



Your State House Concord, New Hampshire



March 11, 2022

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

My committee met this week to recommend all our remaining House bills. First, we heard HB 1256, which changed two positions in the department of veterans' affairs from classified to unclassified, changed the job titles, and clarified their duties. One member of the committee disliked the way the bill was written and presented an amendment to polish the language. Since it didn't change any meaning, and the department (and the state veterans council) supported it, we unanimously agreed to pass the bill with the amendment.

HB 1171, exempting specific beauty treatments from licensure, was as divisive as I expected. The subcommittee presented an amendment that deleted some of the consumer protection language, which the attorney general had testified was unlike any other deceptive practices statutes in the state. The debate in committee revolved around "chemicals," specifically the adhesives used for eyelash extensions and hair extensions. So we voted on party lines to adopt the amendment, and then to recommend the bill to pass (actually, one Democrat joined all the Republicans in favor of the amendment, and a different one voted in favor of the bill.)

We then debated HB 1061, making the midwives' board advisory rather than regulatory. The subcommittee presented their amendment which more clearly specified what areas were administrative, and which were not, and after some debate the amendment passed, 18-1. Then we debated how much authority the director of the OPLC (office of professional licensure and certification) should have over the operation of the board, and considered that the board had failed to

have a quorum two times last year, and the last meeting posted on its website was in November. We have received emails and letters opposed to the bill from midwives, their clients and friends, and the remain adamant that the 37 midwives in the state should regulate themselves. The motion to recommend the bill failed, 8-11, and we compromised on interim study, which neither passes nor kills the bill, but allows it to stay with the committee for further work.

HB 1330, on regulation of medical technicians, had an amendment to simply delete the requirement for registration. No other state requires it, and there is no danger to the public since technicians do not work independently – they are supervised by the hospitals and clinics that employ them. This was argued, with the opposition primarily repeating the incident of one technician at Exeter hospital who stole drugs, used them, and left tainted syringes to infect patients. At that time, various representatives and hospitals asked for this registration, with the goal of making New Hampshire less attractive to bad actors...but not wanting to sanction the hospital, which was found to have been lax in supervising this technician, nor his former employers, who had let him go without warning future employers. This amendment passed, 10-9, party line, and the bill was recommended to pass, also 10-9.

HB 1560, allowing reciprocity for barbers, cosmetologists and estheticians, was debated on the need to require "substantially equivalent" standards for the profession. Every state requires licensing of barbers and cosmetologists, and the question of having had 1000 hours training, instead of New Hampshire's 1500 hours, becomes moot after a few years' experience. This becomes a subjective criteria and allows the board to refuse to license new competitors, and also to require applicants to provide increasingly minor data,



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instead of a license in good standing from another state. This was recommended to pass, 12-7, with two Democrats joining all Republicans in favor.

HB 1173, declaring August 9 as Indigenous Peoples' Day, was debated between **three** opposing positions. One, of course, was the “no special days” group (including me, but I didn't feel strongly about it) that wanted to kill the bill; representatives who wanted to pass the bill, hoping to recognize indigenous people without losing Columbus Day; and those opposed to the bill because they wanted the holiday to replace Columbus Day. So, a motion to pass failed, 8-11, then a motion to kill it passed, 14-5, completely bipartisan!

HB 1395, which required the full House to approve administrative rules, rather than a committee, was sent to interim study unanimously. I urged this because the bill has some major practical problems, but several other ideas for reforming the administrative rules process have been suggested. HB 1182, making the board of court reporters advisory, was recommended to pass unanimously, since the court reporters had no issues with it (unlike the midwives, say...)

HB 1192, regulation of acupuncturists, was amended to reflect a Senate bill on the same topic that everyone involved approved, plus a minor editorial change. It, too, was recommended unanimously. HB 1079, increasing the hours a retired person could work for a retirement system member without penalty, was unanimously recommended to be killed. The hours the bill proposed would allow a teacher to retire and then work full-time while still collecting their pension, and the elimination of the 28 day gap between retiring and working would fall afoul of IRS guidelines.

HB 1018, making the board of medical imaging and radiation therapy advisory rather than regulatory, had a subcommittee amendment that clarified where professional advice was needed, and where the OPLC should provide administrative support. That, and the bill as amended, passed unanimously.

HB 1135, requiring a performance audit of the education freedom account program, had an amendment to move the effective date out a year, to July 2023. We thought that auditing the program was a worthwhile idea, but this year was too soon: the final rules were just approved last month, quite different from the interim rules they started the year under, and there are about 20 bills under consideration that would change the program. Trying to audit a program under this condition would be a waste of time. We debated this, then failed to pass the amendment, 9-10 with one Republican joining the Democrats. We caucused, and convinced him that on a highly politicized issue like this one, we should be united. So, we reconsidered the vote, passed the amendment 10-9, and recommended the bill, also 10-9. I expect a floor debate on this one!

HB 1274, creating a committee to study the solid waste practices of state agencies, was unanimously recommended to be killed. No member of the committee wanted to serve on such a study committee! HB 1312, requiring restaurant grease traps be no larger than required by the plumbing code, went to interim study since we weren't sure how the sewer regulations interfaced with the plumbing code, or who should be involved in resolving the problem. HB 1344, requiring a real estate broker to have a formal power of attorney to sell property, was recommended to pass. Some of us weren't sure the bill was necessary, even though we agreed it should be the case, but the supporters



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convinced us that it wouldn't hurt.

HB 1510, a study committee on state hiring practices, was debated rather more intensely than I expected. Since all the people testifying in favor of the bill were on the Labor committee, it seemed to me that they could study the problem without forming a formal study committee. Still, we recommended killing the bill, 11-8, with one Democrat joining all the Republicans.

I presented several bills passed by my committee to the Senate on Wednesday. HB 1016, on speech language specialists, eliminates a duplicate credential and consolidates regulation of all speech-language professionals under the board. HB 1062, on the electrology advisory committee, eliminates the committee responsibility for running the practical exams, since professional organizations offer them, and HB 84 declares Ona Judge Staines Day. HB 457, allowing the legislative youth advisory committee hold remote meetings, and HB 1427, adding alternates and an audiologist to the speech-language board, were all received with no opposition. HB 84 had a minor amendment to clarify some language, then it, as amended, and all four others were voted ought to pass. A very productive morning!

Thursday, the House met in the chamber for the first time in two years. First we held a memorial for the Democrat leader, Renny Cushing, who died Monday. I worked with him on death penalty repeal and more intensely, on cannabis legalization, and respected him a great deal (even if we differed on most issues.)

HB 1011, increasing the penalty for criminal mischief, to increase the chance that restitution would be paid, passed on a voice vote without debate, and HB 1031, prohibiting law enforcement

from encrypting their radio, was tabled without comment. HB 1151, prohibiting the display of a firearm at a parade, funeral, march, or rally, was debated and killed, 192-141. HB 1175, allowing the public to record public officials at work (without having to obtain their consent) was tabled on a voice vote. Later in the day, a supporter moved to take it from the table, which failed, 50-288. Apparently his offer to make a speech about it wasn't an appealing prospect...

HB 1281, on firearms confiscated from someone with a protective order, went to interim study without comment. HB 1282, requiring a search warrant to get telephone records, was not tabled, 160-174, debated, and passed, 197-137. I supported it to protect people's privacy. Opponents feared that it might delay child pornography investigations, but there was enough testimony about how easy and quick it is to get a warrant that I began to be concerned.

HB 1483, prohibiting the use of physical force by a law enforcement officer when a suspect was fleeing, was briefly debated and killed on a voice vote, since that is already against the law. HB 1636, allowing carrying a weapon while on a snowmobile or OHRV, was debated and passed, 204-134.

We had no debate on any of the bills from my committee. HB 1037, a minor clarification to the governor's emergency powers, passed on a voice vote; HB 1059, prohibiting issuing a license to someone who obviously did not meet the qualifications just because the board didn't meet for 60 days, passed 177-157. I tabled HB 1159, Victims of Communism Day, 281-55, because the speakers opposed to killing it were lining up behind the microphones. Later, I spoke with several of the supporters and told them how to



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ask the governor for a proclamation and how to ask for a plaque in the state house.

HB 1257, requiring the retirement system to divest investments in China, was killed, 312-25, and HB 1460, repealing minimum age requirements for some professional licenses, was killed on a voice vote. HB 1299, creating a schedule of responses and an appeal process within the Fish & Game Commission, passed 183-155 without debate.

HB 1126, permitting 16 or 17 year olds get a vaccination without parental consent, was debated and killed, 184-151. The debate was muddled by reference to the Covid vaccines, but the intent was the HPV vaccination, which is most effective if given before starting sexual activity.

CACR, a constitutional amendment to eliminate references to the register of probate, was debated and passed, 294-43. When the courts reorganized to do most of their business on line, the registers of probate became redundant; nearly all the work they used to do is now in the clerks' domain. HB 1013, allowing the rare disease advisory council to meet remotely, was killed without comment. HB 1021, prohibiting religious or prayer meetings being subject to different land use regulations than similar usages, passed without debate.

HB 1205, giving the department of environmental services access to enhanced 911 data so that they can map drinking water sampling, passed on a voice vote without debate. Without comment, and by voice votes, we killed HB 1216, repealing the housing appeal board; HB 1254, various changes to the housing appeals board; HB 1260, making vaccination status a protected class under our anti-discrimination laws; and HB 1408, requiring the refund of rental application fees.

CACR 14, a constitutional amendment to enshrine the right to join a union, was debated on its necessity and killed, 182-159. HB 1385, prohibiting the use of credit history in employment decisions, was killed on a voice vote. Even the supporters agreed that credit history is useful or necessary for some positions, and the ban would need so many exemptions that it didn't make sense to pass the bill.

HB 1275, adding more city representatives to regional planning commissions, was killed without comment. HB 1387, allowing municipalities to adopt a homestead property tax exemption, was debated and killed, 309-31. This was a vague attempt to lower the cost of home ownership for lower income individuals, but these efforts result in shifting the tax burden to other residents.

HB 1456, adding veterans of Iraq and other recent military actions to those eligible for inclusion on the Hampton marine memorial, passed on a voice vote after a representative gave a speech.

CACR 32, declaring state independence, was not tabled, 162-170, as nearly all the Democrats voted against tabling. The debate was impassioned, on both sides, then we voted 323-13 to kill the amendment. For me, the convincing argument was that we had fought the civil war to prevent the south from seceding and this amendment was against New Hampshire's strong support for the union. You'll be able to read the arguments in the House journal, since we voted, 278-62, to print the entirety of the debate in the journal!

HB 1411, increasing the transparency of federal agency operations in New Hampshire, passed 204-134, without discussion.

HB 1138, allowing some cars to pay for a waiver



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of the front license plate, was debated and killed, 226-114. I voted in favor of the bill as some cars don't really have a place for a front plate, and a number of states don't require one. We let them drive on our roads, sell commemorative front plates, and otherwise don't take that requirement very seriously – but eliminating the need for front plates has been proposed multiple times, in many variations, but never passed.

We then dealt with Senate amendments to House bills. HB 50, state representative districts, was debated before we concurred with the amendment (which we had given to the Senate to deal with city wards that didn't meet our assumptions), 172-163. HB 55, on delegates to state political party conventions, had simply fixed an omission in the House version and was agreed on a voice vote. HB 233, which had guaranteed any infant born alive appropriate medical care, had been converted by the Senate to a study committee on the topic, and we quickly voted to non-concur and kill the bill, as this doesn't need study. For HB 440, prohibiting the suspension of civil liberties during a state of emergency, the Senate had simply deleted the purpose statement and left the actual law changes the same; we concurred on a voice vote.

Finally, we dealt with bills that had been pulled from the consent calendar of non-controversial recommendations (the usual case is that a committee wanted to kill a bill and a sponsor wants to argue that, or simply to make a speech.) HB 1436, allowing family court decisions be appealed to the superior courts, was tabled on a voice vote, as was HB 1651, adding sexual reassignment to the definition of child abuse. HB 1149, reducing the number of names required for a non-major party candidate to appear on the ballot, was debated and killed, 283-43; after that, HB 1197, lowering the threshold for a third party to gain general ballot

access from 4% of the vote to 1%, was tabled without comment.

I moved to table HB 1443, Covid victims and survivors memorial day, and it was. HB 1124, requiring businesses to use the federal e-verify system to verify an applicant's status to work in New Hampshire, was debated and killed on a voice vote. Using E-verify *seems* like a good idea, but unusual names have problems and corrections to the database are slow and problematic.

HB 1555, repealing the permit required for open fires at campgrounds, had been recommended for interim study, but the sponsor wanted to speak on it. The bill was tabled, 191-131, and the sponsor allegedly decided to pull every bill off consent next week in revenge. I hope he doesn't; we have a great deal of work to do next week, and this is really childish.

HB 1509, repealing the FRM victims' recovery fund, was tabled on a voice vote. I don't really approve of the FRM fund, but having lost the vote last year, I agreed that trying to stop the process of handing out \$10 million after we'd already taken applications was rude and insulting.

Friday, the representatives from Merrimack County met on the county budget – or at least, some of us met. RSA 91-A, the right to know law, requires a quorum be assembled in the noticed place and a vote of that quorum to allow remote participation, on an emergency basis. With 45 representatives in the county, a quorum is 23, and we had to call and drag in several Concord representatives to meet that! With 24 attending, we voted 20-4 to allow remote participation (I was opposed.) Two of the remote attendees were taking care of small children, one had local business that didn't allow travel time, and one wouldn't say what the



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emergency was. I was proud of Representative Pearl, from Loudon, who stated he didn't meet the standards for remote access and left the meeting. Representatives Klose and Allard were both there, Representative Pitaro wasn't.

We approved the new contract with corrections employees, allowed the sheriff's department to increase their document service fees by 1% (in line with inflation as of June), and approved the county budget, all unanimously. The budget requires only the same amount of tax money as last year, so the tax rate shouldn't change much, if at all (we can't say for sure since that rate is set in the fall, based on property values across the county.)



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