



Your State House Concord, New Hampshire



February 4, 2022

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

This week, my committee continued with public hearings. We heard HB 1159, recognizing November 7 as victims of communism memorial day. This was sponsored by a number of representatives who had migrated into the US from countries that had suffered from communism, so we heard some heart-wrenching stories. However, our resistance to special days was reinforced by the discovery that November 7 is already a federal memorial day to victims of communism, so HB 1159 was redundant. The vote to kill it was 12-5, with the opposition being more sympathetic to the sponsors.

HB 314, which increased the income allowed for a license - exempt homestead food operation to \$35,000 per year, passed unanimously. If nothing else, it made up for inflation since the current limit was set.

I presented two of my bills: HB 1681, updating the state building code, was widely supported by the various businesses and agencies involved in building, but I'm preparing an amendment to update the fire code – which was part of the original plan, but missed by everyone who read the bill until this week!

HB 1191, allowing the owner to do electrical or plumbing or gas fitting work on their two family house, was opposed by all the same people who supported the building code change. The main objection was that many towns do not have well-qualified building inspectors to verify that such work is done safely and to code, and they feared injuring not just the owner and his family, but also the innocent renters of the other unit. They also

pointed out problems with the way the homeowner's exemption is specified in statute (and quite differently from one profession to the next.)

HB 1552, moving assessor certification from the department of revenue assessment to the office of professional licensing and certification, was supported in concept by everyone who testified, but the bill needs amendment to address the transition.

HB 1312, prohibiting the department of environmental services from requiring larger grease traps than the plumbing code specifies, had a more crowded hearing than most. A tiny ice-cream shack decided to sell some fried food, and DES rules required a 1,000 gallon grease trap for a restaurant (of any size or type) on a septic tank – and that size trap is about half the size of the entire restaurant! DES kept trying to defend their position, but it was clear that their rules are written for worst cases and are extremely rigid. They also aren't familiar with the plumbing code, since they kept objecting to it in respect to backflow preventers. We'll be working on this for a while.

HB 1357, on land acknowledgment, was a statement, to go in the first place in our law books, that various tribes lived here before the settlement by European immigrants. Tribal representatives spoke in favor, but pointed out the spelling errors in the Abenaki words...

HB 1344 prohibits real estate brokers from signing a purchase and sale agreement on behalf of their client unless they had a formal power of attorney, not just language in the standard form. The supporters agreed that the standard forms here do not contain such language, but insisted that this bill would protect against elder abuse and act as consumer protection. I'm not convinced it's necessary.



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HB 1354, on regulation by the real estate board, allows agents and brokers on inactive status to receive pay for previous work. It seems commercial real estate often pays commissions on a schedule, say over the period of a lease, and the law prohibits inactive agents from receiving *any* compensation. There is also a section updating the language on licenses by reciprocity to call it “recognition” of an out-of-state license instead.

We also voted unanimously to kill HB 1549, which would exempt special duty hours from the limit for part time work by retirees. Besides our concern for retirees replacing full time officers who paid into the retirement system, this process would also complicate the system – and it's complicated enough already!

HB 1557, giving retirees 120 days from their final pension notification to decide on the optional allowances, was recommended to pass, 14-1. We will probably fold this text into HB 1497, which amends the same section of law, if we agree to pass that bill.

I also presented HB 1398 to the education committee. This would create a study committee on centralizing criminal records checks in education, which has been done for school bus drivers. There are other professions that work part-time in more than one school – an occupational therapist brought this to my attention – and current law requires them to get a separate background check for each school! This is costly and inconvenient for the workers, and it unnecessarily adds to the workload at the state police records check unit, delaying all other records checks. The study is required because there are federal restrictions on sharing the data; most school officials simply shred them after making a decision. A complicating factor is that school

districts have discretion to apply different standards or criteria on what would bar an applicant from working in a school.



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