



# Your State House Concord, New Hampshire



May 10, 2024

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

This week, my committee met for the last time this spring to vote on our last Senate bills. First, though, we held a public hearing on SB 302, an exception to the licensing requirements for physicians. We require a doctor providing telemedicine to a patient located in New Hampshire have a New Hampshire license, but since so many people see specialists in the medical centers in Boston, it is an inconvenience to the patients to drive to a library or a parking lot in Massachusetts just to have a call with their doctor. The sponsor presented the bill, explaining that it only applied in cases where there is a continuing, in person, relationship with the doctor, but it is very helpful for our constituents seeing doctors out of state. We were probably going to vote for the bill after that, but we went on to hear from three patients and another legislator on just how much this would help them.

SB 371 would allow special license renewals, assisted by the medical school, for residents at Dartmouth-Hitchcock. The subcommittee discussed this and decided a special case wasn't necessary, residents should learn to renew their licenses like everybody else, and we were strongly opposed to the idea of granting licenses for up to seven years. So, there was a hearing for a non-germane amendment to replace the bill text with some cleanup language for the board of medicine – this had been included in HB 1285, the bill combining the podiatrists into the board of medicine, but that bill was very quickly killed.

When we got to voting, the first item was considering the Senate changes to HB 1456, on the board of tax and land appeals. Their amendment simply extended the terms to five years, which we had considered but not wanted to actually amend the bill. So we will recommend the House agree to their changes.

SB 302, from this morning, passed unanimously. In fact, all but two of the votes were unanimous, and only those two bills will be on the regular calendar of bills voted on individually. SB 371, with the replace all amendment, was recommended to pass.

SB 485, on military licenses, was amended to remove the difficult to accomplish digital licenses (it's not the actual license that's difficult, it's the real time, two-way digital verification specified) and passed to simply ensure licensing boards not under the OPLC also review the appropriate military codes for their profession.

SB 488, on regulation of physician assistants, was approved since it requires the board of medicine to specify the continuing education requirements for PAs. Physician assistants must be certified by their national organization to become licensed, and that organization specifies continuing education; but if one chooses not to continue the certification, we still want them to keep up with their professional education!

SB 600, on the board of pharmacy, was amended to clarify that either a licensed or certified pharmacy technician could serve on the board, and to make the effective date compatible with the cycle of appointments to the board.

SB 373, requiring the building code review board to adopt an amendment relaxing the threshold for air leakage to five changes per hour, was discussed



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after I moved to pass it. Then one member suggested we add the content of HB 1252, a study committee on Native American affairs to SB 373. This was her bill, which we'd approved and the House passed, but the Senate killed. After some discussion, a majority of the committee agreed that they supported the idea, so we recessed while a proper amendment was prepared.

After lunch, we adopted the amendment 9-6, with the opposition either against a study committee or concerned that the combined bill would not be taken seriously by the Senate. I was opposed, but after some thought decided it didn't matter in this case: we'd made our position clear to the building code review board, and they could easily reconsider the amendment on air changes, bill or no bill. The final vote was 13-2.

SB 318, the social work compact, had a non-germane amendment (heard three weeks ago) to incorporate some of the advisory board changes we had proposed in HB 1271. After some discussion, we agreed to adopt the amendment and recommend the bill.

SB 440, on optometrists' scope of practice, was the most hotly contested Senate bill we'd worked on this spring. Despite the minimal amount of time we'd had to work on it, the subcommittee had developed an amendment that clarified the requirements for the increased scope. The amendment passed, 19-1, with the opposition insisting that the bill didn't have the details they'd like to see in it. Agreed, but we aren't eye doctors; we don't really understand the details of these procedures. The amendment insisted that the board of optometry specify in rules the specific training and experience, including supervised practice on live patients, before someone can perform the procedures. That will take a while to process, and

the training is not necessarily taught in optometry school: at the very least there would need to be the live practice added. We continued to discuss the bill, and some people who had initially opposed it were convinced by the amendment; others felt the amendment, however much it improved the bill, didn't make it acceptable. The vote was 14-6 to recommend the bill.

The governor had just recently requested the optometrists and the ophthalmologists get together on a compromise, so I agreed to bring any such language forward as a floor amendment. They are scheduled to meet on Monday; since they could have done this any time since the bill was introduced in January, I'm not that optimistic about real progress. The ophthalmologists will have to wait to comment on the rules, where their expertise will be invaluable.

Thursday, the House met on what should have been a short calendar. The Japanese consul spoke to us on Japanese relations, and we concurred with minor Senate amendments on two bills. HB 398 added a notice on PFAS to the other required disclosures (radon, arsenic, lead) when selling property; the Senate tweaked the wording of the disclosure. HB 1060 created a geologic resources committee; the Senate amendment had the state geologist calling the first meeting.

SB 592, naming a state road in Franklin after Officer Bradley Haas, had the proper laudatory speech and recognition of the family of Officer Haas (present in the gallery) before passing by acclamation.

SB 459 established a study committee on the child protection act. The committee amendment added the text of three House bills the Senate has sent to interim study; it failed, on request of the committee



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chair, and was replaced by a floor amendment that simply fixed a drafting error in the committee amendment. The bill then passed, 270-94, adding the House position on testimony in family court (if not admitted, the judge must note the reason;) garnishment of wages to pay child support (automatic unless the parties agree otherwise;) and allowing parenting coordinators, with agreement.

At this point in the session, the House vs Senate positions are gelling, so we typically attach bills we want (that they have killed, or studied, or amended to uselessness) to bills they want, and hope to reach a compromise.

SB 537, on processing absentee ballots before election day, had a floor amendment to make the process optional, not mandatory, which was debated and failed, 180-185. A motion to table also failed, 180-186. then indefinite postponement passed, 187-179. This was a very partisan bill; Democrats keep pushing to count votes cast early and late, while Republicans want to keep election day as a day.

SB 63, limiting the scope of public health ordinances, was removed from the table, 185-180, not killed, 179-187, the ought to pass motion reconsidered, 186-180, then passed, 186-180, all without debate. We'd gone over this bill extensively just last week, so everyone's positions were set.

SB 349, having the Wellness and Primary Prevention Council report on a home visiting program for newborns and their families, had a floor amendment to make it a legislative study committee instead; this passed, 184-181, after some debate. The legislative committee is less likely to presume that such a program, paid for by Medicaid, is necessary for *all* families; one of the

council's purposes is to increase government created social services. The bill passed, 338-28; I was opposed since such visits are already routinely provided by some medical professions, such as midwives and doulas, and I don't want to expand Medicaid functions.

SB 185, creating a study committee to examine barriers to discharge for patients in acute care hospitals, was debated and killed, 188-171. I'm not sure why it was debated, since *both* sides in the argument (and the hospitals) knew exactly what the barriers are! Another study report isn't going to fix problems with housing insecurity, lack of support at home, lack of specialized services, and lack of money for treatment and services at home.

SB 413, on civil actions for PFAS contamination, was debated on the committee amendment, which added HB 1115, allowing eviction after a lease ends. The amendment passed, 184-183, the bill passed, 188-178, and was not reconsidered, 177-188. I supported the amendment, but wasn't sure about the overall bill until I noticed the Democrats were signaling to kill the whole thing.

SB 422, changing language in parentage and birth records – from “mother” to “birth parent” and so on – was not tabled, 136-228, before the committee amendment passed, 337-28. This more properly noted the difference between a surrogate mother and a birth mother. A floor amendment that also added on the content of HB 1115, allowing eviction after a lease terminates, and HB 1412, repealing the regulation of court reporters, was debated and not passed, 181-183. A second motion to table failed, 179-186, and the bill was indefinitely postponed, 187-178.

SB 462, increasing the cap on damages for loss of consortium from \$150,000/\$50,000 for spouse and





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parent or child to \$500,000/\$300,000, was not indefinitely postponed, 175-187, debated at length, passed, 191-174, and not reconsidered, 162-197.

SB 507, extending the time for a new trial from three years to indefinitely in cases of newly discovered evidence, was debated and not sent to study, 172-182. A floor amendment to require using the statutory procedure in cases of new DNA evidence was debated and killed, 179-181, and the bill passed 190-170.

SB 576, requiring executors to report the death of voters to a town or city clerk within 30 days, was debated, not killed, 179-179, not tabled, 180-181, debated some more and passed, 182-180. Getting dead people off the voter rolls is important to election integrity, but I'm not sure this additional procedure is necessary. Even in the case of the representative who had reported his mother voted (absentee) in the presidential primary, then died before the actual election, was cleared as it was reported that the election officials knew of her death and did not count that ballot.

SB 383, allowing local or school district tax caps adjust by population and inflation, rather than just a fixed percentage or a fixed dollar amount, was quietly amended, 182-176, then debated and passed, 184-177, and not reconsidered, 176-185. This gives a much more flexible method for local tax caps.

SB 352, requiring all municipalities and school districts to post state funds received as either allocations or grants, had the committee amendment, and a floor amendment to fix a typo, each adopted on voice votes. Another floor amendment added two extra House bills, one allowing new vehicles to skip one year of inspection, and the other allowing title exemption

for certain motor vehicles 20 or more years old. This passed 253-104, and the bill finally passed on a voice vote.

SB 387, creating a pilot program to give free state parks passes to recovery centers, was tabled, 187-168, before debate. SB 589, enabling legislation for towns to cooperate and offer wastewater services across town lines, passed without comment.

SB 432. on advanced deposit account wagering, was killed 296-60, without debate.

SB 574, allowing appointment of a temporary agent for a minor, had a floor amendment to add the House bill putting equal parenting time as the baseline in a divorce. This was debated, then passed, 184-173, and the bill passed, 352-7. Good thing we counted that one...

SB 426, on transportation of marijuana in a motor vehicle, had the same restriction as alcohol: only in sealed containers, in the trunk or out of reach of the driver. A floor amendment adding the Defend the Guard bill (which would require an actual declaration of war, by Congress, before sending the New Hampshire National Guard to a war zone) was debated and failed, 126-231, with much of the opposition being concerned about losing the federal money that supports the Guard. The bill was not tabled, 141-216, debated some more, then passed, 194-160.

SB 508, on the duties of county corrections in screening and coordinating services for inmates prior to release, had a floor amendment that added a definition of antisemitism to our laws on discrimination. This was debated as being too broad and not appropriate for our laws, but passed, 189-160. It was not tabled, 168-186, and passed,



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210-143, even though the definition *is* actually too broad and indirect – it references another document rather than spelling out the precise definition.

SB 481, from my committee, would establish Juneteenth as a holiday rather than an announced commemoration. Without debate, it was killed, 194-154.



*Carol McGuire*

Representative Carol McGuire  
[carol@mcguire4house.com](mailto:carol@mcguire4house.com)  
(603) 782-4918