



Your State House

Concord, New Hampshire



April 1, 2022

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

This week, the House met for one day to finish our House bills, including the ones pushed off from the last session. It should have been quick, but some representatives took the opportunity to pile on amendments of bills that previously passed the House – and the Senate hasn't acted quickly enough to please them! All these amendments failed, but it took up a lot of time.

HR 15, condemning the communist party of China, was passed without comment. HB 17, opposing a federal (or state!) carbon tax, was debated and passed, 178-159. HB 18, asking Congress to remove the exception for criminals in the 13th amendment, was tabled, 195-145.

Without debate, we killed HB 1401, which repealed the speed limits on Lake Winnepesaukee. We also debated and killed three bills to grant drivers' licenses to undocumented aliens in various circumstances, HB 1093, (186-161), HB 1463, (177-154) and HB 1666 (189-160.) We passed HB 1401, forbidding release of vehicle mileage data to the federal government, (allowing it to the state in case New Hampshire want to go to a miles driven tax...) 189-160. All votes were party line (except the lake speed limit.)

HB 1478, which would increase the business profits tax on large employers that paid anyone less than \$15/hour, was debated and killed, 304-40. Besides being unconstitutional (our constitution requires flat tax rates) this bill didn't take account of other forms of payment (tips, commissions, flexible hours, pension contributions, generous medical plans, for a few) that some employees might well prefer to cash compensation. HB 1524,

establishing a fund to attract and retain Americorps and other service programs' alumni, was killed, 194-149, without debate.

HB 1349, decriminalizing psilocybin mushrooms, was tabled, 210-132, as was HB 1646, 297-49. I voted against tabling HB 1646, because it established district representation in cooperative school district boards: with at large elections, as is current law, one large town can elect the entire school board.

HB 1064, requiring paper ballots and hand counts for all elections, was tabled 270-75. We already passed a constitutional amendment requiring paper ballots, but mandatory hand counts for *all* elections was felt to be an imposition on local election officials. I'd be more inclined to support a mandatory recount of very close races: in my last election, for example, I won 4208-2786, and even a 10% error wouldn't have changed the results. In Pembroke, though, Nick White (lowest winner) got 2656 to 2636 for David Doherty (highest loser) and that's only a 1.1% difference. HB 1473, requiring a forensic audit of the 2020 election in Merrimack County, was tabled, 251-94, rather than going to interim study. I supported the study, since there were a number of unresolved issues in that election (excessive turnout in some localities, for one.)

CACR 24, electing the Attorney General be elected by the legislature, as are the state treasurer and secretary of state, had a speech by the sponsor before being killed, 253-87. Likewise, CACR 25, imposing a term limit of 15 terms, had a speech by the (20 year old) sponsor before going down, 301-40. CACR 26, having 100 representatives selected by party officials on a proportional basis, was killed, 324-8 without debate. Besides being a totally strange election process for the United States, it would take 100 representatives now



Your State House Concord, New Hampshire



elected from specific towns and select them based on the political party list: not a popular idea in New Hampshire!

CACR 27, allowing appointed judges be recalled, was debated and killed, 254-85. I voted in favor of it because removing a judge before he reaches age 70 (when he is constitutionally required to step down) is very difficult, and the judicial conduct committee has not been effective in disciplining errant judges.

HB 1155, requiring persons elected to a local board and appointed to another board (say, a school board member appointed to the budget committee) be a non-voting member of the second board, was briefly debated and sent to interim study, 255-83. It turns out that various towns or cities elect different positions...

HB 1235, increasing the maximum compensation paid to a crime victim, passed without comment. After some debate, HB 1417, requiring the state to pay 7.5% of the local pension contributions, was not killed, 163-182, then passed, 186-159. I opposed the bill, as I had in my committee, because the towns, cities, and school districts have full control of how many employees they have and what they're paid.

HB 1462, allowing motorcycle learner's permits be renewed one time, passed quietly, as did HB 1536, on income eligibility for in and out medical assistance. HB 1535, granting retirees a cost of living increase, was changed by Finance to a one-time \$500 payment to retirees with pensions less than \$30,000/year. It's still fully funded, with no impact on property taxes, so it passed, 218-100, with minimal debate.

HB 1552, moving assessors' certification from the

department of revenue to the OPLC, had been recommended to be killed by Finance, since they claimed opposition to creating fees. I opposed the motion to table, since the expenses would still be incurred, and my committee had recommended they be covered by the professionals, as licensing fees, rather than buried in the revenue department's expenses. Tabling was defeated, 124-221; after some debate, the motion to kill the bill failed, 88-258, and the bill passed on a voice vote.

HB 1587, calculation of average final compensation in the retirement system, was amended by Finance to only apply to those who had been hired prior to the change in law, rather than all future employees. I had mistakenly thought this was the case previously, and was glad Finance corrected the bill. It passed without comment, as did HB 1604, which included state medical facilities in the medical freedom in immunization we passed earlier. This was amended to delete the conscientious objection, since the federal government doesn't recognize that for Medicare or Medicaid providers, but did insist that the employer not challenge a religious objection.

HB 1609, on the fetal protection act, was debated at length. The bill as written would essentially gut the protection, since it allows a number of exemptions and protections and deleted the enforcement mechanism. The committee amendment completely replaced the bill and only did two things: first, and importantly, clarify that the ultrasound requirement was only to verify fetal age; secondly, allow *one* exception, a fetal abnormality "incompatible with life." This was passed, 319-25, since having one exception was obviously better than having many (the opposition was extreme pro-abortion or extreme pro-life representatives.) A motion to table was defeated, 101-243, and after more debate the bill, as



Your State House Concord, New Hampshire



amended, passed 231-114. I voted for the amendment but against the bill; Representative Allard voted for the bill, Klose and Pitaro against.

HB 1627, establishing an administrator position in the department of education to run the EFA program, was the bill chosen for random amendments. First, the committee amendment added to this simple bill a requirement that the department of education work with the federal government to link Medicaid sign ups to free and reduced lunch sign ups! That seemed a major privacy invasion to me, as it assumes that parents aren't capable or knowledgeable enough to sign their children up for free meals, rather than that they have chosen not to do so. The amendment was debated, then passed, 182-148. A motion to table failed, 161-177, then the games began. A floor amendment incorporating the text of HB 1101, which prohibits any asset forfeiture under state law being transferred to the looser federal program, was presented, debated, and killed, 78-247. One incorporating HB 1022, allowing pharmacists to dispense ivermectin, was also debated by the sponsor and killed, 95-235. Another motion to table failed, 152-181. A floor amendment with the text of HB 275, my committee's emergency powers bill, was debated and killed, 89-241. Another with the text of HB 629, my legalize and home grow cannabis bill, was debated and killed, 76-258. All these bills have passed the House and the Senate is considering them; none have had a hearing yet. A final floor amendment incorporated HB 52, the redistricting plan for the congressional districts; this was particularly silly since the Senate has actually held hearings and passed it! It failed, 60-258, and the bill, with only the committee amendment, passed 204-131, with the opposition (including me) primarily those who had opposed the committee amendment.

HB 1624, on students with disabilities participating in co-curricular activities, which appropriates \$50,000 to support local programs, passed without comment. HB 1642, requiring children to be tested for lead poisoning before entering school or day care, was killed without comment. HB 1647, creating a formula for child support that recognized joint custody, was not tabled, 155-179, then passed on a voice vote.

HB 1661, a routine bill on career and technical education agreements, was debated on the non-germane committee amendment, which allocated \$35 million for a new, closer, and bigger legislative parking structure. Dan had testified against this as inappropriate for the second year of a budget, and excessively expensive, even for a government project. I voted against the amendment, but it passed, 271-65; the bill passed on a voice vote.

HB 1662, on how Health & Human Services protects privacy, and HB 1682, establishing the law enforcement conduct review committee, both passed without comment. HB 1582, a capital improvement grant program for fairgrounds, also passed quietly.

HB 1598, cannabis legalization and establishing a retail program under the liquor commission, was debated at length. First, the committee amendment, which deleted a number of problematic areas (such as the state bank) and revised the allocation of any profits, passed on a voice vote. A minor floor amendment also passed, making it clear the funds for property tax relief would be used to directly reduce the amount raised by the state wide property tax. Then another floor amendment, requiring the posters and educational materials required for the therapeutic cannabis program to also be used in the new retail stores, also passed, 212-89. Yet another floor amendment, this one



Your State House Concord, New Hampshire



fixing the inadvertent re-criminalization of edibles, passed on a voice vote. A total rewrite of the bill, keeping the legalization but making the sales by private organizations and subject to the rooms & meals tax, was debated at length. I rather preferred this approach, but was not impressed by the sponsors; the amendment failed, 77-257. A motion to table failed, 118-216, and after more debate the bill passed, 169-156. My position is that prohibition has failed, we need to legalize, and any regulatory scheme can be changed.

The last bill under consideration was HB 1540, requiring custodial interrogations be recorded. It was opposed by one member who believed that it was an unfunded mandate for the police departments that didn't have recording equipment; the Finance amendment established that not having equipment, due to financial constraints, was a valid exception to the law. HB 1540 passed on a voice vote.



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