



Your State House Concord, New Hampshire



March 22, 2024

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

This week, I presented three of my committee's bills to the Senate. First, my HB 1451, classifying mandatory overtime as base pay for pension purposes, which was well received and accompanied by the retirement's system analysis of how overtime is included in pension payments, and how it's changed over the years.

HB 1292, removing the requirement that young adult children included in a retiree's medical insurance plan be full time students, had some questions as to the cost. The only explicit cost would be in administration of the plan, since the state self-insures this program; possibly, having younger people in the plan would reduce expenses, unless only children with high medical needs would be worth the payments, since the parents pay the full cost for this insurance.

HB 1433, explicitly allowing the secretary of state to accept archival records, and donations to maintain them, and a grade increase for two staffers in the records management division. The questions here were largely about the positions, but the state Archivist was there to testify that the cost would be covered by the current budget.

My committee met to vote on our last four House bills. HB 1095, originally the official pronunciation of "Concord" and "New Hampshire," had a massive (*down* to 96 pages!) amendment dealing with the policy changes we made last year, to have the OPLC responsible for issuing licenses, setting fees, writing rules, and investigating complaints. The board statutes were changed to agree with this, and to clarify that the boards retained technical authority for setting

standards and rules, and acted as the judges evaluating the results of any investigations. After some discussion of the amendment, we voted to adopt the amendment and the bill, with no support for maintaining the pronunciation guide. The only issue was some inconsistency in labeling, with the bill sometimes referring to "office of professional licensure & certification" and sometimes just to "office." We agreed that it wasn't worth delaying this bill and we'd mention it to the Senate.

HB 1271, on combination of boards and converting some boards to advisory boards, also had a major amendment that simplified the bill. The only combination of boards remaining was the (already advisory) boards of massage therapy and Asian bodywork, which was at the boards' request. The licensing of medical technicians was deleted, since the technicians don't consider themselves a group and only one person has ever agreed to serve on the board. The board – and the OPLC – is therefore unable to regulate this profession, and we didn't want anyone to think it was being regulated. A number of the new advisory boards were increased in size, and the composition adjusted, at the requests of the professionals. Again, consistency of terminology was not perfect, but we again agreed to leave it for now. The committee unanimously adopted the amendment, with confirmation that it had no overlap with the amended HB 1095.

Then we debated the policy. The committee Democrats raised objections about converting the acupuncture and guardian ad litem boards. The acupuncture board revision was supported by a large group of activist acupuncturists and opposed by the board and another group of acupuncturists! The original language on the guardian ad litem board had received strong testimony in opposition, but was completely revised by the subcommittee. Without carefully examining the new language, they reiterated their opposition to the bill. We



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voted 10-10, on party lines, on a motion to pass the bill. Then a motion of interim study passed 11-9, with one Republican joining all the Democrats, including the ones who had been speaking strongly in favor of the bill as amended.

HB 1688, on artificial intelligence use by state agencies, had my amendment to revise the definitions to agree with other bills; delete some problematic language (no time to investigate and fix!); insist facial and speech recognition technologies only be used in public areas with a warrant; and require agencies to comply with the DOIT ethics policy on AI. This amendment, and the bill, passed unanimously.

HB 1622, my bill on rulemaking procedures, had a new amendment that included some sections for HB 1521, which we replaced last week with recovery housing. These required written public testimony on rules be posted promptly, and revised the requirements for the agency's response to public comment. This amendment, and the bill, passed unanimously.

Thursday we met in session. HB 1192, clarifying the laws on contempt in family court, was briefly debated before passing, 187-178. HB 1659, creating penalties for not adhering to court-ordered parenting plans, was also debated and passed, 198-174. The issue was that DCYF's rules and regulations could create ridiculous situations.

HB 1528, reporting by the northern border alliance program, aligned the already required report with the normal State Police protocols, passed on a voice vote. One representative protested the vote because it required reporting on race, at least summarizing the race data provided by the police.

At this point, it was moved to take HB 1336 from the table, 189-183. HB 1336 would require

employers to allow employees to keep guns in their (locked) cars in the employer's parking lot. A floor amendment to limit the requirement to public employers and businesses that received public money was debated and passed, 201-172. The bill passed, 197-176, and was not reconsidered, 177-195. I feel much more comfortable forcing public agencies and recipients of public money to respect their employee's right to bear arms than private businesses, and it seems a number of other representatives agreed.

HB 1205, restricting women's sports to women, was amended, 190-177, to limit its effectivity to grades 5-12. After some debate, it passed, 189-182, and was not reconsidered, 178-194.

HB 1650, establishing minimum standards and an approval process for "learn everywhere" programs, was indefinitely postponed, 192-182. HB 1654, requiring a review of education freedom account providers by the Board of Education to ensure they comply with federal and state anti-discrimination laws, was also indefinitely postponed, 191-183. Both these bills were attacks on alternatives to the public school system, and the votes were party line with one exception on each side.

HR 30, urging a robust climate education in schools, was not amended, 181-191, then indefinitely postponed, 191-183. HB 147, which dealt with the (federally mandated) commission on special education, was taken off the table, 190-185. A floor amendment to revise the membership to the minimum required (27! it had risen to over 40, making the commission non-functional) was briefly debated and passed, 191-183, the bill passed, 192-183, and not reconsidered, 182-194.

HB 1074, requiring campaign contributions from LLCs be allocated to the LLC members, rather than the business itself, was indefinitely postponed,



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191-185. HB 1098, allowing town clerks to deliver absentee ballots to assisted living facilities, and help the residents with voting, had a few remarks before passing, 192-175.

We then voted, 236-137, to special order HB 1414 to the next order of business. HB 1414 would require the Gunstock ski area return a higher percentage of profits to the county, which owns the business, and require regular forensic audits. After some debate, which included the entire history of the resort, the bill was not tabled, 45-329, then indefinitely postponed, 230-143. The lopsided votes were because this was seen as a continuation of the fight over Gunstock that shattered the Belknap County delegation two years ago; I voted in favor of the bill because I thought it made sense as a business requirement.

HB 1099, enabling school districts to have partisan elections, as towns have been able to since 1979, had a floor amendment adopted, 187-186, then the bill was not passed, 185-188, and tabled, 188-186. I couldn't take the debate too seriously because in small towns one's politics are known, and in the years since 1979, not one town has taken up the option for partisan elections.

HB 1119, consolidating the reasons a voter might request an absentee ballot for an expected storm on election day, passed 282-92. The opponents, including me, were concerned that the issue of expanded absentee ballots is currently before the Supreme Court, as exceeding the constitutional authority for granting absentee votes. A member who voted for the bill has asked for reconsideration, which will be taken up next week.

HB 1147, attempting to require businesses to only make political donations from segregated funds, as labor unions are so required, was indefinitely postponed, 187-186. HB 1149, another Democrat

attempt to redefine "resident" so that identification is not required to register to vote nor to vote, was indefinitely postponed, 190-184.

HB 1264, ensuring that accessible voting systems are available at every polling place for town elections as well as state elections, passed on voice votes.

HB 1523, a technical change to the moderator's pre-election certification, had a floor amendment not adopted, 186-187, the bill not passed, 185-188, then killed on a voice vote. A notice of reconsideration has been posted, so we will take it up again next week.

HB 1351, forbidding the sale and use of adhesive traps for rodents, had some debate before going to interim study, 191-169.

From my committee, HB 1335, removing Columbus Day as a state holiday, was killed, 331-42, with minimal debate. HB 1411, requiring agencies to accept cash payments, was debated before being killed, 306-63. I pointed out that all state agencies are happy to take your money and all accept cash; for the concern about the Spaulding Turnpike tolls, I know at least three legal ways to deal with them, with cash, without needing to buy a transponder.

HB 1347, administration of the refugee resettlement program, went to interim study without comment.

HB 1683, eliminating coverage of routine, not medically necessary, infant circumcision from the state Medicaid plan, was debated for over an hour, finishing with the memorable line, "nobody wants less penis." The bill failed to pass, 178-197, and was tabled, 188-187.



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HB 1002, fees for records under the right to know law, had a brief debate before not going to interim study, 105-266. A floor amendment was presented that limited the ability to charge to electronic records (email) only, since those records typically required expensive redaction before release. That amendment passed, 345-24, and the bill passed, 268-106. Reconsideration failed on a voice vote.

HB 1082, allowing a non-professional assistant manager for single member professional LLCs, would give a reasonable way for someone to wind down the practice in cases of death or incapacity of the professional. It passed without comment.

HB 1115, allowing eviction at the end of a lease (as most people would assume is the normal situation,) was debated before not being killed, 182-191. The bill passed, 194-180, and reconsideration failed, 179-195. This bill was necessary to cancel out a mistaken judicial ruling almost 40 years ago!

HB 1283, establishing a program of “medical aid in dying” was debated at great length. During the debate, the bill was not tabled, 155-217, and not indefinitely postponed, 150-212; it finally passed, 179-176. I was opposed because while I can support an individual's choice to die at their own time, I am firmly against giving legal protections to medical professionals who help.

HB 1353 would authorize the commissioner of Education to issue subpoenas when investigating and judging serious code of conduct violations for certified educators. Other officials - say, the executive director of the OPLC – with similar responsibilities have this authority, so I was rather surprised the Education Commissioner doesn't. The committee amendment, which shifted the authority to the hearings examiners, failed, 169-178, and the bill was tabled, 292-58.

HB 1664, legal remedies for individuals receiving medical de-transitioning, was indefinitely postponed, 181-164, before any debate.

HB 1246, which would allow wages to be paid in gold or silver (rather than check, cash or debit card) was debated before being killed, 182-155. HB 1648, allowing employers to mandate payment by debit card or direct deposit, was indefinitely postponed, 338-2.

HB 1479, prohibiting the use of federal, state, or local funds for lobbying, had been very strongly opposed by the Municipal Association, the School Boards Association, and similar organizations. An amendment to specify that such organizations had to offer unbundled prices, so that towns, etc, could take advantage of training, legal advice, and legislative research without also buying lobbying, was defeated, 135-207; a second floor amendment also failed, 117-224, and the bill was not tabled, 135-205, before being indefinitely postponed, 211-129. This had been a concern for over a decade, as these organizations lobby extensively, and not every taxpayer agrees with all of their positions – but once your town joins up, your taxes go to fund a lobbying position you may or may not support.

HB 1053, a statewide mandate to require residential units in commercial areas, was tabled, 316-18. HB 1101, creating a study committee on student loans and housing loans, was indefinitely postponed, 171-164.

HB 1175, returning the decision to adopt SB2 to the ballot, rather than town meeting, was debated and passed, 173-163. HB 1210, returning Strafford County commissioners to at-large districts, was not indefinitely postponed, 168-169, not tabled, 167-170, and *then* debated. The bill did not pass, 168-168, and was finally tabled, 308-28, in exhaustion.



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HB 1281, banning some restrictions on residential rental properties (no more than three unrelated people per unit, only one person per bedroom were mentioned) was tabled, 300-17, before debate.

HB 1317, leeway for charitable organizations to file for property tax abatements, was also tabled quickly, 306-7.

HB 1345, changing county officials to four year terms in Coos County only, was debated before passing on a voice vote. HB 1460, on the procedure for sale of county property, was indefinitely postponed, 165-160.

HB 1584, increasing the number of unrelated children in an unlicensed family day care from three to four, was debated over some very unrealistic scenarios (one person caring for four infants in a second floor walk-up when it caught on fire ...) It was not killed, 159-167, passed on a voice vote, and not reconsidered, 159-167.

HB 1470, creating a study committee on a low-income housing tax credit, was indefinitely postponed, 164-162. HB 1611, creating a child care workforce fund, was debated, with supporters desirous of the intent of the fund and opponents concerned about sloppy language, broad rulemaking authority, and excessive administrative costs. It was killed, 163-162.

HB 1640, on qualified immunity standards, was tabled on a voice vote, before any debate.

The House then recessed for a week, at 8 pm.



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