



January 7, 2022

Your State House Concord, New Hampshire



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

This week, the House met to vote on all remaining 2021 bills. We met in the Center of New Hampshire, rather than the House chamber, to allow more room for distancing and for separate masked and non-masked sections. This was not optimal, since the acoustics were poor, and it was hard to see who was speaking; if you needed to speak with someone, it was almost impossible to find her. Still, the snow forecast for Friday encouraged us to be efficient and we finished Thursday afternoon.

First, we dealt with the governor's vetoes: HB 98, moving the state primary election, was upheld, 38-313; HB 239, on changing the statute of limitations for (non-sexual) assaults on minors, was sustained, 35-312 after a rambling debate. HB 242, on the content of an adequate education, was sustained, 165-182. HB 334, a mixed bill that repealed the law against carrying a firearm on an OHRV or snowmobile, as well as the state "gun line," had some debate before the veto was sustained, 138-212.

The veto of SB 38, which allows medical cannabis centers to be for-profit entities, was overridden in the Senate, and we had to wait for it to arrive. With a lot of confusion due to the scheduling (and because the bill was not listed in our calendar), the veto was upheld, 228-115, one short of the necessary 2/3. As a sponsor of SB 38, I voted against the veto.

We adopted the House schedule for the rest of the year, setting deadlines for all bills, and rejected, 169-186, an amendment to House rules that would allow remote meetings of committees and the

whole House. This was largely partisan, but really, after last year I don't want to have to chair a Zoom hearing ever again – and the thought of a remote meeting with 400 participants is horrifying!

We voted, 317-40, to suspend the rules to introduce HB 1650, which would allow representatives to receive mileage payments for sessions, wherever the sessions were held. Then we voted 326-34 to introduce the bill, and passed it on a voice vote.

HB 60, raising the minimum age of marriage to 18, was debated at some length before being killed, 192-165. It's currently 16 with parental consent (or a judge's approval) and there have been 5 such marriages in the state in the last two years. HB 228, adjusting the child support calculations when both parents spend time with the children, was also debated before passing 189-163: apparently the current statutory language on child support confuses the state supreme court...

HB 65, requiring restaurants to post food allergy info on their menus, was debated on whether this requirement should be in laws or rules, as the raw food warning is. It was referred to interim study, 194-164. HB 92, which would establish a study committee on regulating animal groomers, was actually debated before being killed, 197-159. HB 166, which required pools or other water features on foreclosed property be covered, was debated before dying, 186-160. HB 191, relative to prior authorizations under managed care, was debated even though the incentive for the bill was the health care disruptions suffered under Covid, and it was killed 190-162. HB 245, repealing the requirement that convenience stores carry \$3,000 in groceries, was argued by the sponsor before being killed, 292-62. I voted for it because I can see the point of allowing some stores to specialize, but am not really upset that it failed. HB 472, a very technical bill on health insurance "clawback"



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features, was debated in a way that failed to make the issues clear, then was killed on a voice vote.

HB 473, requiring leases have a statement about renter's insurance, had a rather condescending debate before being killed, 190-166.

At this point (2:30 Wednesday) the chair of the redistricting committee moved to special order the three redistricting bills to the next order of business, citing our slow progress and the constitutional requirement to balance districts after the census. This passed, and it was moved to table HB 50, the House representative districts. The vote was 179-178, and the Speaker voted to tie, so the motion failed. The majority amendment passed, 186-170, the minority amendment failed, 165-192, after some debate, and the bill passed, as amended, 186-168. I spoke in favor of the plan, and gave some of the reasons we made the choices we did. It seems there are two different approaches to redistricting: either look at the current districts with the new numbers, and tweak as necessary, or start with a blank map and create districts that meet the requirements. I and the other Republicans on the committee mostly did the latter, while the Democrats almost entirely based their plans on the current districts.

HB 52, the congressional districts, was not tabled, 177-178, before we adopted the majority amendment 184-171, without debate. The minority amendment (which simply moved one town from CD1 to CD2 to balance the population changes) failed, 167-189, after debate, and a floor amendment (creating a much more compact CD1) also failed, 174-182. The rationale for the majority plan – to actually make a competitive district – was presented before we passed the bill, 186-164. HB 54, county commissioner districts, had the majority plan adopted on a voice vote, then the minority plan rejected 157-182 after a brief debate. This plan also passed, 184-159; these bills were all

basically party line votes (as expected.)

After this excitement, we returned to HB 488, a study committee on out of state health insurance, which was sent to interim study on a voice vote. HB 592, which would require bonds from vaccine manufacturers, was debated at length before going to interim study, 168-167. It seemed to be a badly written bill (a good reason for interim study if one agrees with the concept) and many on the committee didn't agree with the concept, hence the debate. SB 68, requiring employers to provide reasonable accommodations for pregnant employers, was debated briefly before going to interim study on a voice vote. SB 69, about employers providing facilities for nursing mothers, was tabled, 180-155, before the debate.

HB 147, which increases the penalties for assault of an elderly person (over 65!) had no debate before we killed the committee amendment, 66-260, and tabled the bill on a voice vote. We elderly representatives don't care to be considered so feeble that we need to be considered a special class of victims (I'm not sure about the average age of the House this session, but it's usually about 60.)

HB 237, legalizing and regulating the sale of cannabis, had minimal debate before the committee recommendation of interim study failed, 158-171, and ought to pass also failed, 163-170. Much of the opposition (including me) supported legalization but didn't like the regulatory scheme. HB 237 was then tabled, 300-32. A motion to bring HB 607 – local education freedom accounts – to the next order of business failed, 161-172, and we finished up the day.

Thursday began with a short debate on HB 238, prohibiting the so called “LGBTQ panic” defense. It passed, 223-118; I voted against because it seemed unnecessary. We should not, by statute,



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deny anyone their defense in court, even if the defense seems silly and biased. HB 579, requiring notice before conducting immigration checkpoints, passed 254-85 with no debate. HB 598, allowing parole after 50% of the minimum sentence (current standard is 2/3), was debated and killed, 181-171. HB 620, requiring local law enforcement agencies to gather and analyze demographic information – race and gender – was tabled on a voice vote before debate. Besides being an unfunded mandate for local agencies, there is no standardized way to determine race: different officers might well classify people differently.

My HB 629, legalizing possession, use and growing cannabis, but not sales (so no taxes) was not tabled, 144-210, then debated. The committee recommendation of interim study failed, 122-231, and the bill passed, 241-113. It's off to the Senate, where passage is not assured.

HB 632, prohibiting a life sentence without parole for a juvenile, was briefly debated and killed, 181-174. It seems that life without parole sentences for juveniles are subject to judicial review, so the bill simply eliminates that review. SB 92, an omnibus bill with the most controversial section being a change to bail release for accused criminals awaiting trial, was tabled before debate: there are a number of other bills on this topic this year.

HB 20, the original education freedom accounts bill, was also tabled before debate, as was HB 136, requiring schools to be able to identify students as “non-binary.” HB 214, a statewide assessment of facility needs, passed without debate. HB 255, which the committee had amended to be a ban on vaccine mandates, was tabled, 213-142. As a procedural point, tabling is preferable to killing a bill since it doesn't prohibit a similar bill being considered; also, tabling is not debatable, so it will be quicker when the result of a vote is known.

HB 607, local education freedom accounts, was tabled, 187-170, as was HB 608, the formula for funding an adequate education, 193-154, and SB 44, establishing a community college workforce program, 201-148.

HB 87, on electioneering - particularly wearing political clothing at the polls - was not tabled, 166-184, debated and then passed, 186-164. HB 327, requiring voters to show ID when delivering absentee ballots, went to interim study without comment. HB 514, slightly changing the formula for rotating party position on the ballot, was debated at some length and passed, 188-165. HB 531, establishing provisional voter registration and provisional ballots, and HB 535, eliminating the qualified voter affidavit, were both tabled without comment (the choice was to further study the issue, or just kill the bill!) HB 554, on temporary absences from home, was likewise tabled.

My committee had only one important bills: HB 275, finalizing the emergency powers reform we worked on last year. This bill limits the governor to three renewals (84 days) but allows the legislature to declare an emergency for 90 days, renewed as often as necessary; it was debated and passed, 190-165. Reconsideration failed, 170-184, so it's off to the Senate.

HB 84, Ona Judge day, was amended and passed without comment; HB 204, declaring Granny D day was tabled, 229-118. (I made the motion, since there were two representatives speaking in favor of this rather minor bill, and one would not be brief.) HB 414, codifying the current practice on emergency evacuations, was killed, 198-156, without debate.

HB 91, death benefits for first responders who die by suicide, passed without comment. HB 254, on



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placing minors in secure settings, was debated on whether property crimes should be completely ignored when securing minors. It was not tabled, 151-204, debated some more, and finally passed, 264-87 when the responsible committee agreed to bring these issues to the Senate. HB 398, appropriating funds for some wastewater projects, HB 412, allocating funds to getting federal funds for wastewater projects, and HB 536, death benefits for public works employees killed in the line of duty, all passed without debate. HB 591, setting a license fee for tobacco-only retailers, was explained and passed, 282-66. Tobacco sellers require the same inspections and audits as beer and wine, or beer and cigarettes, sellers, but had been paying a \$6 license fee rather than the \$216 for alcohol sellers.

HB 118, on the fish & game commission, was killed 321-31, without debate. HB 490, on game cameras, passed 195-159, without debate. HB 103, establishing an adult dental benefit in the state Medicaid program, was not tabled, 138-213, debated, and passed, 225-127. I was opposed since it's a new entitlement, currently available on one of the managed care medicaid programs; many people don't actually want or won't use a dental benefit.

HB 359, creating a cause of action for discrimination on the basis of hairstyles or ethnicities, was tabled without comment. HB 478, requiring St Gobain Plastics to pay for remediation of the water in Merrimack, had a very long debate. It was not killed, 139-212, then passed on a voice vote. HB 597, detailing the expectation of privacy, passed without debate.

HB 622, protecting the pre-born, was tabled by both sides since the Speaker had declared the committee amendment (repealing the ultrasound requirement) non-germane, and nobody wanted the original bill. The ultrasound is actually only

required to verify the fetal age, to make sure it's not over 24 weeks, but the opponents don't want to admit that!

HB 517, raising the minimum wage, was tabled, 191-158. HB 589, requiring worker's compensation to cover some prophylactic treatments, passed 211-133 without comment. HB 558, creating a study committee on information technology in the legislature, was killed 183-162, without debate. HB 122, separating two capital projects, was explained and passed.

HB 571, repealing the prohibition against OHRV travel on Hoit Road Marsh, was debated and passed, 189-158. HB 611, abolishing water fluoridation, was tabled, 187-162, before debate.

HB 153, a study committee on internet access, and HB 167, expanding net metering limits, were both tabled, 194-151 and 185-153. I was surprised by the support for HB 167, since the same language had passed and been vetoed last session, and the veto upheld! Why some expected a different result this time was mind-boggling. HB 172, setting greenhouse gas reduction goals, was tabled, 180-159. HB 308, on utility pole attachments, was killed on a voice vote as a similar statute had been approved in the budget. HB 376, a study committee on electrical microgrids, was tabled 184-152, as was HB 382, a study of demand charges (voice vote), and HB 394, study of carbon pricing, 191-151. HB 410, a study of assessments of utility property, passed without comment. HB 543, a study commission on nuclear power, was debated briefly and passed on a voice vote.

There was a rare (first time I've seen one!) unanimous vote on HB 549, restructuring the systems benefit charge for energy efficiency projects. After debate on the committee amendment (passed on a voice vote), and on a



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Democrat amendment (which failed 155-189), **both** sides urged us to pass the bill and the vote was 343-0!

HB 355, a tweak to the laws on Keno, and HB 364, revising the definition of “charitable organization” for the purpose of holding raffles, both passed without comment. HB 614, exempting the state and its subdivisions from paying the cost of compliance with the renewable power portfolio, was debated at length. One issue was that it would undermine funding for renewables, the other that it would reduce costs for property taxpayers. The bill finally passed, 177-158.



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We then dealt with the bills that the committees had put on the consent calendar of non-controversial bills, but that some representative didn't agree. HB 408, on employment restrictions for registered sex offenders, was debated at some length. A floor amendment to increase the restrictions failed, 73-263, and the bill passed on a voice vote. HB 526, changing the fines for possession of cannabis, had been listed as to be killed, but actually the committee wanted interim study. We voted for further study, with explanations rather than debate. HB 362, domicile of students for voting purposes, was tabled 312-25, largely to avoid debate. HB 116, regulation of personal delivery devices, was argued by a representative who wanted more comprehensive regulation: but without this bill, we have no regulation at all and the devices can operate as they please. The bill passed on a voice vote.