



February 18, 2022

Your State House

Concord, New Hampshire



To my constituents in [Allenstown](#), [Epsom](#), & [Pittsfield](#):

This week, my committee heard its last three bills. HB 1135 required a performance audit of the education freedom account program. We only had the sponsor and some technical testimony. It seems like a good idea but rather too soon to actually do any good: the program rules are not yet finalized, there are a number of statutory conflicts that need to be settled, and at least 16 bills this year seeking to change the program! HB 1510, a study committee on state hiring processes, is something the division of personnel has been working on for a while. Not sure a study committee is needed...

HB 1395, on administrative rulemaking, wants to require legislative approval before rules can go into effect. There was surprisingly little testimony, but it's a complex bill so it went to subcommittee.

We voted to kill HB 1287, sleep awareness month, and HB 1443, Covid victims commemoration, 15-0 and 14-1. The committee is holding fast against special days! We voted unanimously to recommend HB 1446, converting the boards of recreational therapists and respiratory care practitioners to advisory boards. In this case, the professionals were in support of the change, so no soul-searching was necessary.

The House met for two days on all the early bills which are going to a second committee. First, though, we agreed on the Senate amendments to HB 95 and HB 549. HB 95 is Rep. Allard's bill to include ice cream in the allowable raw milk products, for a constituent; the Senate amendment merely tweaked the required labeling. HB 549 concerns the system benefits charge; we voted unanimously for it in January, and the Senate

amendment simply put the basic energy efficiency program into statute, not rules.

One feature of sessions lately is that the committee chairs will move to table bills they wanted to kill, so that they can avoid debate (the tabling motion is not debatable.) I'm not a real fan of the procedure, and hope that we can resume more frequent meetings in the House chamber, so that we can debate the lesser bills – or at least have the opportunity to do so.

We voted for over 100 bills on the consent calendar of non-controversial bills. If any one representative does not consent, their bills will be dealt with individually, at the end of the day.

HB 1465, on appointment of counsel for juveniles, was amended on a voice vote and then tabled, also on a voice vote; this seems a strange position to take as we usually table *before* the amendment. HB 1647, on child support calculations, was amended and passed on voice votes, without debate.

HB 1237, adding other types of tobacco to that sold in cigar bars, passed without comment. HB 1469, prohibiting banks from using social credit scores, was amended to make it an anti-discrimination law, debated and passed, 187-168.

HB 1468, a simple cannabis legalization bill, was tabled, 276-79. I voted against the table even though this bill conflicts with other cannabis legislation; it seems fixable to me. HB 1540, requiring all police interrogations be recorded, had a short debate before passing, 233-122. I voted against because it is an unfunded mandate on police departments and prosecutors, even if many departments already do this. HB 1598, cannabis legalization including exclusive sales under the liquor commission, was not tabled, 114-238, and



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amended on a voice vote. A floor amendment to add a penalty for giving cannabis to a child failed on a voice vote, then we held a fairly lengthy debate. It passed, 235-119. I reluctantly voted for it – I don't care for the state monopoly, but I think this may be the only way to get a change this year, through the Senate and the Governor.

HB 1516, banning local funds from being used for education freedom accounts, was debated before being killed, 181-174, even though no local funds are used, or planned to be used! HB 1627, creating a position for a freedom account program coordinator, passed without comment, as did HB 1624, which requires a state plan for co-curricular activities, including students with disabilities.

HB 1657, creating a state-reimbursed farm-to-school food program, was debated even though the supporters agreed the bill was not completely thought out! It was killed, 186-164. HB 1660, requiring all schools have breakfast and lunch available for every student, was also debated (at length) before being killed, 177-174. The \$650 K price tag (at the state level; local costs are extra) for the 30 or so schools that don't do this already was another factor against this mandate. HB 1161, coordinating regional career technical education programs, passed without comment. HB 1684, limiting the education freedom account program to its budget, was debated and killed, 182-171. One major concern was that over 1800 students in that program would be unsupported if spending were limited to the initial budget.

HB 1423, setting up a scheme of public funding for state elections, was debated and killed, 191-165. HB 1482, on ranked-choice voting, was killed, 205-149, even though the sponsors were running a ranked-choice chocolate tasting! (if we're going to change our voting methods, I prefer approval voting, which is harder to game, easier to

implement, and uses current ballot counting machines.) HB 1484, requiring a state-wide audit of the 2020 election, was tabled, 273-76. The committee still has a simpler bill, only requiring the audit to cover Merrimack County.

HB 1662, which dealt with privacy issues in Health & Human Services, was special ordered to this time, since the sponsor had to leave early. He spoke, then the bill passed on a voice vote.

HB 1496, requiring voter checklists be made available in spreadsheet form to any resident, is an expansion of current practice which allows the public information on the checklist to be available in electronic form only to political organization, only as the state-wide list. It was debated, then passed 183-169, with the main issue being whether or not current law allows this already!

HB 1226, prohibiting declawing cats, was killed without comment. HB 1584, creating a capital improvement fund for state fairs and funding it, passed 236-105 without debate. I voted against because if the fairs are as valuable as the supporters claim, they can get local and private funds – the fairgrounds were built with private money!

The first bill from my committee came up late in the afternoon. HB 1417 would require the state to pay 7.5% of local employer contributions to the state pension fund. I spoke in support of the committee recommendation of killing it for two main reasons: first, the towns and cities decide how many employees to hire and how much to pay them, and having a subsidy for some of the costs incites them to hire and pay more; and second, when the state dropped its contribution to zero, in 2011, the employees' rate was increased to make up for it. Since a number of other changes were made at the same time, some communities



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(Nashua!) insist that this was a downshift to them. In any event, a lot of towns and school districts just want more funding... and tell their representatives to vote for any increase. The inexpedient to legislate (kill) motion passed, 173-172. Then a representative in the back called for reconsideration – and *that* passed, 180-171. A motion to table failed, 171-180, the ITL motion failed this time, 171-179, and the bill passed, 182-169, with a few more Republicans joining the Democrats on every vote (going from 11 to 15.) It was a challenge to me to come up with a snappy reason for voting against this bill five times when I expected to need only one!

That was enough fun for one day, and we continued Thursday after the Governor's state of the state address. One representative stood up for the final, ritual applause and collapsed, hitting his head on the concrete floor. Fortunately, there are at least three doctors, two nurses, and four EMTs in the legislature, and they took charge. The representative was carried out conscious, and has reported that he's doing well. Our touch of drama for the day.

We resumed with the other bills from my committee. HB 1535, which granted a cost of living increase to retirees, was amended and passed without comment, on a voice vote. I was mostly concerned about the amendment, which deleted about \$2 billion in property tax increases to fund automatic annual cost of living increases, but everyone on the committee agreed that was not good policy. HB 1587, rolling back one of the anti-spiking provisions imposed in 2011 by tweaking the calculation of average final compensation, had been recommended to pass by the committee (which includes four fire fighters, two from each party.) It was debated, on the merits of granting a pension improvement only to Group II (fire, police, and corrections) and not the much larger

Group I (teachers and employees,) as well as the fiscal impact, now and in the future. It still passed, 232-113, with Representative Pitaro joining me and 111 other Republicans in defeat. HB 1590, allowing towns to withdraw partially from the retirement system, was killed without comment, 287-57, since it didn't address the problem of accumulated liabilities.

HB 1536, expanding medicaid for postpartum health care, was tabled, 183-161, as was HB 1578, which extended Medicaid to some immigrants, 187-161. HB 1604, granting conscientious objections to vaccines in state medical facilities, was debated on the amendment, which passed 174-173 on the Speaker's vote (it had been tied at 173.) The bill passed, 176-174, on the supporters' report that, with 87% of their workers vaccinated, state facilities have done extremely well in combating Covid.

HB 1609, adding exemptions for rape or incest to the fetal protection act, was debated at length on the committee amendment, which clarified that ultrasounds are only necessary to confirm the age of the child and deleted the rest of the bill. This amendment failed, 175-177; a motion to table was tied at 176, so the Speaker voted to table. Later in the day, the bill was removed from the table, 178-175, and after more debate it passed, un-amended, 179-174, and went to Finance. Representative Allard was the only one from this district who voted against the amendment and in favor of the bill.

HB 1207, requiring paid time off to vote, was debated, rather poorly, on the amendment rather than the bill, and the amendment had been rejected by the committee, making it inappropriate for a floor speech. The bill was killed, 195-158. HB 1538, requiring "prevailing wages" on public works projects, was debated and killed, 182-168.



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This is another perennial labor bill, like minimum wage hikes, that the Democrats push and Republicans stop every session.

HB 1586, authorizing a gift portrait of Wentworth Cheswill to be displayed in the State House, passed without comment, as did HB 1665, establishing a municipal disaster relief fund. This is important since federal funds are frequently delayed, and many towns don't have enough cash on hand to repair their roads and bridges after a comprehensive disaster.

The committee on Science, Technology and Energy (which mainly deals with utility regulation) tabled HB 1419, establishing a civilian climate corps (184-158); HB 1506, setting up a clean energy revolving fund (183-166); HB 1601, increasing funding from electric customers to the energy efficiency program, (180-167); and HB 1621, reducing the rebates to the energy efficiency fund (183-165.) This was appreciated since every member of that committee seems to drone on, dwelling on the details, and then the vote is party line! HB 1644, placement of telecommunication antennas, was debated before going to interim study, 245-104.

HB 1100, lowering the penalties for driving without a license, was tabled, 188-161. I appreciated that because I like the idea, but think the bill is poorly written: it seems to exempt people who have never had a license and penalizes only those who hadn't renewed. HB 1208, allowing parents to teach their children to drive, was tabled before the debate, 209-141. I voted against tabling because I wanted the bill to pass: driver's ed has become a big expense that can be avoided by waiting until age 18 to get a license, and many parents can teach their children perfectly well. (Full disclosure: my father taught me to drive, no problem, but my younger sister didn't understand

his approach and resorted to classes.)

HB 1461, increasing penalties for littering was amended, a floor amendment to put these fines into the Highway Fund failed 46-304, and the bill passed on a voice vote, all without debate!

Finally, we dealt with the bills removed from consent. HB 1176, decriminalizing sex work in one's own home, was killed, 319-28; as was HB 1340, changing the definition of "domestic violence" to exclude partners and other family members, 322-26; and HB 1392, reducing the penalties for some drug offenses, 319-29. None of these were debated.

From my committee, CACR 30, creating elected inspectors general, was killed, 331-15, with little discussion. I had pulled HB 1262, commemorating the Pine Tree Riot, since a member of the committee had objected before it left the committee. So I apologized for letting that happen, but reiterated my support for killing the bill. There was some debate on the importance of the Riot, then the bill was killed 224-124 as we pointed out a simple letter to the governor would have been more efficient than putting in a bill!

HB 1624, on requiring a blood lead test for enrolling in school or day care, was debated on whether it was necessary: apparently there is already a requirement to test all one and two year olds for lead, but compliance has been poor. A motion to table failed, 162-183; I voted in favor of tabling because putting this paperwork requirement on parents isn't the way to ensure medical professionals comply with the law. After more debate, the bill passed, 213-131. HB 1654, on abortion statistics, had been recommended for interim study; after it was pulled from consent we voted, 275-65, to table it.



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HB 1397, extending the terms for elected officers in Rockingham County from two years to four, had a committee amendment to extend this to *all* counties. This amendment was debated, since the argument that no other county had testified against it was obviously because the bill title referred only to Rockingham. The amendment failed, 150-189, then the un-amended bill passed, 216-124. We'll see how they like four year terms before considering it elsewhere!

HB 1040, a commission to study revenue alternatives to the gas tax, was not tabled, 85-249, then passed without debate. HB 1656, setting up a mileage and weight road usage fee, was tabled 309-29.

A fairly productive session, even though it didn't all go as I would wish...



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