loans here (burdensome loans, yes, but not problems with the service.) The bill was not tabled, 129-197, debated, and passed, 197-128.

HB 1535, forcing homeowners in condominium or deed-restricted associations to allow solar panels, even if their covenants prohibit them, passed on a voice vote, without debate. HB 1564, prohibiting the use of polystyrene foam for single-use food containers, was debated and passed, 194-129.

HB 1588, on mortgage mediation, quietly went to interim study, and HB 1589, requiring all businesses to take cash, was killed without comment. HB 1633, adding a mandate for health insurance to cover all blood testing for tick-borne illnesses, was not debated but passed, 219-104. I pointed out that this, along with all the other mandates we'd imposed today, would increase the



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cost of insurance and was doubtless a reason some people don't have health insurance! HB 1695, requiring background checks for directors of trust companies, passed without comment. HB, on plastic recycling, was amended to require various retailers to provide collection bins for plastic films and bags (like the ones you see at the entrance to Market Basket or Walmart, or at the dry cleaner's), and passed 197-127, without debate. Apparently the majority doesn't do their own grocery shopping...

HB 1159, on cyberbullying, cyberstalking, and doxxing of a public servant, was debated before going to interim study on a voice vote. HB 1174, requiring screening all law enforcement officers for psychological stability and substance use disorder, passed without comment. HB 1257, creating a study committee to investigate opportunities for citizen involvement in investigations of officer involved shootings, passed on a voice vote (my "NO" wasn't loud enough, I guess.) HB 1283, prohibiting online disclosure of another person's information, also went to interim study.

HB 1350, requiring a locking device be included in all commercial gun transfers, was debated before passing, 169-153. A motion to reconsider failed, 158-166, so it can't be changed in the House. HB 1374, deleting the prohibition for state agencies to operate "surrender and destroy" programs for firearms, was debated and passed, 181-141.

HB 1560, increasing criminal penalties for the death of an animal, was not tabled, 149-170, amended 188-132, debated and passed on a voice vote. I was opposed because making animal cruelty or death by negligence a felony for the first offense seems excessive. HB 1586, repealing the statute of limitations for sexual assault, was not tabled, 161-162 (the speaker broke a tie), then debated at length before going to interim study, 200-123. It

seems that the committee agreed the current limit of 6 years is not right, but they had no consensus on the proper period. A longer statute of limitations allows more time for adults to bring cases alleging child sexual abuse – but also hampers the ability of the accused to defend himself. Interim study made sense to me.

HB 1608, banning large capacity magazines, was also debated at length. The committee amendment passed, 170-111; an amendment to exempt some target shooting failed, 153-157; and the bill passed, 150-145. HB 1613, allowing prisoners serving life sentences be eligible for parole after 25 years, was killed without comment, as was HB 1671, requiring felony-level search and arrest warrants be issued by the superior court. HB 1645, extending the period of consideration for an annulment of domestic violence offenses from 3 to 10 ten years, so as to prevent recurrent offenses from being annulled, passed without debate.

At this point, having completed three committees (of eighteen reporting) the House recessed for the evening to allow representatives to attend various town meetings and county delegation meetings.

First thing Thursday (9:20) there was a quorum call, revealing that 308 representatives were present. Some came and went, but the number stayed well above the critical 257 (2/3 of those in office) for the rest of the day (and night.) HB 1675 had been special ordered to 9:30 am, so we started with that. It required that infants born alive after an attempted abortion must be given appropriate medical care. It was debated with heat, since an abortion survivor was present in the gallery, and the majority insisted that infanticide after abortion just didn't happen here. No data, though, since New Hampshire doesn't collect *any* data on abortions. The bill was killed, 177-131, with three from each side (including Alan Turcotte) voting away from their party.



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HB 1136, allowing school superintendents to delegate the criminal record check reviews, passed on a voice vote, without debate. HB 1148, allowing schools to display the national motto, "In God we trust," was debated and killed, 182-131. HB 1206, adding two students as non-voting members of the state board of education, passed 183-132, without debate.

HB 1231, establishing a commission on educating parents on non-core topics, was debated at cross purposes. The opponents mentioned problems with not including teachers and parents, but the supporters had proposed an amendment to include both groups. Nonetheless, the bill was killed, 173-138. HB 1232, on the burden of proof in special education hearings, went to interim study without comment. HB 1243, on the process for approving a college to grant degrees, was debated and killed, 177-135.

HB 1251, banning transgender girls from playing on girl's athletic teams, was debated at length and killed, 184-131. HB 1285, banning guns on school property, was also debated at length, and passed, 182-141. I don't believe the debate on either bill changed anyone's mind, if the number of representatives chatting in the anteroom was any indication.

HB 1306, repealing the statute that allows reciting the Lord's prayer in schools, passed 196-128, without debate. HB 1321, creating a study committee on legislative oversight of charter schools, was amended, 190-132, to revise the current oversight committee on charter schools and passed, 188-137, with minimal debate. HB 1323, requiring schools to provide parents the statewide assessment data no later than June 30, was briefly debated and killed, 187-139. The opponents were much more concerned with the administrative convenience of the schools than the rights of the parents to get the results of the annual academic

assessments: some schools delay the report until the fall, even though the tests are taken in the spring. Representative Jim Allard spoke, encouraging us to vote in favor of the bill.

HB 1327, clarifying the authority of the department of education, passed without comment. HB 1334, on religious activities in schools, was killed without debate, 197-125. HB 1423, requiring more reports from the organizations administering the tax credit scholarship program, passed 192-135, without debate. HB 1432, requiring high schools to report the competency assessment for each course with the state department of education, was killed without comment. HB 1435, revising the powers of the state board of education, passed without debate, 192-132.

HB 1459, changing non-academic surveys in schools from parental opt-in to opt-out, was briefly debated and passed, 186-136. This was another resurrection from last year: the governor vetoed a similar bill, SB 196, and the veto was sustained. I can't imagine anything different happening this year. HB 1473, requiring schools to have a special education parent advisory council, passed 226-97. The opponents were those, like me, who objected to making this council mandatory rather than recommended.

HB 1487, defending freedom of speech on college campuses, was briefly debated and passed, 203-121. HB 1501, a study commission on financial literacy, passed without comment. HB 1635, requiring climate education in grade and high schools, went to interim study after a short debate. HB 1636, on special education in charter schools, mostly dealt with the issue of where special education services were to be provided, and who would take care of the transportation, if required. It was killed after some debate, 187-132.

HB 1686, on the Medicaid to schools program, includes the licensing changes necessary to allow



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school professionals able to bill Medicaid for services performed, It mirrors the language of SB 684, which was passed earlier this year and has been signed into law. HB 1686 is being moved along “just in case” some tweaks are needed; I think one of them should have been sent to my committee to review the major licensing law changes, and since that didn't happen, I expect at least one clean-up bill next year. HB 1686 passed without comment, as did HB 1687, requiring all vehicles used to transport special education students have continual audio and video monitoring. Probably a reasonable idea, but very intrusive if regular school buses are used, and doubtless expensive for the school districts.

HB 1715, on renomination of teachers, is yet another stab at passing a bill that was vetoed by the governor; it was actually debated and passed, 182-131, on the usual party line basis.

HB 1266, on absentee ballot application forms, passed without comment. HB 1279, repealing last session's definitions in voting law (also a repeat of a vetoed bill) was not debated but passed, 189-133. HB 1299, defining that “the selectmen” who need to be at the polls on election day means “at least one,” was killed without debate. HB 1390, allowing “audits” of machine counted ballots, went to interim study, 219-105, without debate.

HB 1415, a study committee on campaign finance disclosure laws, was amended, 229-89, and passed on a voice vote. HB 1525, expanding the definition of political advocacy organizations, passed 198-124. HB 1534, establishing a commission to study online voter registration, passed without comment, as did HB 1643, which allows corporations and unions to set up PACs for campaign contributions, and HB 1651, confirming that citizens in prison on misdemeanor charges or waiting for trial are eligible to vote by absentee ballot,

HB 1653, almost the same as HB 1279, and just as likely to be vetoed, passed 191-129, without debate, as did HB 1665, an independent redistricting commission, 203-121, another repeat of a vetoed bill. Similarly, HB 1672, allowing all voters to use absentee ballots, passed 194-132, and will be vetoed again.

HB 1319, prohibiting new landfills or expansions of existing landfills near state parks, was amended to include the Appalachian Trail and other federal areas, then passed, 189-123, without debate. HB 1422, a moratorium on landfills, went to interim study without debate, 260-56. HB 1570, creating a take-back program for paint, was killed without comment. HB 1630, relaxing definitions for “pet vendors” passed without debate.

Now at 4:10 pm, we started the bills from my committee. HB 1122, defining suicide as job-related for purposes of the state death benefit for first responders, had some debate before passing, 275-42. I spoke against because of the moral hazard, but wasn't too surprised at the result. HB 1228, proclaiming climate change awareness day, was not tabled, 132-188, debated, and passed, 197-114. HB 1253, creating an advisory council for dispensers of glasses and contact lenses, was briefly debated and passed on a voice vote. I debated HB 1286, licensing music therapists, but it passed, 182-125.

HB 1382, Solar Eclipse Day, passed 244-67, without debate. HB 1494, adding public works employees to those eligible for the line of duty death benefit, passed without comment. HB 1644, race information on marriage licenses, was tabled on a voice vote. It seems the governor had been assured that simply deleting everything except the marriage license section would work, and he wanted to get rid of that clause; the committee tried that approach but had been told by the agency that it might jeopardize their grants. So we tabled it



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until the agency spoke with one voice. HB 1713, relaxing continuing education requirements for child care workers, was tabled on a voice vote.

HB 1504, a study committee on trapping, was killed, 263-45, without debate. HB 1571, adding conservationists to those eligible to be fish and game commissioners, was tabled by Representative John Klose, 183-126.

HB 1223, authorizing a schedule 1 (illegal) drug take-back program, was debated and killed, 163-137. I wasn't sure this bill had all the details right, but it seemed worth a shot. HB 1275, allowing people to get laboratory tests on their own initiative and at their own cost, was debated and killed, 189-123. The opponents were extremely controlling and paternalistic, saying that people would excessively test themselves and not interpret the results properly. Maybe, but a lot of people get regular tests and they know what results they expect (diabetes, cholesterol, and doubtless others I don't use myself.)

HB 1404, on preventive treatment for sexually transmitted diseases for minors, was debated on the committee amendment (which deleted the section allowing pharmacists to dispense preventive treatment without a prescription, which is not valid in New Hampshire), which passed 182-123. After further debate, the bill passed 178-125; I voted against it for solidarity rather than conviction!

HB 1520, establishing a health policy commission, was debated and passed, 178-115. The opposition, myself included, believed that this commission was set up to lead to centralized regulation of the entire health industry. HB 1577, allowing birth certificates to be amended to reflect a sex change, was briefly debated and passed, 194-109. Since essentially the same bill had been vetoed last year, this was another foolish exercise.

HB 1655, including the vaccine association to include adult vaccines as well as children's was

debated at length. One reason for the opposition was that the change had a cost of over \$10 million per year, and it wasn't going to a second committee to review the costs and benefits. There was also the concern that the federal vaccine injury compensation program only applies to pediatric vaccines, so the state might be liable for any injuries that might occur. A better reason to object is that pediatric vaccines are scheduled and compliance is pretty high, but many adult vaccines are seen as non-essential: so buying vaccines in quantities to cover everyone with insurance is likely to be wasteful. It still passed, 185-118, with the one Democrat joining all Republicans in opposition being a pharmacist on my committee. HB 1666, on investigations into sudden infant deaths, had a long debate before going to interim study, 204-94.

At 7:40 pm, we voted to allow the speaker to adjust future deadlines as necessary to deal with the coronavirus. HB 1120, requiring periodic water tests in rental property, was amended to become a study committee on the issue, debated, and passed. HB 1143, repealing the limited liability of gun manufacturers, was briefly debated and passed, 170-126. This is a very silly bill because the supporters want to be able to sue the manufacturers for producing weapons that work as designed – manufacturers have no protection against suits if a gun **fails** to work! I anticipate a veto on this bill, especially since 10 Democrats joined all Republicans against the bill.

HB 1164, support for pets when the owners are charged with cruelty, was killed without debate. HB 1169, making roll call votes optional when some member of a public body is participating electronically, passed without comment. (I'll get to see how the current law works next Monday, when the county delegation is being encouraged to call in rather than be there in person.) HB 1177, revising the qualifications of judicial referees, was killed without comment. HB 1178, requiring pools on



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foreclosed property be covered, was debated and passed on a voice vote. (I joined several others in thinking that draining them would be more effective, and much more foolproof; but some members believe in specifying this sort of detail in our laws!)

HB 1202, on personnel matters discussed in non-public sessions of government bodies, was killed without debate. HB 1212, trying but failing to clarify the law about a murderer not inheriting from the victim, was killed quietly. HB 1266, prohibiting state surveillance on public roads or sidewalks, passed 267-18, without discussion. HB 1236, on the expectation of privacy, details the limitations on government use of our personal data, and also passed without debate. These are potentially the most important bills we passed this week, and they got almost no attention.

HB 1247, requiring advance notice of rent increases, was debated and passed, 188-108. HB 1312, requiring family courts make written findings before sending someone to jail for contempt, passed without comment, as did HB 1376, creating a penalty for unauthorized sharing of location data. HB 1391, prohibiting discrimination against people with pets, was tabled 196-96, before the debate.

HB 1461, allowing suits against carnival rides for negligent operations, had some debate before passing on a voice vote. HB 1475, prohibiting abortions after heartbeat detection, had a shorter debate than I expected before being killed, 194-91.

HB 1511, on actions against tenants, was killed without comment. HB 1539, relocating children with high lead levels while remediation takes place, was debated and passed, 185-112. I voted against because this well-intentioned bill would vastly increase costs for landlords and so increase costs for tenants and reduce the stock of affordable housing. HB 1542, about releasing children or

animals from hot vehicles, was killed without debate. HB 1559, unsealing the minutes of one type of non-public meeting after one year, passed without comment.

HB 1640, repealing the judicial bypass for parental notice of abortion by a minor, was debated and killed, 191-102. HB 1659, allowing euthanasia of terminal patients, was debated, not tabled, 131-154, debated some more, and then sent to interim study on a voice vote. I would have preferred to kill it, but interim study at least keeps it from passing this session. My HB 1673, putting non-profit organizations that receive substantial government funding under the right to know law, was killed without debate.

HB 1678, prohibiting abortion after fetal diagnosis (if the fetus has Down syndrome, some defects, or the wrong sex are the usual abortion triggers), was debated and killed, 193-101. HB 1685, creating special conservators of the peace, was killed without comment, most people not really knowing the issue.

At this point, (almost 11 pm) we moved, 182-116, to limit debate to 3 minutes per side. I voted against, since that low a limit also meant only one representative could speak on a bill. (three minutes per speaker would not be a problem; most of the legislature seems to have an attention span about that long!) After this, all debates were, by necessity, brief.

One member also moved to suspend the rules, extending the deadline for the remaining bills, for the sake of the elderly among us (average age mid-60's, I believe.) This was debated for a while, the question was moved to end debate, 182-116, and the rules suspension failed, 165-134, lacking the necessary two-thirds. One reason not to suspend the rules was that with the coronavirus hanging over our heads, there was no guarantee when we could meet again.





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HB 1171, applying the federal OSHA rules to government employers, passed 179-106, without debate. I was shocked that one Republican joined all the Democrats in imposing this expensive mandate on our cities and towns, since most of us are aware that the federal rules are nit picky and silly in many cases. Safety is a worthy goal, but citing an employer because a railing is an inch too low (one case I remember from years ago) is not the best way to advance.

HB 1386, employment protection for medical cannabis patients, went to interim study without comment.

HB 1358, adding more identification requirements to lobbyists, had been moved (by the sponsor) to be special ordered nine bills back, claiming "unique legislative issues." That failed, 101-194, and now that we had reached the bill, the sponsor tried to convince us that the committee rejecting his proposed amendment was "unique." We disagreed, and the bill failed, 221-63. Most of us have found the mandatory orange badges quite enough to identify lobbyists!

HB 1486, a study committee on information technology in the legislative process, passed without debate, as did HB 1694, clarifying and expanding the need for legislators to recuse themselves from voting on bills they have a personal interest in, such as the majority leader needing to recuse himself from bills involving government, especially school, labor relations (he's the president of the state teachers' union!)

HB 1105, which would require a petitioned warrant article that was amended at the deliberative session be put on the ballot in both the original and amended versions, was yet another attempt to preserve the intent of warrant articles, which many deliberative sessions throughout the state have notoriously amended to be contrary to the original intent. It was killed on a voice vote, then the

speaker realized he'd cut off an opponent who signed up to speak, and that member moved reconsideration so he could make his plea to us. Reconsideration passed on a very polite and respectful voice vote, the member spoke, and we killed the bill with another voice vote!

HB 1115, expanding the "compact" part of towns where firearms may not be discharged, was killed, 282-6, without debate. The six included two representatives from Pembroke, Schuett and Doherty, who were sponsors of the bill, but the other co-sponsors voted to kill it. HB 1147, prohibiting municipalities from requiring a license for a child's lemonade stand, was debated before being killed, 181-110. I voted for the bill, but I'd have preferred it to exempt either all children's snack stands or all lemonade stands!

HB 1160, allowing municipalities to collect a \$2 occupancy fee from short term rentals, was debated and passed, 174-113. I was opposed as this is *in addition to* the 9% rooms & meals tax already collected, and I agreed that a more appropriate solution would be to have the state distribute more of that revenue to the localities that collect it.

At this point, one member moved to adjourn. The speaker had the clerk explain that if we adjourned at this point (12:15 am) all our work in passing bills would be undone, since we hadn't read them a third time. (bills killed were OK.) Despite having passed some excellent legislation, I felt we could redo the important bills pretty quickly, and voted for adjournment. Few agreed and the motion failed, 41-247. I suspect that we all weren't in agreement on which bills were important and many feared that we would endlessly debate, again, the vetoed bills from last year.

HB 1173, yet another bill tweaking the definition of default budget, passed on a voice vote. HB 1211, authorizing a capital reserve fund under the control of the budget committee rather than the



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selectmen, was quietly killed. HB 1309, banning the selectmen from not implementing warrant articles approved by the voters, (a “yes means yes” position to complement the existing “no means no” provision) was tabled before the debate could begin, 185-105. HB 1443, making the city council rather than the city manager appoint the police commission in Claremont, passed quietly, as did HB 1451, changing the definition of “contract” in default budgets.

HB 1460, requiring selectmen and school committees to submit their budgets to the budget committee as a fully-detailed spreadsheet, was sponsored by my seatmate. After the committee recommended killing it, he had worked with the committee chair to develop an amendment to make it optional, rather than mandatory, so now the committee chair spoke against the committee recommendation and it failed, 43-207. The amendment was adopted on a voice vote and the bill passed, 281-8. HB 1490, creating a study committee on private roads, passed quietly. HB 1533, limiting the increase in property taxes for some residents, was tabled, 282-7, by the sponsor.

HB 1124, revising the definition of prime wetland (yet another bill whose previous version was vetoed) passed 175-107, without debate.

HB 1116, deleting waste incinerators from the renewable energy category, passed without debate. The majority tabled, on voice votes, HB 1225, increasing the net metering limit for municipalities; HB 1229, requiring new natural gas facilities comply with more expensive decommissioning rules; and HB 1261, changing the energy consumption reduction goal from “fossil fuel consumption” to “greenhouse gas emissions.” HB 1301, a study committee on microgrids, passed without comment. This had been vetoed last year, but largely on an unrelated matter added on by the

Senate; a restricted study committee might not be.

HB 1430, establishing a study committee on attaining a clean energy electric grid by 2030, was debated and passed, 169-100. HB 1444, adopting the California vehicle emissions standards, was not tabled, 110-178, debated, and passed, 179-109. The issue seemed to be that, since New Hampshire didn't mandate these standards, auto manufacturers don't send electric cars here! Still, we have about 1% electric cars, comparable to Maine and Rhode Island, which adopted these standards ten years ago and have 1.2 and 1.4% electric cars.

HB 1478, repealing a statute that has been found to conflict with federal law, was killed on a voice vote. HB 1481, increasing the net metering limit, was tabled 222-65; this was the Republican alternative to net metering, allowing any amount as long as 80% was used by the generator and no more than 20% was sold back to the utilities, at a rate that prevented cost shifting to other users. HB 1496, changing the rebate plan for greenhouse gas emissions by canceling all residential rebates, and using the funds for centralized energy efficiency programs, passed without debate, 180-101, as did HB 1518, making minor changes to the alternative compliance payments for renewable energy. HB 1676, requiring real time monitoring around Seabrook Station, was not tabled, 118-163, debated, and passed, 162-118.

HB 1330, proclaiming an annual day commemorating caregivers of wounded veterans, passed without debate, or actually, speeches in honor of this service. HB 1493, a study committee on the effects of deportation on primary earners on family members, was actually debated at 2 am before passing on a pure party line basis, 172-107. HCR 9, rescinding all previous requests for a federal constitutional convention – a bill that a lot of constituents have asked me to support – was



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tabled on a voice vote. HCR 10, urging Congress to grant states broader authority to set higher environmental standards than in federal laws, was tabled 237-43. HJR 4, a resolution urging congress to grant statehood to the District of Columbia, was tabled on a voice vote, as was HR 10, urging the return of soldiers from the middle east.

HB 1114, eliminating state motor vehicle inspections (but not the emissions inspections, alas) was tabled 226-43. HB 1153, on limited driving privileges after a DUI suspension, was killed on a voice vote. HB 1401, prohibiting smoking or e-cigarettes when a child under 16 is in the car, was debated before passing, 174-109. HB 1463, on mixed use school buses, was tabled on a voice vote, as was HB 1489, allowing nurses to certify walking disability for a handicapped plate. HB 1502, clarifying that optional equipment need not be working to pass an auto inspection, was killed as unnecessary on a voice vote. HB 1547, eliminating the fee for a walking disability placard, passed without comment.

HB 1552, requiring learner's permits for persons under 18 before they go out on the road, had a debate planned but waved off, and it passed, 167-114. HB 1617, increasing fines for use of mobile electronics while driving, passed on a voice vote. HB 1662, requiring seat belts for adults, was not tabled, 133-148, amended twice on voice votes, then passed, 171-114.

CACR 17, requiring a new broad based state tax only be used to reduce property taxes, was killed on a voice vote, as was HB 1132, a study committee on a multi-state plan phasing out corporate giveaways. HB 1200, a technical bill on the tax expenditure report, was amended to delay implementation of single sales apportionment of business taxes for multi-state enterprises, and passed on a voice vote. That's one bill that would

not be debated even at 10 am!

HB 1477, on cigarette taxes, was amended to become a study committee and passed without comment. HB 1646, on historic racing in charitable casinos, was tabled, 155-121, on one of the few non-partisan votes of the week.

These were the last bills from the regular calendar so we moved on to bills taken from the consent calendar, which are the non-controversial, minimal cost ones we deal with at one vote.

I spoke against HB 1637, establishing a kinship navigator program to help grandparents, etc, find available services and benefits, not because of the program itself (it's scandalous, though, that we have so many services and programs that grandparents thrust into caring for their grandchildren need help to find what's available) but because the program started without legislative authorization, was being funded by over \$200,000 per year (federal funds) and had, in fact, been expanded by another federal grant to cost almost \$900K per year! I lost the vote and the bill passed, of course.

I then moved to reprimand the chair of that committee, since putting bills with substantial fiscal impact on consent is a violation of House Rule 51, and by reprimanding people who hadn't taken sexual harassment training, we had established that a reprimand is the response to repeated violations of House rules (I'd taken other bills with fiscal impact off consent from this committee.) The representative who had spoken on the other reprimands waved off the charge, claiming that the punishment for putting these bills on consent is to debate them at the end of the day, when we're all tired and (usually) cranky. I was very disappointed that 23 Republicans joined all but one Democrat in voting against the reprimand,



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which failed, 80-196.

One member had pulled five bills from the Commerce committee which were recommended for interim study. All five quickly went to interim study on voice votes, without debate: HB 1397, on debt collection; HB 1464, on health insurance coverage for yoga; HB 1508, banning paper receipts unless asked; HB 1690, prohibiting fees for paper bills; and HB 1697, banning discounts by makers of prescription drugs.

HB 1256, establishing a committee to study the effectiveness of the Granite Hammer program, had been recommended to be killed, but was tabled instead. HB 1268, creating a study committee on student loan forgiveness for volunteer work, including in the legislature, was actually debated before being killed, 225-47. HB 1337, permitting parents to opt out of armed assailant drills in schools, had been recommended for interim study, but was tabled instead, 156-119.

HB 1562, including soil health in the state soil conservation plan (including resilience in the face of climate change!) was quietly passed on a voice vote. HB 1628, increasing the age for vaping (to 19, when other bills and federal regulations set it at 21) was tabled instead of being killed.

HB 1607, granting immunity to employees who are “just following orders” was killed on a voice vote. HB 1670, requiring grand jury proceedings be audio recorded, was debated on the expected cost: the initial estimate was about \$700,000 per year, but (as the committee chair pointed out in a leading question to the speaker) the committee amendment had eliminated the cost. The bill was then passed on a voice vote.

HB 1144, requiring some employers to report data on wage differences between male and female

employees, had some highlights mentioned, then passed, 179-98.

HB 1165, another controversial bill, this one closing a section of the rail trail in Gorham to ATV traffic, had been removed by the representative from Gorham, who warned of unintended consequences and moved to table it, which succeeded, 208-69. I was surprised that this bill was on consent, considering the number of people who've mentioned concerns about it to me.

HR 11, urging congress to remove marijuana as a schedule 1 drug, was tabled, 240-37. One joker suggested that as it was now 3:50 am, we should wait until 4:20 to deal with it symbolically, but he was quashed by his neighbors.

Thus finished the longest day I've had in over 12 years in the legislature. It was frustrating that we debated study committees and bills that are expected to be vetoed (again), and that so many were left to the last minute. Also, so many votes were partisan on issues that I wouldn't have thought were partisan, but I guess Democrats just see it differently!



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