



# Your State House

## Concord, New Hampshire



February 3, 2023

To my constituents in Allenstown, Dunbarton, Epsom, & Hooksett,

This week, my committee met for a day of public hearings. HB 519 creates the position of chief information security officer in the department of information technology. The commissioner pointed out that the position already exists (and is filled) so the bill is to establish how this person fits into the department, and the duties and responsibilities of the position are. After a bit of discussion, we voted unanimously to recommend the bill to pass.

My HB 285 was next, which authorizes the department of revenue administration (DRA) to incorporate the equalization manual into its rules. The manual is created and updated by the assessing standards board, which is attached to the DRA; the rulemaking process requires any document under the control of the rulemaking authority (here, the commissioner of DRA) become an actual rule. However, the attachment of the assessing standards board is due to last year's HB 1552, which moved the certification of assessors from DRA to a new board under the OPLC, and the equalization manual is a well-known document that assessors understand. Converting it into a rule would require using legal language, rather than assessing terminology, and most likely confuse the users. The JLCAR recommended that it be exempted from these requirements. I also presented an amendment, also a request of the DRA, which allowed all their forms be signed under the penalty of perjury, without requiring specific authorization in the rules for each signature. Again, an exception to the rulemaking requirements that made sense to me. The committee agreed, and we voted unanimously to recommend the bill to pass, with the amendment.

My HB 358 is a request of JLCAR to clean up a lot of rulemaking language. The committee was concerned about how to implement the section that called for notice of a new rule, created by a new law, be sent to the policy committee chair for review, during the usual public comment period. The bill is going to subcommittee; after the hearing someone suggested an email notice to the entire House and Senate, which seems to me to address the concerns – *everyone* who cares will be notified and can respond with comments.

HB 274 is a broader revision of the rulemaking process, intended to get more legislative involvement in approving rules. I cosponsored it, in agreement with the principle if not the details. The director of the administrative rules office testified that many of the provisions of the bill were unconstitutional, as a committee cannot speak for the whole body. Several agencies testified that various provisions were unworkable or onerous. This bill went to subcommittee with HB 258, since the two address the same sections of law and are not necessarily compatible with each other.

The House met in session to deal with a very short calendar – we finished within an hour. The consent calendar of non-controversial bills, including six from my committee, was approved on a voice vote. HB 33, polycystic ovary awareness, and HB 94, eczema awareness, were quickly and quietly killed. HB 230, directing the department of agriculture to use an electronic registration system, passed without discussion and was sent to Finance. HB 445, on the OPLC fund, also passed and was sent to Ways & Means.



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All the activity was with bills from Municipal and County Government! HB 95, which would allow municipalities to adopt rent controls, was not tabled, 180-186, and then debated. It was killed, 301-63. The tabling vote was largely party line; the vote to kill it had most Democrats, including Representatives Schuett from Pembroke and Turcotte from Allenstown, joining the Republicans. HB 295, requiring all selectboard and school board meetings be recorded and broadcast live on line, was tabled, 322-45. Everyone thought this was a good idea, but mandating towns take on new programs or expenses is unconstitutional. Tabling it allows the sponsors to consider how to implement it without costing any towns that don't already have the capability to do this – most towns and cities that have the capability already do this.

HB 412, re-establishing a study commission on alternatives to the gas tax for funding road maintenance and improvements, passed without comment. My HB 330, on the national guard recruitment fund and its rulemaking, also passed without discussion and was sent to Finance.

HB 140, Granny D day, was debated and killed on a voice vote. HB 148, raising the minimum for competitive bidding on county purchases, was tabled on a voice vote. This had been recommended to be killed by the committee only because nobody showed up to testify (in their defense, the committee was running very late that day) and the counties were concerned that this would make their operations more difficult. At least while it's on the table, its contents can be incorporated into another bill. (and a member of my committee is working on it!)

HB 422, requiring the county registrars of deeds to develop and publish a database of each rental unit

in the county, had been recommended to be killed as an unfunded mandate. A motion to table it instead failed, 163-200, it was killed on a voice vote, then indefinitely postponed, 206-158.

Indefinitely postponed is a condition that doesn't come up very often: it kills, not only the bill, but also the *concept* of the bill for the entire 2 year session. So a related bill cannot be introduced in the House, nor an amendment on the concept; and Senate bills with that position are rejected.

All in all, a very educational session to start the year off! We had various procedural motions, an indefinite postponement, and a debate on a minor bill pulled from consent (Granny D). The next session will be on February 14, around the governor's budget address, and I hope we will have more bills ready to vote on.



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