

HOUSE REPUBLICAN ALLIANCE RECOMMENDATION SHEET



“TRUST BUT VERIFY”

The purpose of the House Republican Alliance is to preserve and strengthen the traditional principles and values of the Republican Party through the NH House of Representatives and throughout the state of NH, including fiscal restraint, personal freedom and responsibility, small government, free enterprise and strong families. We offer the following recommendations based on those principles, the Republican Party Platform, and the NH and Federal Constitutions.

THURSDAY, MARCH 7

COMMERCE AND CONSUMER AFFAIRS

HB 249, permitting restaurant owners to allow dogs in restaurants. MAJ: ITL. MIN: OTP. Vote 14-6.

HRA Analysis: The bill simply allows a restaurant owner to allow dogs inside his or her place of business. Such dogs shall not be allowed in food preparation or production areas. Platform: Minimize business regulations.

HRA Recommendation: Oppose ITL.

HB 359, warning labels on prescription drugs containing opiates. MAJ: OTP/A. MIN: ITL. Vote 12-6.

HRA Analysis: This bill requires specific labeling of opioid prescriptions and fails to consider a number of very harmful yet foreseeable consequences. Platform: Minimize business regulations..

HRA Recommendation: Oppose OTP/A.

HB 473, allowing hobby distillation of liquors. MAJ: ITL. MIN: OTP. Vote 12-6.

HRA Analysis: This bill would allow home distillation of spirits. The Tenth Amendment to the US Constitution reserves to the State the power to regulate in this area, and the right to “life, liberty and the pursuit of happiness” includes making and enjoying spirits.

HRA Recommendation: Oppose ITL.

HB 604, commission to assess a “health care for all” program. MAJ: OTP/A. MIN: ITL. Vote 12-7.

HRA Analysis: While this bill simply seeks to create a commission, its goals are in conflict with sensible health care policy. Platform: Justify expenditures against measurable benefits.

HRA Recommendation: Oppose OTP/A.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 455, relative to the penalty for capital murder. OTP. Vote 11-6.

HRA Analysis: This bill repeals the death penalty. On one hand, the Platform states: “Strengthen prosecution and fair enforcement of death penalty laws.” On the other, the Constitution prohibits making special laws for “one man, family, or class of men” and our death penalty laws violate that provision by making murder of a police officer punished more severely than the murder of an ordinary citizen.

HRA Recommendation: Vote your conscience.

HB 486, department of corrections procedures concerning the voting rights of felons. OTP/A. Vote 18-2

HRA Analysis: This bill clarifies that felons on probation or parole have the right to vote, and includes voting rights in the training for parole officers. Constitution, Article 11: “every inhabitant of the state ... shall have an equal right to vote” and once they’ve served their punishment, felons have that right.

HRA Recommendation: Support OTP/A.

EDUCATION

HB 275, relative to school nurse certification. WITHOUT RECOMMENDATION

HRA Analysis: This bill undoes the restrictive requirements for school nurses that were put into place by 2016 legislation that never had a public hearing. These requirements for a Bachelor's Degree, certification, and 3 years pediatric experience have resulted in school nurse shortages and higher costs. Undoing those requirements will still require a school nurse to be a registered nurse licensed in NH. Platform: "Justify expenditures against measurable benefits" and "Prioritize programs to ensure effective spending."

HRA Recommendation: Support OTP.

HB 383, relative to nondiscrimination in public and nonpublic schools. MAJ: OTP/A. MIN: ITL. Vote 12-7.

HRA Analysis: This bill has so many problems. 1). Any school that receives "public" funds is subject to these discrimination "protections" but when asked to define public funds, the supporters said to let the courts decide. Lawsuits here we come. 2). What about town tuitioning to schools in Vermont and Maine? 3). Our local and state Boards of Education are to investigate and rule on any discrimination claims in NH, VT, or ME? 4). What about religious nonpublic schools? The committee amendment moves the language out of the chapter of law that provides for religious exemptions. Our Constitution Articles 4 and 5 recognize our religious freedoms. Our Platform says to "Justify expenditures against measurable benefits" and "Prioritize programs to ensure effective spending".

HRA Recommendation: Oppose OPA, Support ITL.

HB 545, prohibiting law enforcement from questioning a minor at school without a parent present. ITL, 17-2.

HRA Analysis: This bill protects children from possibly aggressive questioning, in a place they feel safe. Our Platform says that the liberty of the people must be protected above the power of the government.

HRA Recommendation: Oppose ITL, support OTP.

ELECTION LAW

CACR 5, Providing that 17 year olds may vote in a primary election. MAJ: OTP. MIN: ITL. Vote 16-3.

HRA Analysis: This constitutional amendment allows 17 year olds to vote in a primary if they'll be 18 for the general election. No Platform issues identified.

HRA Recommendation: No Recommendation.

CACR 6, Providing that any inhabitant may vote by absentee ballot. MAJ: OTP. MIN: ITL. Vote 12-7.

HRA Analysis: This constitutional amendment allows all voters to use absentee ballots. This opens our elections to voter fraud. Platform: "ensure voting is done by New Hampshire resident citizens only."

HRA Recommendation: Oppose OTP.

HB 105, domicile residency, voter registration, and voter verification letters. MAJ: OTP. MIN: ITL. Vote 12-8.

HRA Analysis: This bill repeals last session's SB 3, which makes the voter responsible for documenting their domicile and requires their signing of a "domicile affidavit" to attest they are domiciled in the town or ward under penalty of perjury. Ensuring that a potential voter lives where they claim to live supports article 11 of the NH Constitution and our platform: "Prosecute violations of election law and ensure voting is done by New Hampshire resident citizens only; to prevent voter fraud we support the requirement to produce positive identification upon both registering and voting." Repeal opposes these principles.

HRA Recommendation: Oppose OTP.

HB 106, on the terms "resident," "inhabitant," "residence," and "residency." MAJ: OTP. MIN: ITL. Vote 12-8.

HRA Analysis: This bill redefines these terms in the election statutes, adding the term "for the indefinite future," which makes enforcement impossible. Platform: "Prosecute violations of election law and ensure voting is done by New Hampshire resident citizens only."

HRA Recommendation: Oppose OTP.

HB 202, relative to requirements for presidential primary candidates. ITL. Vote 19-0.

HRA Analysis: This bill requires presidential candidates to publish 5 years of tax returns. That requirement is against

the U.S. Constitution, which sets the qualifications for a President. No State can add other requirements.

HRA Recommendation: Support ITL.

HB 556, allowing processing absentee ballots prior to election day. MAJ: OTP/A. MIN: ITL. Vote 12-8.

HRA Analysis: This bill allows election officials to process absentee ballots in advance, making it more difficult for any citizens who wish to monitor the process. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation.

HB 611, allowing voters to vote by absentee ballot. MAJ: OTP. MIN: ITL. Vote 12-8.

HRA Analysis: This bill allows all voters to use absentee ballots. The Constitution, Article 11: “The general court shall provide by law for voting by qualified voters who ... are absent from the city or town of which they are inhabitants, or who by reason of physical disability are unable to vote in person.” Doesn't include the rest of us.

HRA Recommendation: Oppose OTP.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 629, establishing a state defined contribution retirement plan. MAJ: ITL. MIN: OTP. Vote 13-6.

HRA Analysis: This bill creates a basic defined contribution plan, replacing the defined benefit plan. Platform: “Ensure that public employee benefits are similar to and do not exceed those of the private sector.”

HRA Recommendation: Oppose ITL.

HEALTH & HUMAN SERVICES

HB 158, relative to induced termination of pregnancy statistics. MAJ: ITL. MIN: OTP/A. Vote 12-8.

HRA Analysis: This bill, as amended, collects non-personally identifiable statistics on abortions. Platform: “Improve access to the information necessary to make informed health care decisions.”

HRA Recommendation: Oppose ITL.

HB 364, permitting patients and caregivers to cultivate cannabis. MAJ: OTP/A. MIN: ITL. Vote 17-4.

HRA Analysis: This bill, as amended, allows medical cannabis patients to grow it, rather than buying from a treatment center. Once the state authorizes these people to use an otherwise prohibited substance, **how** they obtain it is a matter of free choice. Platform “We believe in free people.”

HRA Recommendation: Support OTP/A.

HB 511, relative to vaping. OTP/A, 20-0.

HRA Analysis: This bill, as amended, adds vaping to the statute forbidding youth access to tobacco, and also to the indoor smoking act. While the restriction on youth access may be reasonable, adding vaping to the indoor smoking ban penalizes adults who wish to indulge without smoking. Platform: “We believe in free people.”

HRA Recommendation: Oppose OTP/A.

HB 638, requiring providers to provide an opioid disclosure form. MAJ: ITL. MIN: OTP/A. Vote 12-6.

HRA Analysis: This bill, as amended, would simply move this form from administrative rules to statute. Since the rules have the force of law, the effect is to keep this form directly under our control rather than HHS's. The Constitution, Article 12: “Nor are the inhabitants of this State controllable by any other laws than those to which they, or their representative body, have given their consent.” On the other hand, the Platform urges us to reduce regulations and minimize government, and keeping this form in rules should do so.

HRA Recommendation: Vote your conscience.

HB 691, blood testing for individuals exposed to perfluorinated chemicals in water supplies. ITL. Vote 16-5.

HRA Analysis: This bill would mandate that the Department of Health and Human Services pay for blood testing in many circumstances, including at a person's request. Since there is no established data on dangerous levels of these chemicals, nobody knows what action, if any, should be taken at any level, and voluntary testing would be useless for collecting public health data. Platform: “Justify expenditures against measurable benefits,” and this bill provides

plenty of spending (well over \$1 million/year) and no noticeable benefits.

HRA Recommendation: Support ITL.

JUDICIARY

HB 153, circumstances under which police officer disciplinary records shall be public. OTP/A. Vote 16-3.

HRA Analysis: This bill makes police disciplinary records public in convicted cases of dishonesty, sexual assault, or discharging a firearm that results in death or serious injury. The Constitution, Part 1, Article 8: “all the magistrates and officers of government are their substitutes and agents, and at all times accountable to” the people.

HRA Recommendation: Support OTP/A.

HB 154, prohibiting non-disclosure agreements in certain legal actions. MAJ: OTP/A. MIN: OTP/A. Vote 13-6.

HRA Analysis: This bill forbids a non-disclosure agreement in cases where a government unit admits liability or pays a settlement. The Constitution, Part 1, Article 8: “all the magistrates and officers of government are their substitutes and agents, and at all times accountable to” the people.

HRA Recommendation: Support majority amendment, support OTP/A.

HB 256, establishing reciprocity for notaries in adjacent states. MAJ:OTP/A. MIN: ITL. Vote 16-3.

HRA Analysis: This bill allows notaries in neighboring states to register as notaries in New Hampshire, as long as they meet the same requirements and pay the license fee. Platform: “Remove barriers to business formation and encourage small businesses.”

HRA Recommendation: Support OTP/A.

HB 552, relative to standards for acquisition transactions in health care. MAJ: OTP/A. MIN: ITL. Vote 11-8.

HRA Analysis: This bill expands the scope of investigation for the AG's charitable trusts office to health care policy, a matter they have declared their ignorance of. The amendment allows for the sharing of confidential data by DHHS. It will add unnecessary expenses and delays to hospital mergers and acquisitions. Platform: “Minimize business regulations, permits, licenses and paperwork.”

HRA Recommendation: Oppose majority amendment, Oppose OTP/A.

HB 608, expanding the law against discrimination on gender identity. MAJ: OTP/A. MIN: ITL. Vote 16-4.

HRA Analysis: This bill extends the special protections provided base on gender identity, further dividing the people into separate classes. The Constitution forbids laws favoring “any one man, family, or class of men.”

HRA Recommendation: Oppose OTP/A.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 622, prohibiting agreements that require employees to join a labor union. MAJ: ITL. MIN: OTP. Vote 12-6.

HRA Analysis: We believe in worker freedom and their right to decide whether to join a union or not. In other states that have implemented similar legislation, there has been no decrease in union membership, but there has been a boost to employment, wages, and the economy. Platform: “Uphold the right to join or avoid labor unions without coercion or intimidation; support “right to work” legislation.”

HRA Recommendation: Oppose ITL, support OTP.

LEGISLATIVE ADMINISTRATION

HB 504, election-related amendments to the United States Constitution. MAJ: OTP. MIN: ITL. Vote 8-6.

HRA Analysis: This bill requires a petition to Congress for two amendments, one against the influence of money, the other that legislative districts do not favor any party (and requiring immediate redistricting!) The first violates the federal First Amendment, freedom of speech.

HRA Recommendation: Oppose OTP.

HB 650, a committee to study the challenges of serving in the legislature. MAJ: OTP. MIN: ITL. Vote 7-4.

HRA Analysis: This bill creates a study commission. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation.

HCR 1, rescinding all requests for a federal constitutional convention. MAJ: OTP. MIN: ITL. Vote 8-6.

HRA Analysis: This bill revokes all previous requests for an Article V convention. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation.

MUNICIPAL AND COUNTY GOVERNMENT

HB 167, allowing the town of Kingston to hold a bonfire event. MAJORITY: OTP/A. MIN: ITL. Vote 14-4.

HRA Analysis: This bill authorizes one bonfire event. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation.

HB 381, repealing requirement for appropriations transfer in Carroll county. MAJ: OTP. MIN: ITL. Vote 12-7.

HRA Analysis: In 2015, legislation was passed by voice votes in both chambers to allow Carroll County Delegation Executive Committee review of transfers over \$1,000. This was in response to previous county financial difficulties and was modeled after similar statutes for other counties. It has worked well and there is no reason to repeal the statute. Our platform says “Prioritize programs to ensure effective spending” and “Maintain local control of spending and taxes designed to support local services”.

HRA Recommendation: Oppose OTP, Support ITL.

HB 382, relative to private practice by the Carroll county attorney. MAJ: OTP. MIN: ITL. Vote 12-7.

HRA Analysis: This bill prohibits any private practice by the Carroll county attorney, rather than simply eliminating criminal practice as current law does. This will require the county to offer a competitive pay scale, likely increasing county costs. Platform: “Justify expenditures against measurable benefits.”

HRA Recommendation: Oppose OTP, Support ITL.

HB 403, authorizing towns to utilize credit unions for town business. MAJ: ITL. MIN: OTP. Vote 11-8.

HRA Analysis: This bill gives towns the option to use credit unions. Business between a consenting town and a consenting credit union ought not be halted by an ancient state law. Platform: “Maintain local control of spending.”

HRA Recommendation: Oppose ITL.

PUBLIC WORKS AND HIGHWAYS

HB 135, relative to leased railroad property. ITL. Vote 15-0.

HRA Analysis: This bill requires municipal notice of sales or leases of state-owned railway property, and requires the lessee or purchaser to follow local laws and zoning regulations. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation.

HB 492, relative to rates for parking meters. ITL. Vote 16-4.

HRA Analysis: This bill increases the parking rate at state facilities, for the benefit of the town (Hampton). Platform: “Strongly oppose new taxes and fees.”

HRA Recommendation: Support ITL.

HB 515, establishing a commission to evaluate the cost-effectiveness of toll collection. ITL. Vote 16-0.

HRA Analysis: This bill creates a study commission. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation.

SCIENCE, TECHNOLOGY AND ENERGY

HB 156, a commission to study a state department of energy. MAJ: OTP/A. MIN: ITL. Vote 12-7.

HRA Analysis: While this bill just forms a study commission, establishing a new department goes against our principle of limiting the size and growth of government.

HRA Recommendation: Oppose OTP; Support ITL; Oppose any amendments.

HB 157, relative to the class rate for biomass. MAJ: ITL. MIN: OTP. Vote 13-7.

HRA Analysis: This bill would save money on consumers' electric rates. Platform: "Work to reduce energy costs."

HRA Recommendation: Oppose ITL; Support OTP

HB 166, relative to funding energy efficiency programs. MAJ: OTP. MIN: ITL. Vote 10-9.

HRA Analysis: This bill gives the un-elected Public Utilities Commission the authority to raise taxes, bypassing the Legislature. Constitution, Article 12: "Nor are the inhabitants of this State controllable by any other laws than those to which they, or their representative body, have given their consent." Fees for services may be delegated, if necessary, but this is a *tax*, charged to everyone for the benefit of a few.

HRA Recommendation: Oppose OTP, Support ITL.

HB 183, a committee to study changes in law to allow for microgrids. MAJ: OTP/A. MIN: ITL. Vote 12-8..

HRA Analysis: We should keep the government lean by not spending it on unnecessary Studies. The PUC can authorize a microgrid under existing law.

HRA Recommendation: Oppose OTP, Support ITL.

HB 404, a local option for liquefied natural gas storage facility sitings. MAJ: ITL. MIN: OTP/A. Vote 17-2.

HRA Analysis: If we allow the one town to undermine the Site Evaluation Committee they can decide for the state to not allow the storage facility that would benefit several communities. The gas would be utilized by homes and companies, attracting more businesses and jobs to NH, thus removing barriers to business formation.

HRA Recommendation: Support ITL.

HB 477, relative to allowance sales under RGGI. MAJ: ITL. MIN: OTP. Vote 11-8.

HRA Analysis: RGGI is a tax. This bill would rebate all RGGI funds back to ratepayers. We should keep government lean and allow people to retain as much of their hard earned income as possible

HRA Recommendation: Oppose ITL; Support OTP.

HB 496, establishing a committee to identify the requirements needed to commit New Hampshire to a goal of 50 percent renewable energy for electricity by 2040. MAJ: OTP/A. MIN: ITL. Vote 12-8.

HRA Analysis: This might just be a study, but the goal is against the platform: Renewables are subsidized, costing NH taxpayers money and this state cannot efficiently run on "renewable energy." The government has a moral obligation to the people to be as cost effective as possible and to cut the cost of government as every possible turn.

HRA Recommendation: Oppose OTP, Support ITL.

HB 522, a commission to study the environmental and health effects of evolving 5G technology. OTP. Vote 11-8.

HRA Analysis: This bill creates a study commission. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation.

HJR 1, supporting efforts to develop wind power off the New Hampshire coast. OTP. Vote 12-8.

HRA Analysis: Everything requested in this bill has already been done, according to the Governor's office. It would not be cost effective to send it to the other Chamber.

HRA Recommendation: Oppose OTP; Support ITL.

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 5, requesting Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission. MAJ: OTP/A. MIN: ITL. Vote 11-7.

HRA Analysis: We believe in free speech and agree that United States Supreme Court correctly decided in Citizens United. No such constitutional amendment should be proposed.

HRA Recommendation: Oppose OTP/A, support ITL.

TRANSPORTATION

HB 198, repealing the prohibition on texting while driving. OTP/A. Vote 15-3.

HRA Analysis: As amended, this bill clarifies the laws on the use of mobile electronic devices and increases the penalty and fines for violations of the 'Hands-Free' law. No platform or constitutional issues.

HRA Recommendation-No Recommendation.

HB 230, prohibiting smoking in cars when a passenger is under 16. MAJ: ITL. MIN: OTP. Vote 11-7.

HRA Analysis: While second-hand smoke is a health concern, children under the age of 16 do not carry state ID and thus the law is unenforceable. It also prohibits the free enjoyment of a legal substance, tobacco, by adults. Platform: "We believe in free people."

HRA Recommendation: Support ITL.

HB 395, relative to number plates for motor vehicles. MAJ: ITL. MIN: OTP. Vote 13-7.

HRA Analysis: This bill would provide that a passenger vehicle shall only be required to display one number plate on the rear of the vehicle. It was argued that a single plate would be more environmentally sound and cost less to produce while police opposed the single plate as they scan front plate's for ID; it was mentioned that the cash lane at toll booths only captures the front license plate for the EZ pass. No constitutional or platform issues identified.

HRA Recommendation: No Recommendation.

HB 472-FN, relative to special number plates for certain veterans. OTP/A. Vote 19-0.

HRA Analysis: This bill, as amended, says that while the initial special plates are issued without charge, an additional set of plates can be issued to a qualified person upon payment of the state and municipal permit fees for the special number plates. No constitutional or platform issues.

HRA Recommendation: No Recommendation.

HB 672-FN, relative to driving to the left of an unbroken painted line. OUGHT TO PASS. Vote 13-4. 1

HRA Analysis: This bill clarifies a conflict in NH law, where one states you can't cross the yellow line, and another requires you to give a wide berth to safety vehicles. This bill creates an exception for safely crossing the yellow line. No constitutional or platform issues identified.

HRA recommendation: No recommendation.

WAYS AND MEANS

CACR 10, relating to a state income tax. Providing that revenue from any state income tax shall be returned to the cities, towns, school districts, and counties to assist in property tax relief. MAJ: ITL. MIN: OTP. Vote 16-1.

HRA Analysis: This constitutional amendment would distribute funds from any income tax to local government entities, ostensibly to lower property taxes. With no mention of how funds would be distributed, and no mention of the current interest & dividend (income) tax, this amendment would result in continual lawsuits and turmoil. We may hate property taxes, but they are controlled by the local voters who receive the services. Platform: "Maintain local control of spending and taxes designed to support local services."

HRA recommendation: Support ITL.

CACR 11, Providing that a broad-based sales tax shall be prohibited. MAJ: ITL. MIN: OTP. Vote 12-8.

HRA Analysis: This constitutional amendment would ban a state sales tax. Platform: "Strongly oppose new taxes and fees, including an income, sales and capital gains tax."

HRA recommendation: Oppose ITL.

CACR 12, Providing that an income tax shall be prohibited. MAJ: ITL. MIN: OTP. Vote 12-8.

HRA Analysis: This constitutional amendment would ban a state earned income tax. Platform: "Strongly oppose new taxes and fees, including an income, sales and capital gains tax."

HRA recommendation: Oppose ITL.

HB 458, repealing certain inactive dedicated funds. OTP/A. Vote 17-0.

HRA Analysis: This bill, as amended, repeals various funds with minimal activity. Platform: “Keep state government lean” and tracking and reporting on unused funds is fat.

HRA recommendation: Support OTP/A.

HB 676, repealing the collection of the state education property tax. MAJ: ITL. MIN: OTP. Vote 16-1.

HRA Analysis: This bill repeals the “state” property tax, which actually supports local education. Without cutting school spending, either the state will need to spend more in education funding, or local school districts will raise their property taxes (downshifting.) Either way, it violates the Platform.

HRA recommendation: Vote your conscience.

Off Consent

Health & Human Services

HB 694, establishing a take-back program for illegal controlled drugs. ITL. Vote 21-0.

HRA Analysis: This bill authorizes voluntary programs for illegal drug disposal, based on the programs for pharmaceutical drug take-back. No constitutional or platform issues identified.

HRA recommendation: No recommendation.

SCIENCE, TECHNOLOGY AND ENERGY

HB 132, relative to net neutrality. ITL. Vote 16-0.

HRA Analysis: This bill attempts to mandate specific practices, unique to New Hampshire, for internet service providers, and requires review by the Attorney General and the Chief Information Officer. Platform: “Minimize business regulations.”

HRA recommendation: Support ITL.