

## **A MESSAGE FROM REP. CHARLOTTE HOUDE QUIMBY**

Monthly Musings from the House  
March 2009

Returning to the NH House, I recognize once again the privilege and the responsibility inherent in the role of State Representative. Serving on the committee of Executive Departments and Administration, (ED&A) we are not directly involved with finances except for discussions as the budget wends its way through the Finance Committee.

In the meantime, ED&A is hearing bills pertaining to the funding and management of the state's retirement system, charged with the protection of benefits promised to state employees, teachers, firefighters, and state police; bills pertaining to the administration of the state; and, licensing bills designed to protect the health and safety of the citizens of NH. As Chair of the sub-committee on licensing, I am learning about the multiple dimensions of these bills.

This year, we are hearing licensing bills dealing with the practice of chiropractors, licensed drug and alcohol counselors and mental health workers, Asian body workers, plumbers, contractors, auctioneers, and massage therapists, to name but a few. Sometimes the bill is intended to clarify language that has been problematic in the law; sometimes a bill aims to expand the field of practice as technology grows; and, sometimes the goal is to diminish the breadth of practice. It is the task of the sub-committee to clarify, research, and plan an appropriate resolution, either through killing the bill (ITL) or by amending a bill. The sub-committee vote is then brought to the ED&A committee of the whole for a full committee vote. That vote then proceeds to the Hall for a House vote. If the entire body passes a bill, it moves to the Senate for similar processing.

To give you a glimpse inside some of these bills:

HB 39, The Plumbers Board is seeking the authority to assess fines and send "cease and desist" orders to anyone practicing plumbing without a license.

HB 598, Auctioneers Board seeks authority to regulate auctioneers. An exception in this bill, which is where the meat of the bill sits, seeks an exemption to allow an individual to sell their own goods or the goods of another for a fee on the internet, without having an auctioneer's license. This means residents of NH have the right to sell something on Ebay, for example, without being licensed.

HB 121, Contractors. This bill seeks to protect consumers from being scammed by someone claiming to be a contractor, who then either absconds with the client's money or does shoddy work.

HB 0356, Chiropractors. This group of professionals seeks to delineate the required educational training for anyone providing certain spinal manipulations.

While these examples may seem cut and dry, there are important underlying issues:

Should a regulatory board have the right to levy fines and "cease and desist" orders on citizens who might just be assisting another in simple plumbing work?

Should your neighbor who offers to sell your expensive golf club for you on Ebay need a license?

There are over 14,000 contractors in NH. Only a small handful is responsible for mischief. How can this group be controlled? We have well written Consumer Protection Laws, strong advocacy groups, a philosophy of "buyer beware", and an overworked Attorney General's office.

Other professional groups include in their scope of practice work on the spine. One professional group may not create legislation that alters the work another group has competency to perform.

Licensing work is fascinating, challenging and important to how guilds and trades, professions and newly emerging technologies are practiced and developed in the state. There are days we feel like Solomon. Our goal remains, "Above all, do no harm." Harm to the professions and more importantly, harm to the citizens.

If you have any questions, I'll be happy to try to answer them. If you'd like to spend some time watching the process itself, let me know.

Rep. Charlotte Houde Quimby,  
Sullivan I