



Your State House Concord, New Hampshire



April 12, 2024

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

This week, I continued with committee work. I presented to the Senate HB 1059, updating the state building code. This was a lengthy hearing, as a number of opponents who wanted to update the energy code as well as the building code showed up for the first time in the Senate hearing (the House committee hearing had only one opponent.) They all tossed around conflicting numbers as to the costs and probable energy savings, reminding me of that classic book, *How to Lie with Statistics...*

I also presented HB 1622, a technical update to the rulemaking process, with some additional penalties to enforcing expired rules and more transparent dealing with public comment on rules. Unfortunately, I had to ask them to incorporate two changes: first, deleting the requirement that the OPLC put its record retention policy in rules (since they're still negotiating with the Secretary of State and the state archives on who should do so) and authorizing one year licenses for apprentices. We'll have to see what they do with the bill.

My committee, meanwhile, had heard SB 599, on the state fire code, and voted 15-0 to adopt the bill. They started in on SB 437, local authority to amend the state building code, before I got back to join them. This bill had only supporters testifying, but there were so many questions that it went to subcommittee. One problem is that only five municipalities (Amherst, Durham, Manchester, Nashua, and Portsmouth) have actually submitted building code amendments to the building code review board, but anecdotally, other towns have imposed special requirements, frequently without

formally adopting them as building code amendments.

SB 367, reestablishing the commission to study PTSD in first responders, had the chair of the commission introduce the bill. The previous commission lapsed after its last report in November, but it had been a well attended group that met regularly and influenced first responder training on PTSD. Unfortunately, one of the topics for the reestablished commission was "comfort dogs," and that kept the committee asking questions! Still, we voted, 16-0, to pass the bill.

SB 479 declared the second Thursday in October as children's environmental health day. With only the sponsor in support (and she'd gotten the governor to declare this commemoration last year) we voted to kill the bill. SB 430 created a council to study the impacts of electric vehicles, and other devices with lithium batteries on first responders, the environment, building and fire codes, and property protection. This was a followup to a round table group, led by the state fire marshal, that looked into these issues. After finding out what a council is - a group of stakeholders, largely state employees, and no legislators, but authorized by the legislature and reporting to us - we voted to approve the bill.

SB 210, on software used by state agencies, required any future software purchases to be usable on multiple hardware or cloud configurations. No cost impact, no opposition, so we voted in favor.

SB 439 would prohibit the state executive branch from contracting with, purchasing from, or investing in, companies that boycott Israel. It is actually a codification of an executive order, and so does not affect the retirement system nor the state treasurer - neither is an executive branch entity. We heard from the sponsor, one



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representative opposed, then at least a dozen vehement citizens opposed to the Israeli government and the bill. Their emotional testimony took us beyond the time to start the next bill, so we didn't vote on this one. I'm opposed to the bill, but not because of the testimony: I don't believe in handicapping our procurement or investment processes by requiring, or forbidding, political choices.

SB 318, the social work licensure compact, was identical to HB 1190, which has passed the House and is in the Senate. So, after the bill was introduced, I introduced a non-germane amendment replacing the entire bill with portions of HB 1271, as amended by the committee. So the bill now converts the manufactured housing installation board and the nursing home administrators' board to advisory status, combines the (advisory) board of massage therapy with the (advisory) board of Asian bodywork, and repeals the registration of medical technicians – all actions supported by the committee. It went to subcommittee for a final check of the language.

Thursday, we met in session to vote on all remaining House bills. These are the last ones that went to two committees, and all the ones on the regular calendar were from Finance. Dan has been preparing amendments, committee reports and debates for a week.

We started with memorial remarks, the annual “tartan day” festivities (bagpipes! kilts!) and an address from the counsel from Korea. HB 261, on the rights of tenants in the case of domestic abuse, had some clarifying amendments from the Senate, and we concurred with them on a voice vote. SB 523, on public school materials, was judged (by the Speaker) to be too similar to HB 1419, which had been indefinitely postponed, so we had to vote (by 2/3) to allow it to be introduced into the House.

The vote failed, 187-192.

The chair of Finance moved to take HB 1560 from the table. This bill moved unspent money from the education trust fund to the general fund at the end of the biennium, and he was concerned that the bills we had to vote on today would exceed the current balance in the general fund. The motion failed, 177-201; he tried again at 4:45 pm, and lost again, 167-204. I wonder how the people that voted against this planned to pay for all the spending they were voting for?

HB 318, on bail commissioners, was amended to include the content of three other bills, including 10 new magistrates, a new bail status information system, increasing the bail commissioners' fee from \$40 to \$60, and adding a coordinator to train judges, magistrates, and bail commissioners. The amendment and the bill passed on voice votes, without discussion. HB 1005, on judicial training, was tabled, 348-33, because the content had been included in HB 318 and one member wanted to debate killing it.

HB 1178, on unused vacation time, was a mandate that accumulated employee time off be paid when a business is closed or sold, or the employee is laid off. The committee had voted to study the issue, since many seasonal businesses or those with part-time employees have different policies on paid time off. This was debated and failed, 188-193, with six Republicans joining all Democrats. The minority amendment, limiting the payment to 30 days, passed 197-185, and the bill passed, 198-183.

HB 1199, adding personnel to the Office of the Child Advocate to deal with homeless youth, was debated and not killed, 190-191. This bill had a lot of issues to me: it dealt with young adults up to age 25, and included working people sharing housing with non-relatives. As someone who shared



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housing with friends up to age 25, I'd have been insulted to be called homeless or that I need the Child Advocate to help me out. So the bill did not pass, 191-192, and was not tabled, 189-193; running out of motions, indefinite postponement passed, 192-190.

HB 1202, on state driveway permits, passed without comment. It increased staffing to reduce the time for approval of driveway permits onto state roads.

HB 1212, increasing the free and reduced school meal program to have the state fund \$50-\$80 million per year (including three new employees) for free meals for children from families up to 350% of the federal poverty level, was tabled, 192-191, with only three Republicans joining all Democrats in opposition. Later in the day, a motion to remove it from the table failed again, 188-189; at the end of the day a final attempt again failed, 185-188.

HB 1282, on the duration of child support, passed without comment. HB 1288, establishing due process rights for students and faculty at state institutions of higher learning, was not tabled, 180-186, then debated. The opponents tried to insist that UNH, etc, already had appropriate processes in place, and supporters replied that, in that case, it wouldn't cause them any problems. It passed, 196-184.

HB 1304, on vessel registration fees, including an amendment to authorize fees for replacement stickers, passed without comment. HB 1307, supplemental allowance for disability retirees, passed without debate, 363-17. HB 1339, authorizing discretionary background checks before returning firearms in a court proceeding, and HB 1355, National Guard recruitment and reenlistment incentives, both passed on voice votes

without discussion.

HB 1363, signing legislators up for the state employee assistance program, was tabled, 195-186, before debate. HB 1394, licensure of music therapists, was amended to eliminate the new position in OPLC and simply give them \$3000 to have the existing staff license these 30 people on overtime. It then passed, 195-187. HB 1466, disaster relief funding for municipalities, passed on a voice vote. I had hoped that Finance would review the fund structure I put in the bill when it was in my committee, but apparently they were happy with it.

HB 1468, directing the department of transportation to develop a master plan for the (currently unused) Conway Branch rail line, passed without comment, as did HB 1564, updating the child support guidelines, and HB 1570, having the department of education assess the facilities of public schools, including charter schools.

HB 1573, criteria for residential placement of children, was amended to have DHHS inspect and visit these treatment centers more frequently, providing \$1 million in additional funds for the extra work (rather than the 39 or 53 new positions and \$6-7 million in the initial plan and the House amended version.) This amendment passed on a voice vote, without debate; a floor amendment to require more reports from DHHS also passed on a voice vote, as did the bill.

HB 1577, on digital images of ballots, was tabled, 193-188, before debate. This bill had a good idea but the actual implementation will depend on the new ballot counting machines, which aren't in place yet. It will take some negotiating with the Secretary of State and the town clerks to figure out how to show these images without violating privacy or costing a lot of money.



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HB 1583, increasing the adequate education formula by about \$68 million/year, was not tabled, 180-201, then passed, 205-177, after minimal debate. I was opposed because the budget we adopted last year increased education funding by \$80 million/year, and the court cases on education spending are still in process. It seems premature to jump in like this, even if we had the money handy and nothing else to use it on.

HB 1588, on court jurisdiction over persons receiving special education services, increases the age to 22, since some extreme special education cases do not graduate from high school, and in that case, they continue to receive services up to 22. The bill passed on a voice vote, without debate, as did HB 1589, establishing a veteran's treatment court. HB 1593, restoring recreational activities for some developmentally disabled people, also passed without comment.

HB 1595, setting a formula for parenting time and child support guidelines, had the committee amendment passed, 197-177, then we had the debate on whether the bill properly handled parenting time and child support in cases of abuse. It was not passed, 190-193, then went to interim study, 208-176. HB 1598, on management of social security and veteran's benefits for children in foster care, passed quietly.

HB 1633, on legalization and regulation of cannabis, had the committee amendment and a floor amendment (each tweaking the regulatory scheme) passed without comment, then the bill was debated extensively. Most of the debate was not on the details of regulation, but on the question of legalization. It finally passed, 239-136. HB 1647, improving Group II retirement benefits, was amended to only cost \$53.6 million and passed without debate.

HB 1469, prohibiting products with added PFAS, was debated at great length. First the committee amendment which moved the effective date up 18 months passed, 233-147, then Dan presented a floor amendment to limit the restriction on food packaging to only be the parts in contact with food: the bill prohibited the ink on shipping cartons! He spoke, the sponsor spoke to say the Commerce committee had considered this and the House voted for it already. The amendment failed, 165-216. His second floor amendment changed the definition of "PFAS" as banned by the bill to be those chemicals defined by California to be harmful – the basic bill included many chemicals that are not actually harmful, including Teflon (used in many medical devices inserted in the body) and dozens of medications, including Lipitor (the most prescribed medication in the country.) The thought that New Hampshire will ban more products than California – or products that California considered banning, but can't effectively do so – didn't scare as many people as it should have: this amendment failed, 156-223. A motion to table failed, 165-215, and then the debate on the actual bill began. It was long and tedious, with dozens of people who had listened to Dan's arguments getting up and leaving the chamber. The bill finally passed, 233-140. Those of us who voted against the bill aren't in favor of polluting the state with PFAS, but in regulating them in a more sensible way.

HB 1656, adequate education grants for special education students, sets three levels of special education support, based on how much each student needed in the way of services. Statewide (and in Epsom) about 20% of students get at least some special services. The debate was on the minority amendment, which almost doubled the extra funding; I voted against it because nobody knows how many students need minimal versus



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moderate or extensive services – we'll have to start using the formula and see how it goes. This amendment failed, on a 187-187 tie, and the bill passed, 349-26. Special education costs concern a lot of my constituents, because local communities have almost no control over them. Having the state (or the federal government! Special education is primarily an unfunded mandate from Washington) increase its share of the cost of special education makes a lot of sense.

HB 1666, income reporting requirements for lobbyists, and HB 1669, restricting data sharing through the immunization registry, both passed without debate.

HB 1678, a farm to school local food incentive pilot program, was not tabled, 181-192, not killed, 179-193, and passed, 191-182, all with minimal comments. I voted against this bill because it essentially duplicates an existing federally-funded program, but with higher overhead costs. SB 252, another bail reform bill that had been folded into HB 318, was tabled on a voice vote.



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