



# Your State House Concord, New Hampshire



March 29, 2024

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

This week, the House met to consider all bills that didn't go to a second committee. Since this was a deadline, many bills we wanted to kill would be tabled instead, since the motion to table is not debatable. Anything on the table after this week would need a 2/3 vote to do anything, so it's likely it'll quietly die on the table.

First, we had a memorial to a deceased representative, then welcoming for two newly elected representatives (both Democrats.)

HB 1365, allowing pharmacies to substitute biological products, passed without discussion, as did HB 1366, penalties for negligent boat operation.

HB 1359, annulling or re-sentencing various cannabis offenses, would allow anyone who had been convicted of cannabis possession to appeal to the court directly, without the usual \$300 fee, for an annulment or re-sentence. The bill would also have the state start the annulment process for those whose sentence had been completed. It was debated and passed, 283-80.

HB 1713, requiring a felony defendant be present in court, was not tabled, 112-256, and the committee chair presented a floor amendment that limited the mandatory presence to when the jury returns the verdict and the sentencing. I voted to table the original bill, but after the floor amendment I wasn't as opposed. After some debate, the floor amendment and the bill passed on voice votes.

HB 1014, on registering high school students to vote, had a committee amendment to put voter registration into the civics curriculum, 189-186. The bill then passed on a voice vote.

HB 1015, on elementary school literacy development, was extensively debated, primarily between two long-winded Republican representatives with different views on how to improve literacy. Since only 52% of students in the state test as Proficient in reading, it's a serious problem. (Math and science are worse!) The committee amendment passed, 297-77, then a floor amendment from the other representative failed, 145-229. The bill finally passed, 365-9.

HB 1084, instituting qualifications for the commissioner of education, would require her to be a professional educator or education administrator. It was tabled, 196-179. HB 1087, a study committee on information and media literacy, was tabled on a voice vote.

Then, by a 189-188 vote, we took HB 1683 from the table. This bill removed Medicaid coverage of routine infant circumcision. The pending motion to kill the bill failed, 185-188, a motion to reconsider the ought to pass motion passed, 188-186, then the pass motion failed, 184-191! All this without debate, as we had debated this bill for over an hour last week; we finally returned it to the table on a voice vote.

HB 1093, prohibiting mandatory mask policies in schools, was amended, 172-163, to except individual accommodations to students with disabilities. After some debate, the bill passed, 187-184. HB 1287, on the definition of "evidence based" in education, was debated, not passed, 179-193, and killed on a voice vote.

HB 1452, establishing qualifications for a



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superintendent of schools, was tabled, 193-182.

HB 1453, requiring all institutions of higher education be non-profit rather than for profit, was also tabled, 190-184.

HB 1476, changing the due date for a memorandum of understanding between a charter school and the sending school from before the start of the school year to November 1, was also tabled, 192-182. These MOUs are necessary for special education, since the sending district is responsible for services.

HB 1481, on appointments to fill vacancies in cooperative school districts, was debated, with proponents urging that replacements be appointed from the same town as the former member, and opponents pointing out that cooperative districts have rules guiding this process, and the bill would retroactively affect these agreements. The bill failed to pass, 186-188, and Interim Study passed on a voice vote.

HB 1592, forbidding the use of Education Freedom Accounts for religious schools, was tabled, 191-186. HB 1616, requiring parental consent for *each* service provided to a child that is billed to Medicaid, was debated and passed, 190-187.

Then a member moved to take HB 1353 off the table. This bill granted the Department of Education subpoena authority when investigating cases of licensee misconduct, as other commissioners typically have. The motion failed, 183-194.

HB 1642, changing the school board member on a cooperative school board budget committee to non-voting status, was debated and not passed, 185-189, then went to interim study on a voice vote. Obviously changes to cooperative school districts are not popular in this session...

HB 1091, a cleanup bill of the campaign finance laws, had the committee amendment, a floor amendment, and then the bill, pass on voice votes; a motion to reconsider failed, also on a voice vote. The same thing happened on HB 1596, requiring disclosure of the use of deceptive artificial intelligence in political advertising. This bill was triggered by the use of a communications with a faked Biden voice before the presidential primary.

HB 1102, declaring breeding flat faced dogs (pugs, bulldogs, etc) to be animal cruelty, was tabled, 232-140.

HB 1145, prohibiting private ownership of new landfills, was not tabled, 180-193, then a floor amendment to ensure liability for leaks is set in any operator's contract was adopted, 234-125. Then debate, with the opponents supporting the free market and the supporters wanting to prevent the importation of out of state trash (mostly from Massachusetts. Of course, they don't mind that New Hampshire's hazardous waste all goes to out of state facilities.) The bill passed, 208-162.

From my committee, HB 1059 updated the state building code. As expected, there was a floor amendment to update the energy code as well. I spoke against it, and the amendment failed, 179-192, and the bill passed on a voice vote.

HB 1190 would adopt the social work interstate compact. It was not tabled, 181-192, then we debated it briefly. The motion to kill the bill failed, 175-200, and the bill passed on a voice vote.

HB 1222, physician assistant scope of practice, had the committee amended adopted on a voice vote, then a floor amendment presented the compromise we'd worked out earlier this week. It added 8000 hours of clinical practice before a PA could



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practice independently, with a formal collaboration agreement if there wasn't a physician in the same specialty working with him. I thought 8000 hours (about 4 years full time) was too much, but that was the lowest number we could get some of the opponents to accept. After the amendment was explained, it and the bill passed on voice votes.

HB 1271, converting some regulatory boards to advisory boards, was debated before going to interim study, 195-181. HB 1545, selling state surplus property for affordable housing below market value, was tabled, 190-185.

HB 1279, requiring the state to pay 7.5% of the retirement cost of local employees, was not tabled, 182-192, then debated. It was not killed, 178-194, passed on a voice vote, and not reconsidered, 179-194. I was opposed because we've already added a lot of money to the retirement system this session, but mostly because the state has no input into how many employees a municipality has, nor how much they're paid. And arguing that the state needs to honor a 60 year old negotiating point strikes me as a very weak argument.

HB 1323, making an appropriation to print the state constitution, was amended to delay the effective date to the next biennium, to include any constitutional amendments approved in November. It then passed on a voice vote, without comment.

HB 1280, putting a definition of informed consent and patients' rights into the physicians' licensing statute, was debated over whether or not it was necessary. It then passed, 189-181. HB 1568, providing Medicaid reimbursement for EMT calls even if the patient is not transported to a hospital, had a few remarks before passing, 237-136.

HB 1607, expanding "safe haven" protections when giving up an infant, was not tabled, 183-187,

then debated at length. Interim study failed, 182-189, and a floor amendment to protect mothers from prosecution passed on a voice vote. Debate continued, with some members stating that they wanted to exclude evidence of drug use or whatever, but were unwilling to accept not using evidence of physical or sexual abuse. On that note, a motion was made to divide the bill (as amended), taking out section 5 which was the part making evidence from the abandonment inadmissible in court. That motion passed, 290-82, and the rest of the bill passed, 372-1. Section 5 did not pass, 185-188. I voted for it because I thought it more important to encourage that sort of parent to give up their child than to be able to prosecute them after they did.

It was now 4 pm, and coffee and snacks were available in the anteroom, so many representatives missed some or all of the debate on the next two bills.

HB 1181, on solid waste districts, which seemed to me to be a housekeeping measure allowing such districts to contract with third party haulers, use a manifest system to smooth out the accounts payable system, and authorize emergency expenditures – as other municipal authorities can do now. The committee amendment was debated mostly on the authority to "direct" waste rather than just "accept" it, and passed 223-136. The minority amendment, with more controls on procedures, failed 149-216, and the bill passed on a voice vote.

HB 1223, originally on budget committee membership, had a non-germane amendment allowing towns to vote to accept – or not – games of chance (charity casinos), as they had Keno. It was not tabled, 166-196, then debated on the amendment, which passed 282-86. The bill then passed without further comment.





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HB 2024, the state ten year transportation plan, was adopted by passing the committee amendment on a voice vote. Then we debated a floor amendment that deleted a single element of the plan, returning Continental Boulevard in Merrimack to town ownership. Since Continental Boulevard is not really part of the turnpike system, the state wants to give it back. Interestingly, the state is completing a repaving project on the road and estimates annual maintenance costs at about \$100,000; the town estimates them at \$500,000! That discrepancy, plus the overheated rehashing of the history of the road, made me less sympathetic to Merrimack's claims; the amendment failed, 172-195 and the bill passed on a voice vote.

HB 1113, requiring shoreland septic systems be inspected before the property is sold and replaced if necessary, had the committee amendment adopted on a voice vote, then a floor amendment to require replacement in 180 days rather than a year was also adopted on a voice vote after a few remarks. The bill passed without further comment.

HB 1121, codifying that landowners can remove woody debris and stream blockages after a flood or a storm without a permit, passed without comment.

HB 1301, regulating wake surfing, was tabled, 196-172. HB 1390, regulating wakesports, was also tabled, 190-178; a later motion to take it off the table failed, 165-188.

HB 1291, allowing two ADUs (accessory dwelling units) per house, by right, was not tabled, 87-277, then debated at length. It passed, 220-143. I supported it because I've gotten several communications from constituents who want to build an ADU for themselves or for disabled family members but have run into town regulations that made it difficult or impossible. It also makes

sense to allow people to build these small apartments throughout the state rather than large apartment complexes – it preserves the character of our towns much better. Not to mention that the old farmhouses typically housed grandparents, aunts, and some farm workers as well as the primary family.

HB 1339, requiring towns to allow duplexes in some single family zones, was debated at length before passing, 220-140. I sympathized with the opponents who said it would be difficult to administer, but, like HB 1291, it helps to increase the supply of housing units without drastically changing the character of the neighborhood.

HR 31, urging support of the dignity through prosperity act, was tabled on a voice vote.

At this point, HB 546 was taken off the table after a 182-179 vote. The bill passed, 182-178, and not reconsidered, 172-188. I was opposed to this bill because it added \$50 million in school building aid, despite having funded such aid at normal levels in the budget.

HB 1273, protection of personal information from driver's licenses, went to interim study on a voice vote.

HB 1711, allowing the state to report mental health data to the federal background check database, was not tabled, 150-205. A floor amendment to make it a study committee on the process was killed on a voice vote, then we debated, at some length, a floor amendment to limit the types of reports authorized (not guilty of a crime by reason of insanity, found by a court as a danger to others, but not just to themselves and not before final court judgment.) This failed, 101-252, with all the Republicans from the area, and Representative Turcotte from Allenstown, opposed. After some more debate the



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bill passed, 204-149.

HB 1637, reducing requirements for repairs after vehicle inspections, had been a unanimous committee vote. The full House adopted the committee amendment and a floor amendment to fix a drafting error, without debate. The bill passed, 349-6.

Finally, a representative moved reconsideration of HB 1283, medical aid in dying. This motion is rarely debated, but this time, both bill supporters and opponents mentioned the time (7 pm) and the eleven speakers already signed up to speak on this bill... Reconsideration failed, 147-210. Personally, I wouldn't expect a different result this time; we debated the bill for over an hour last week, and everyone knows how they would vote on it. So, with Republicans down due to the hour, even if reconsideration passed the bill would pass again.



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