



Your State House Concord, New Hampshire



May 6, 2022

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

This week, the House met for two days to vote on all Senate bills. Since this is the end of the session, a lot of political maneuvering took place, attempting to add House positions someone felt had not been properly treated by the Senate to bills we felt were important to them. Any bill that's passed the House can be, if desired, added to any bill ... And, of course, a motion to table can always be used to shortcut debate.

SB 144, a pilot program for child care scholarships, was killed after a short debate. SB 326, developing a plan to create the office of early childhood (but not actually creating such an office...) was killed after some debate, 178-151. SB 431, on child support with equal parenting time, was debated and passed, 178-151. SB 457, a study committee on non-profits providing children's services, was killed without comment.

SB 202, prohibiting the sale of cosmetics tested on animals, had a committee amendment to ban all products tested on animals, but was tabled, 320-8, before the debate. SB 210, on the sale of manufactured housing parks, had some simplifications to the the current process, and passed without comment. SB 319, allowing insurers to offer incentives to those vaccinated against Covid, was debated and killed as unnecessary, 179-150. SB 355, requiring online marketplaces to disclose some information, was also debated and sent to interim study, 176-155. This bill was an attempt to prevent organized shoplifting (and resale) but seemed to be targeting the wrong entities, hoping to prevent criminal behavior by creating a civil offense, plus

presuming that a New Hampshire law would affect the behavior of a Wal-Mart or Amazon!

SB 294, updating bail reform law (yet again) was tabled, 209-121, since we've passed a similar version at east once this year. HB 629, my bill to legalize possession and home growing cannabis, was added to SB 299, increasing the penalty for escape (from prison or law enforcement!) Without discussion, we killed SB 361, requiring bail commissioners be paid mileage.

SB 367, regulating advanced recycling (recreating plastics), had a committee amendment, a floor amendment (agreed by the committee) and extensive debate before passing, 198-128.

From my committee, we killed SB 218, metastatic breast cancer day, and SB 219, kinship care awareness month, and passed SB 220, a study committee on mental health professional licensing, all without comment. SB 274, prohibiting project labor agreements in state construction contracts, was debated and killed, 177-154. SB 325, adding public works and other agencies to the definition of "first responder" for the purpose of making them a part of the incident command structure, was debated and passed, 248-84; the opposition was concerned about expanding definitions that could be used in other statutes for other purposes (quite reasonably), but the promise of getting federal FEMA money faster and more easily won the day!

SB 330, creating a study committee on the Office of Professional Licensure & Certification (OPLC), was amended by my committee to add a permanent OPLC oversight committee, amended by the Ways & Means committee to make sure they were represented on the study committee, then passed with a minimum of discussion. SB 333, a minor bill licensing case management agencies, was amended to add HB 1417, the state contribution to



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local pension assessments; I spoke against the addition (as I'd opposed HB 1417 itself) but lost, 170-164. The Senate had funded a similar contribution but only for one year; supporters wanted it to be forever.

SB 358, establishing eczema awareness month, was completely rewritten to become an expansion of JLCAR (15 members in three divisions rather than 10 members in one committee.) The amendment passed, 195-139, and the bill passed, 208-123, all with minimal discussion.

SB 382, on telehealth licenses and simplifying licensure for physicians licensed in other states, was debated on the need for licensure for doctors providing telehealth services. As in so many other situations, it only matters if there's a problem: licensure (and in this case, the definition that healthcare takes place at the location of the patient) gives an aggrieved patient a clear place to complain and definition of which state's malpractice laws apply. Happy patients don't care! So SB 382 was debated, not tabled, 144-187, then passed on a voice vote.

SB 397, on the mental health counseling compact and the compact on the placement of children, adopted the committee amendment which deleted the placement compact but added specific language about placing children across state lines (triggered by the Harmony Montgomery case.) Then it was debated on the mental health compact and passed, 202-132.

SB 450, prescription drug affordability board statute cleanup, was debated and not sent to interim study, 164-168, then passed, 173-161. The supporters were more concerned with the *intent* of the board (getting lower drug prices) than what it actually might accomplish (fees for everyone in the business of providing drugs, creating a highly paid

administrator, and maybe some guidance for where state agencies might look for savings, other than where they were already negotiating lower prices!)

At this point, several Democrats attempted to take up removing restrictions on abortion. First, there was a motion to special order SB 399 (which dealt with clarification of the ultrasound requirement for late term abortions) to immediate consideration; this failed, 159-173. Then it was moved to take HB 1674, which guaranteed the right to abortion, off the table, which failed, 158-174; then CACR 18, which put the right to an abortion in the constitution, which failed, 157-174. This was all grandstanding, since to take any action on either bill would require a 2/3 majority to suspend the rules, and everyone knew that this majority was not available. It worked – I saw some of their more incendiary remarks quoted in the news.

SB 227, adding suicide to the “killed in the line of duty” death benefit for police and corrections officers, had a floor amendment to add HB 1102, which forbade any assets forfeited under state law be transferred to the (looser and less protective, but “sharing” more with the law enforcement agency) federal asset forfeiture law. Both the amendment and the bill passed on voice votes. SB 267, establishing the upland invasive species program and funding it, passed without comment, as did SB 275, opioid abatement trust fund updates; SB 303, updated reimbursement rates for sheriff's offices for prisoner control and court security; and SB 346, planning to build a pier on Hampton Beach. SB 366, requiring an audit of ballots cast in the 2022 election, was debated on the need to spend on a fast optical reader, when voter fraud was non-existent in New Hampshire; it passed, 177-139.

SB 371, an appropriation to the lead paint remediation fund, and SB 376, creating a study committee on police interactions with people with



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mental health issues, both passed without debate. SB 381, creating an office of the advocate for special education, was debated on the committee amendment, which deleted the current responsibility of the office of the child advocate to deal with education. This was necessary to keep the two offices separate: the child advocate deals with children in the custody of the state, and is entwined with the juvenile justice system, while the advocate for special education would be dealing with parents and (primarily) local school systems. The amendment passed, 163-152, and the bill passed, 170-155.

SB 394, expanding “child” through age 21 to agree with federal special education laws, passed without comment. SB 401, an omnibus transportation bill that included local bridge aid, the body worn and dashboard camera fund, and a road to the Balsams, was debated on a floor amendment to add HB 1337, which tapered the duration of unemployment benefits to the unemployment rate. That amendment passed, 173-142, then the bill passed on a voice vote.

SB 407, expanding Medicaid (for the mother) to 12 months after birth, was amended to sunset the program when the federal funding ran out, then amended, 162-153, to include HB 1210. the conscientious exemption to vaccines, then passed, 295-28. Obviously the strategy of giving everyone something they liked in a bill was working...

SB 412, funding increased nursing home rates, and SB 416, on behavioral health assessments before out-of-home placements, both passed without comment. SB 417, an electric school bus pilot program, was tabled, 166-151 (that bill was simply a way to spend some of the Volkswagen settlement money that seemed to be burning a hole in some people's pockets: several school districts are currently trying out electric buses, so there's no

need to do anything but wait a while.) SB 418, verification of voter affidavits, had a short, extremely dull debate before passing, 164-155.

SB 420, an extraordinary need grant for schools, had a floor amendment to add HB 1298, which increased the eligibility limit for the tax credit scholarship program. The amendment passed, 171-150, then the bill passed on a voice vote. SB 422, adding a dental benefit to Medicaid, had a technical amendment and passed, 205-109. I voted against this bill because I'm not convinced it's the right thing to do: plenty of people avoid dentists for reasons other than the cost!

SB 430, a multi-part bill about the department of health & human services, had a floor amendment to add HB 1044, which allows direct pay only health facilities (currently any health facility, among other requirements, *must* accept all comers regardless of their method of payment – or not.) This amendment was debated before passing, 167-147, then the bill passed on a voice vote. HB 438, buy American steel for construction projects, had a floor amendment to add HB 1171, exempting some beauty services from licensure, and HB 1560, non-resident licensure for cosmetologists. (Both passed the House but were sent to interim study in the Senate.) The amendment passed, 170-129, and the bill passed on a voice vote with minimal debate.

SB 442, allowing suspension of a vehicle registration for unpaid tolls and fees, was debated and passed, 201-103. SB 444, appropriating \$200,000 (presumably federal “American Rescue Plan” funds) for a five year program treating children and families that have experienced trauma, passed without comment, as did SB 445, creating a broadband matching grant fund. SB 458, closing the Sununu Center and building a replacement, passed without comment, much to my surprise. HB 459, health care facility workplace



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violence prevention program, was amended to change the program from a mandate to a public information system, then passed, 220-87. I was in the minority since I'm not convinced the program is necessary or desirable, although I'm glad the worst parts (warrantless arrests, mandates on smaller businesses) have been deleted.

SB 404, establishing a marketing program for SNAP (food stamps), passed, 226-76, without debate. I was opposed because I don't believe there is anyone who doesn't know about these programs!

SB 216, a study committee on the landlord-tenant mediation program, was killed without comment, as were SB 217, doubling eviction notices from 30 to 60 days, 178-140; SB 222, permitting licensing boards to hold remote meetings and SB 339, permitting various boards and commissions to hold remote meetings. SB 302, preserving donor privacy, passed on a voice vote. SB 344, revising the right to know law to allow electronic meetings, was killed, 176-155, without debate.

SB 388, allowing the insurance department to have limited access to 911 data, was tabled, 327-2, because the insurance department was not satisfied with limited data, and nobody wanted to give them any more. SB 392, establishing a study commission on insanity, was killed without comment.

SB 209, on electronic payments, went to interim study. SB 345, on youth employment, was debated on a floor amendment to add back restrictions on night work for 16 and 17 year olds; after debate, it was defeated, 154-181, as too confusing and contradictory to other sections of the law. This bill was not tabled, 145-192, then passed, 185-152, with no further debate. SB 377, on expanding when a state trooper is "on duty" for purposes of workers' compensation, went to interim study

without discussion.

SB 239, adding penalties for towns that do not complete their required audits, passed on a voice vote. SB 245, a study committee on deals between towns and developers, had a clarifying committee amendment that failed to pass, 140-166, then was tabled, 187-148. SB 246, on qualified private communities, had a dull debate before being killed, 183-146. SB 329, a study commission on barriers to increasing housing, was amended, 171-152, to include the text of HB 1194, the procedure to override a local tax cap. SB 329 then passed on a voice vote, with minimal debate.

SB 400, a land use bill about training for planning boards and financial incentives for affordable housing, was tabled, 170-159, before the debate. I expect to see at least some of this attached to a House bill...

SB 258, on African American graves, went to interim study, 180-146, without debate.

SB 259, expanding "municipal host" for purposes of net metering to include undefined "quasi-public entities" went to interim study without comment. SB 263, establishing a youth environmental council, was debated and killed, 174-150. SB 269, creating a study commission on weatherization programs, went to interim study, 182-152, after some debate.

SB 271, extending repayment relief for the Burgess Biopower plant in Berlin for another year, but at least requiring the plant to open its books to the department of energy, was debated on a floor amendment to extend the relief for two years, rather than one. That failed, 143-190, and the bill passed on a voice vote. Burgess Biopower is a large user of low-grade wood, and so necessary for the forest products industry, but it sells the power it



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produces at above market rates, subsidized by Eversource ratepayers. It has accumulated well over \$100 million in such subsidies, and doesn't seem ever likely to repay them. It does provide quite a bit of sustainable power to the state, good jobs in Berlin, and a healthy demand for low grade wood: but who should pay for it?

SB 424, authorizing the Public Utilities Commission to regulate renewable natural gas (methane generated other than from anaerobic digestion) was debated, not tabled, 139-190, then passed, 214-118. The opposition was concerned that methane is a potent greenhouse gas; supporters wanted the possibility of generating a sustainable fuel. SB 448, urging state agencies to use electric vehicles, was debated and killed, 181-148, since they are already charged with selecting the most practical and cost effective vehicles available!

We also passed the amendment to SB 200 that made it the congressional redistricting map: the majority amendment, 178-158, and not the minority amendment (the same one we'd rejected the first time we passed redistricting) 156-182; the bill passed, 179-159. (all votes essentially party line, as is expected in redistricting!) This will go to committee of conference to develop the final plan, most likely with the Governor involved. At least the two very different plans give us lots of options.

SB 447, establishing an electric vehicle and infrastructure fund in the department of transportation, was tabled before debate, 183-149.

SB 318, extending charitable gaming hours, was not amended to require local approval, 156-178, then passed with minimal debate. SB 343, a study committee on municipal sharing of rooms & meals taxes, was killed without debate. SB 435, net operating loss carryforward under the business

profits tax, had a long, very detailed debate on various technicalities, then passed on a voice vote.

SB 399, clarifying the ultrasound requirement before an abortion, was tabled before the (undoubtedly long, but futile) debate, 177-156, since this topic has already been passed in another bill, with better language. SB 429, technical changes to the site evaluation committee, had a floor amendment to change the allowable fees, in favor of wind or solar. This amendment was debated and failed, 158-176, and the bill passed, 224-111. Finally, SB 316, minor changes to the Lucky 7 program, had a floor amendment from the committee which had late realized the same change needed to be applied to another section of law. This was adopted on voice votes, with only committee explanations.

The only remaining legislative work this year is interim study and committees of conference. My committee will meet towards the end of the month to go over our interim study bills and plan for the study, including assigning a responsible leader for each bill (or pair of bills, in some cases.)

Committees of conference are being formed now on House bills amended by the Senate and vice versa; they need to report their conclusions at the end of the month.



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