



Your State House Concord, New Hampshire



January 14, 2022

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

This week, my committee started dealing with 2022 bills by holding two full days of public hearings. HB 1262, celebrating the 250th anniversary of the Pine Tree Riot, had the sponsor explain what the Pine Tree Riot was and why it was important. It was pre-Revolutionary, and started as resistance to the governor trying to enforce the King's claim to all pine trees larger than 12" in diameter (needed for ship's masts.) When the governor sent the sheriff to Weare as a tax collector, some individuals who had been cutting pine trees severely beat the sheriff and deputy, mutilated their horses, and sent them on their way. When they were prosecuted for these offenses, they received only a token fine, and this result encouraged others in the colonies to oppose the King's laws (specifically the Boston Tea Party.)

HB 1566, on the prescription drug affordability board, required some information on this fairly new board. It's funded by charges on drug manufacturers and distributors, and the bill creates a dedicated fund to pay for staff – and specifies a high-level unclassified position. This bill went to subcommittee as we had questions on the process of creating the position, and also on the necessity of this board in a small state such as New Hampshire.

HB 1273, requiring the use of free and open source software, started by the sponsor teaching us about all the different types of “free” software! The commissioner of the department of information technology opposed the bill, reporting that they used open source software for most of their applications, and that he didn't need a *third* oversight commission! (he did suggest adding

some legislators to the software advisory council and getting rid of the inactive legislative committee – sounds like a good idea to me!) The other speakers were all in favor of the bill, but many of them sounded like they were in the open source software business and were hoping to sell more to the state. HB 1581, also on open source software, was a more narrowly tailored bill that simply re-established a requirement to consider it that had been deleted (apparently inadvertently) in the 2019 (?) reorganization of the department. The two bills went to subcommittee together.

HB 1213, on legal holidays, was another attempt to make election day, and primary day, a state holiday. The sponsor was the only person speaking on the bill. HB 1037, on the governor's duties in a state of emergency, was a very simple bill to delete some redundant language. Again, only the sponsor testified.

HB 1002, establishing a study committee on personal use of state owned vehicles, was declared unnecessary by the sponsor, since a similar study a few years ago was done and found no issues. Since this hearing took much less time than planned, we went into executive session to vote on some of these bills. HB 1002 was voted to kill, 17-0, as was HB 1213 (holidays.) We discussed HB 1037, but some of us thought that one of the deleted clauses should remain in statute. A supporter promised to get an amendment and we went on to HB 1262, Pine Tree Riot commemoration. Initially we were going to wait for the governor to announce the celebration, but since the pine tree riot occurred on April 14, we also resented being asked to push through a bill in record time. With our general opposition to declaring special days, we discussed the riot and then voted, 15-2, to kill the bill.

HB 1123, asking state agencies to increase their usage of bio-fuels and report on it, again had the



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sponsor lecturing us. We learned that current law already requires Transportation to consider bio-fuels when buying diesel – and they do, but can't find a cost effective supplier.

Thursday was a full day of bills on pensions. HB 1535 would create a 1.5% cost of living adjustment (COLA) on the first \$30,000 of pensions for people retired at least five years – and then authorize the pension system to automatically grant COLAs every year, without legislative oversight! I'm generally opposed to COLAs – fixed benefit pensions rarely have them – but the automatic increases are a complete no-no. This bill went to subcommittee for some work. HB 1417 would require the state to pay 7.5% of the employer contribution for municipalities, less than the previous amounts we rejected last session...

HB 1079 would increase the number of hours a retiree could work without penalty, and eliminate the 28 day vacation after retiring. That last issue is based on an IRS rule requiring a “clear break” between retiring and work as a retiree; the sponsor agreed to eliminate it. This bill also went to subcommittee, since there are some real abuses out there, but most retirees do *not* take advantage of the system.

HB 1257 required the retirement system to divest any investments in China, because of their human rights abuses. Questioning revealed the sponsors knew little about mutual funds, since they exempted actively managed ones but not index funds; the language of the bill was interpreted to mean companies headquartered in China, but it seemed to me that any company with “operations” in China could be banned. The retirement system formally came out against this bill as interfering with their fiduciary duty to invest for the benefit of the participants.

HB 1319 included corrections personnel in the definition of those eligible for line-of-duty death benefits, supported by the sponsor and the department of corrections, opposed by nobody. HB 1318 created penalties for employers that don't provide data to the retirement system in a timely manner, which can cause retirees to lose the time allowed for corrections, or have a final pension amount calculated in a timely manner. We immediately voted, 13-0, for HB 1318 to pass; HB 1319 was passed 15-0 as more representatives came back into the room. HB 1257 was debated and finally voted to kill, 12-3, with the three willing to pass up their fiduciary duty because of their moral opposition to China.

Finally, we heard HB 1590, which would allow municipalities to withdraw from the retirement system for new hires. Current law allows this if the town pays the unfunded liability and provides an equivalent pension; this bill eliminates the need for the pension. The small towns in question have very few employees, who would prefer higher wages; it's not clear if or how the towns would pay their share of the accumulated unfunded liability, nor how that would be calculated.

So, 15 bills, six voted out of committee, five in subcommittee. Next week we also have two days of hearings and first subcommittee meetings.



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