



Your State House Concord, New Hampshire



March 15, 2024

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

This week, my committee continued with the last of its House bills. Monday, we held a public hearing on a non-germane amendment to HB 1521, on public comment during the rulemaking process. The amendment provided clarifying details in the fire code and zoning laws, to help recovery houses get started. This was supported by the state fire marshal, the professional organization for recovery houses, and several individuals who had started one and reported the confusion and lack of understanding they got from municipal officials. Not opposition exactly, just confusion as to which laws applied.

Wednesday, we met to vote on sixteen bills. As usual, we were collegial and nearly all votes were unanimous. HB 1075, abolishing daylight saving time, had an amendment to make it the same as Maine's law, saying that we'd give up time changes as soon as Congress allowed it. This settled most of the problems with being out of sync with our neighbors, since the entire country would change. HB 1079, on critical incident team members, also passed with a clarifying amendment.

HB 1474, on the commission on Native American affairs, was recommended to pass, since the bill fixed the problems with appointments and an excessive quorum. HB 1420, on agency responses to the public, was on the list by mistake: we had actually voted for interim study back in February, when we heard the bill. Simply re-sending the committee report settled that one! HB 1456 changed the appointment process for the members of the board of tax and land appeals from appointment by the Supreme Court to the Governor and Council.

HB 1545, allowing state surplus property to be sold for less than fair market value if it was to be used for affordable housing, had a minor amendment to clarify that it applied to agencies other than the department of transportation. However, after that, the committee split on partisan lines with the Democrats in favor of the bill, and Republicans concerned that this would decrease transparency and allow the executive, rather than the legislative branch, to allocate money to the housing projects. With a 10-10 vote, I expect some debate on this.

HB 1352, on firefighting protective equipment, had an amendment to make the recommendations advisory for local fire agencies. The bill separated actual fire protective gear – coats, hats, boots, etc, that are worn into a burning building – from regular station gear - the slacks and shirts worn around the fire house or in the ambulance. Protective gear, at this time, needs various toxic chemicals (including PFAS) to provide the heat and fire resistance; station gear should not.

HB 1188 separated the qualifications for registered nurses, licensed practical nurses, and advanced practice nurses from those for LNAs – licensed nursing assistants – and gave the LNAs a less stringent qualification in English. An amendment made sure that applicants for the LNA license were also added to the federal certification list at the same time, so that only one application was required. The LNA has a broader scope of practice and more training than certified nursing assistants, who are essentially trained only to work in nursing homes.

HB 1131, on mental health practice, had my amendment to put non-profit and for-profit clinics on the same foot regarding hiring interns and recent graduates. HB 1413, on mental health



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supervision agreements, used the same language as HB 1131 defining these agreements. HB 1286, merging the board of land surveyors and the board of professional engineers, was quickly recommended to be killed. HB 1385, establishing the veterans' licensing acceleration program, had a clarifying amendment to keep the actual analysis of military occupation codes as a function of the department of veterans' affairs, and the quick response as the responsibility of the OPLC. Both departments supported the bill as amended. The vote on this bill was 19-1, for a change.

We recommended HB 1526, conditional licenses for veterinarians educated in other countries, without an amendment, because the original bill addressed our concerns: legal immigrants with a right to work in this country; completed academic training and qualification testing; and employed and supervised by a licensed veterinarian.

HB 1521 was a rather different case. The original bill had some impractical revisions to the rulemaking process, and we had the non-germane amendment about recovery houses. Unfortunately, the amendment could not be attached to a different bill without another public hearing, and there was no time for that. So we discussed the amendment and agreed that we supported it, and decided to discuss the original content of HB 1521 along with HB 1622, a technical update for rulemaking, since it was germane to that bill. I had an amendment prepared from the subcommittee meeting and we voted to approve it. After some discussion, another member agreed to develop a new amendment for next week, including the requirement to post written public comment, which was part of the original HB 1521.

Thursday the House met in session. We started with a memorial to a deceased representative, then approved 30 non-controversial bills at once. HB

1204, which established that “no trespassing” means that law enforcement officials need a warrant on fenced or posted land, except in an emergency. This had a minor amendment, then was debated, with the opposition saying the bill was not needed since New Hampshire police officers are trained to get a warrant in such cases. Skepticism won, 228-139.

HB 1276, repealing the prohibition on the possession of blackjacks, slung shots, and brass knuckles (except for children) was debated and passed, 198-175, with the opposition convinced that legalizing these antique street fighting weapons would result in gang violence.

HB 1336 was a tougher call. It would prohibit an employer from forbidding firearms in employees' cars while parked on the employer's property. This violates the employer's private property rights, since it is his right to forbid firearms on his property, but could violate the employees' right to self defense if they need the weapon before or after work. I was getting ready to listen to the debate when the bill was tabled on a voice vote.

HB 1108, creating a study committee on the role of colleges and universities in contributing to the student loan crisis, was debated and killed, 231-143. Despite the valid issues involved – many colleges used the higher tuition they could charge after the federal government loosened the requirements for taxpayer backed student loans to expand their administration, raise pay for professors and staff, and build extravagant facilities – I voted to kill the bill since I'm not sure a study committee would be effective (and I wouldn't want to be on one on this topic!)

HB 1162 would repeal the prohibition on teaching discrimination, which has been misinterpreted as a ban on teaching anything about racism. After some



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debate, it was indefinitely postponed, 192-183 – almost purely partisan, with two Democrats joining all but one Republican.

HB 1265, a housekeeping bill on public academies and adequacy grants for towns that tuition some of their students, passed without comment.

HB 1305, asserting freedom of speech and association at public colleges and universities, had some interesting parliamentary maneuvers. First, quite a few people (including me) looked at the speakers lining up on both sides and decided it was a good time for a bathroom break. So, the committee amendment had a close voice vote, and the speaker called for a division to get the exact count. In that situation, representatives in the anteroom or hallway cannot re-enter the chamber – the vote was 181-182. After some debate, the majority leader moved reconsideration of the vote on the amendment, and asked for a roll call – so everyone was called back to their seats. Reconsideration passed, 189-183, and the amendment passed, 192-182, with eleven more people voting than had the first time. A floor amendment banning so-called “free speech zones” passed 197-175, and debate continued at some length. The bill finally passed, 206-169, with 14 Democrats joining all but one Republican.

HB 1311, on school library policies, requires schools to adopt policies that consider and protect the author's (or characters'!) gender identity, age, sex, race, creed, family status... but also prohibits using “viewpoint” as a basis for selecting or rejecting books or other media. This bill was not indefinitely postponed, 185-190, then debated and passed, 194-180. Reconsideration failed, 183-192. I voted against it as the bill appeared to be a way to guarantee that books supporting *parents'* viewpoints (as opposed to staff) would not be stocked in school libraries.

HB 1312, expanding the current notification requirement for sex education to programs on gender and forbidding policies that allow school personnel to not answer parents' questions about their child, was also debated at some length. It passed, 186-185.

HB 1512, limiting education freedom programs to budgeted amounts, was an attempt to limit enrollment in this program if the budget writers underestimated how many students would apply. It was debated, not passed, 186-187, then indefinitely postponed, 187-185. HB 1594, requiring parents of children in the education freedom account program annually verify their income eligibility, was indefinitely postponed prior to the debate, 189-184.

HB 1671 protected teachers from false accusations of violating the prohibition on teaching racism or other divisive concepts – at the cost of limiting due process and shifting the burden of proof. Even most of the Democrats on the Education committee did not support the bill, and it was killed on a voice vote.

CACR 19, creating an independent redistricting committee, was debated and killed, 186-189. HB 1146, allowing a voter to remove himself from the checklist (as when moving,) was debated and passed, 186-185. HB 1310, requiring the supervisors of the checklist to meet at least quarterly, was very briefly debated and passed, 188-187.

HB 1348, allowing a candidate to request a recount if the total ballot count is greater than the number of registered voters, was not tabled, 184-190, amended for clarity and passed, 191-183. This pretty sure indicator of voter fraud has not actually happened in New Hampshire, thank goodness!



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HB 1364, making threatening or harming election workers a felony, was indefinitely postponed, 189-184. HB 1369, making the full verification of the voter rolls on a four year cycle rather than every ten years, passed 191-181 and was not reconsidered, 185-189.

HB 1370, requiring durable plastic containers for preserving ballots – instead of the current heavily-taped cardboard boxes – passed 254-120. HB 1557, requiring the Secretary of State to enter into an agreement with the Electronic Registration Information Center, was indefinitely postponed, 189-185, on privacy concerns. HB 1569, eliminating the exceptions to voter ID – and the affidavits needed in those cases – was debated, passed, 189-185, and not reconsidered, 186-188.

At this point, we voted to reconsider HB 1029, the lobster license bill we'd killed last week. The vote failed, 176-193. HB 1252, a study committee on the needs of Native Americans, was killed on a voice vote.

SB 395, establishing an assistant commissioner in the department of agriculture, was debated on the need: it's a small department, with fewer than 50 employees. However, the pay for this employee was included in the budget last year, but the new position itself was inadvertently not included! The bill passed, 213-136; I voted against.

HB 1231, permitting patients in the medical cannabis program to grow their own supply, passed 294-66, without debate. HR 25, a resolution essentially declaring ballot counting machines unconstitutional, had been rejected by the committee because the issue is currently being appealed to the Supreme Court. It went to interim study without comment.

HB 1326, changing the notification process for hearings on large groundwater withdrawals, was killed without debate.

HB 1156, declaring that recommendations or guidelines from the federal Center for Disease Control or the World Health Organization could not to be used to justify public policy in New Hampshire, was debated with some heat. An amendment deleting mention of the CDC was defeated, 158-187; after some debate (which established that everyone involved preferred the amendment!) a motion to reconsider the vote on the amendment failed, 178-193; the motion to pass the un-amended bill failed, 181-190; and it was tabled, 186-185.

HR 23, calling on Congress to support a national health insurance plan, was debated before being indefinitely postponed, 192-179. HR 26, a resolution to urge Congress to distinguish between corporate and individual rights (that is, to forbid corporate campaign contributions) was indefinitely postponed before the debate, 194-179.

HR 27, calling on policy makers to consider all factors regarding climate change before taking any actions that would damage any economy or environment, was debated and then tabled, 187-185; a later motion to take it off the table failed, 170-195.

HCR 9, rescinding a request for a balanced budget constitutional convention (from 2012) was debated, both on the problems with a constitutional convention and the need for a balanced budget amendment. The resolution was not killed, 128-238, amended to clarify the language, 209-161, then passed on a voice vote. Of course, since it is a **concurrent** resolution, it will require a 2/3 vote to even be introduced in the Senate, and I don't expect



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that to happen.

HB 1244, prohibiting smoking or vaping in a car with a passenger under 16, was debated and killed, 188-171. It was particularly inappropriate since it was defined as a secondary offense – some other transportation law would need to be broken before someone could be pulled over or fined for smoking with children present. HB 1329, creating special license plates for fire departments, passed without comment.

HB 1332, prohibiting electric vehicles from parking in parking garages, was debated on the danger of battery fires, the weights of electric vehicles, possible heat damage to the structure, and water damage to the structure from the thousands of gallons used to fight some vehicle fires. It was not passed, 145-221, and killed on a voice vote. I'm not convinced that electric vehicle fires are common enough to demand such extraordinary preventive measures.

HB 1403, allowing 120 days after inspection to fix a “check engine” fault, passed 200-166, without debate.

CACR 15, requiring a 2/3 vote in the legislature to raise new or increased taxes or fees, was debated and not passed, 183-185, with four Republicans joining all Democrats in opposition. HB 1054, making the fund for the Norther Border Alliance Program lapse to the general fund at the end of the biennium, passed 188-180, and was not reconsidered, 173-192.

HB 1254, allowing a *local* room tax, was indefinitely postponed, 195-171. This has been a recurrent request of tourist towns, who complain that they bear the burden of the police and fire support for visitors, without getting enough of a share from the state rooms & meals tax. HB 1391,

allowing new vehicles to skip one year of inspection, passed, 219-145. And HB 1536, increasing the expense deduction against the business profits tax to \$1,000,000, passed 272-89, without debate.



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