



"TRUST BUT VERIFY"

NHHRA

RECOMMENDATION SHEET

The purpose of the NHHRA caucus 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.

Wednesday, January 3, 2018

Consent Calendar

Commerce and Consumer Affairs

HB427, allowing hobby distillation of liquors.

HRA Analysis: This bill allows the distillation of liquor. Amending RSA 175:5-b to add liquor to the statute along with wine & beer. RSA 175:5-b was passed in 2013. Allowing individuals to further concentrate the wine or beer already legal under the statute is a logical refinement of the statute. There is no tax impact as the alcohol is produced in the fermentation process, not the concentration or distillation process. Platform citation: We believe, above all else, in the founding principle that all people are created equal, endowed by our Creator with the right to life, liberty and the pursuit of happiness, unimpeded by intrusive government regulation and control.

- Minimize business regulations, permits, licenses and paperwork
- Oppose federal programs that contradict the ninth or tenth amendment to the US Constitution; these amendments reserve unenumerated rights and powers to the states and the people

HRA Recommendation: Oppose ITL, Support OTP

Labor, Industrial and Rehabilitative Services

HB438, eliminating the automatic union dues payment for state employees.

HRA Analysis: This bill provides protection for employees who do not want to automatically deduct union dues from their paychecks. The platform states “Support legislation to allow workers to decide the allocation of the portion of their union dues used for political purposes & Uphold the right to join or avoid labor unions without coercion or intimidation; support “right to work” legislation”

HRA Recommendation: Support OTP or Table

Science, Technology and Energy

HB111, relative to recovery of stranded costs on certain purchased power agreements.

HRA Analysis: The PUC's latest ruling on purchased power agreements (PPAs) does not prevent new PPAs for qualified renewable generators. The same laws and rules were in effect when they approved the Eversource/Berlin PPA so they could extend or renew the existing PPA. The Harrington floor amendment requires that if the PPA is extended that all costs must be collected from default service charges. That means if Eversource is your utility but you choose to buy your electric energy from a competitive supplier, you do not have to pay the subsidy. NH State Constitution Part 1, Article 10, “No enrichment of any one man, family or class of men...”

HRA Recommendation: Support Floor Amendment - Support OTP/A

Ways and Means

HB529, phasing out and repealing the interest and dividends tax.

HRA Analysis: This bill would phase out the I&D tax over a number of years: There may be a floor amendment implementing just the first 1% reduction (reduce 5% to 4%). The NHGOP platform states: Cut or eliminate taxes which inhibit enterprise, earnings and savings and investment, such as the Interest and Dividends Tax....

HRA Recommendation: Oppose REFER FOR INTERIM STUDY motion and Support OTP or OTP/A, Support any Floor Amendments that Cut I&D Tax.

WEDNESDAY, JANUARY 3 REGULAR CALENDAR PART ONE

CHILDREN AND FAMILY LAW

HB 236, relative to determination of parental rights and responsibilities and establishing a presumption in favor of shared residential responsibility. MAJ: OTP/A. MIN: ITL. Vote 8-6

HRA Analysis: This bill protects the child's right to the protection of both parents in the aftermath of divorce in their health, education and welfare. This natural right has been recognized by the New Hampshire Supreme Court as a fundamental right included in Part the First, Bill of Rights, Article 2. It ensures that unless there is a proven cause to the contrary, the child shall enjoy at least 35% of the parenting time and responsibility with each parent. This leaves 30% of the parenting time at the discretion of the Judge to meet the child needs as it develops or as circumstances dictate. This bill supports the NHGOP Platform: Maintain the fundamental role and responsibility of both parents in the care, upbringing and discipline of their children

HRA Recommendation: Oppose Table, Support the Committee AND Floor Amendments, Support OTP/A

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB156, including a fetus in the definition at eight week from conception as "another" for purposes of certain criminal offenses.

HRA Analysis: The medical definition of fetus is generally defined as eight weeks. SB66 (passed) arbitrarily defines a fetus as being after 20 weeks. Eight weeks while not perfect is correct from medical standpoint. The committee voted to ITL HB156. This violates NH Republican Platform states "We believe that life is sacred, from conception to natural death." However, the bill has a drafting problem that is insurmountable, and needs to be filed again next year with clean language..

HRA Recommendation: Support Table Motion or Support ITL

HB 287, establishing a committee to study decriminalizing sex work.

HRA Analysis: There already is a commission studying sex trafficking which is at the heart of sex work. The commission will report its findings in 2018. The NH Platform calls for prioritizing, sun setting, and justifying programs that come from this commission and we should not duplicate. The platform also states: We believe that traditional families are the foundation of strong communities, and that family life best nurtures love of country, faith in God, morality and concern for others... this study committee runs contrary to this statement.

HRA Recommendation: Oppose OTP, Support ITL or Table.

**HB 613-FN, amending the procedures for use of segregated housing for inmates. OTP/A
Vote 19-1**

HRA Analysis: This bill requires that state prisons be accredited correctional facilities, the prisons have been accredited historically but not presently. Currently our county jails are accredited. Accreditation is important when the prison is involved in a lawsuit, having the accreditation positively impacts such actions by helping to prevent frivolous lawsuits being brought forth due to lack of accreditation, and also ensures that our state prisons are up to code thereby providing a safer environment for prison staff and inmates. Platform: "Justify expenditures against measurable benefits"

HRA Recommendation: Support OPTA

HB 656-FN-A-LOCAL, relative to the legalization and regulation of marijuana.

HRA Analysis: Currently there is a commission to study issues relative to legalizing marijuana. The findings of that commission won't be realized until the fall of 2018. Of the states that have legalized the sale, possession and manufacture of the substance, much is to be learned about the process. The appropriate action is to wait for the final report of the commission as stated in NH Republican Platform to "Support the State's Constitutional right to determine legal restrictions on possession of controlled substances."

HRA Recommendation: No Recommendation.

EDUCATION

HB 505, establishing an independent commission as an additional authorizing entity for chartered public schools. REFER FOR INTERIM STUDY Vote 13-6.

HRA Analysis: This bill would establish an independent commission to authorize charter schools in addition to the current local district and state BOE authorizing capabilities. There has been the argument that this is growing government but others recognize the need for an independent authorizer. The majority felt that there are areas in which the commission's role can be enhanced to support charter schools as centers of education innovation and provide a more transparent and fair system for applying charter schools. Our platform says "Encourage education freedom to allow all parents to choose the best public, private, charter or home school program for their children".

HRA Recommendation: Support Interim Study or Table Motion

HB 525-FN, relative to stabilization grants for education. OTP/A Vote 19-0.

HRA Analysis: Legislation had been passed to reduce the adequacy "stabilization" grants to districts with declining enrollments by not more than 4% per year. This amended bill would put a moratorium on those reductions beginning with the next budget. Platform issue: "that government has a moral obligation to the people to be as cost effective as possible, to always limit spending and growth of government, and to cut spending and cost of government at every possible turn".

HRA Recommendation: Oppose OTP/A, Support ITL

HB 609-FN-A, establishing a children's savings account program and making an appropriation therefor. OTP/A. Vote 16-3.

HRA Analysis: A college savings plan and commission had previously been established to encourage college savings. This amended bill would establish a savings account for each student passing a financial literacy course with the permission of the parent. The state would place \$250 into each account. When the account grows to \$500 (due to family savings), the state would annually transfer an undetermined amount into the account. Will \$250 and an undetermined amount from the state result in family savings for college? Would not a better approach be to gain control of college expenses and tuition? Platform issue: "Justify expenditures against measurable benefits: and "Prioritize programs to ensure effective spending".

HRA Recommendation: Oppose OTP/A, Support ITL

ELECTION LAW

HB 249, relative to showing a ballot. MAJ: REFER FOR INTERIM STUDY. MIN: ITL. Vote 12-8.

HRA Analysis: The bill repeals the current prohibition in our RSAs that has been ruled unconstitutional by the courts. The First amendment guarantees that we have the right to express our opinion, and that includes after voting, how we voted. The US Constitution states: "...or abridging the freedom of speech, ...". The State Constitution Part 1, Article 22 also protects Freedom of Speech.

HRA Recommendation: Oppose the IS Motion and Support OTP

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 366-FN, relative to the calculation of average final compensation under the retirement system for certain members. ITL Vote 11-5.

HRA Analysis: This bill increases the pension of some retirees by computing their final salary as the average of three, rather than five years. The shorter period not only eliminates two presumably lower paid years, it is also easier to game by adding lump sum payments, bonuses, extra overtime, etc. everyone else pays more, and this late payment disproportionately increases the system's unfounded liability. The platform says to "Ensure public employee benefits are similar to and do not exceed private sector benefits."

HRA Recommendation: Support ITL

HB 421-FN, relative to revocation of retirement and other benefits for persons convicted of certain crimes while in public service. ITL Vote 15-2.

HRA Analysis: This bill would have the retirement system act as a secondary court in some cases, determining if someone convicted of some crimes should lose their pension, and if so, how much of it. While well intentioned, this bill is too vague to implement and forces a new, unrelated duty on the pension system. The House of Representatives is the Grand Inquest of the State (grand jury) Part 2, Article 17, and the Senate acts as the jury. Such adjudications belong in the hands of the Legislature not an administrative agency.

HRA Recommendation: Support Table Motion or Support ITL

HB 631-FN, establishing a cash balance pension plan for new hires and non-vested employees. REFER FOR INTERIM STUDY. Vote 11-6.

HRA Analysis: The current retirement system has led to an underfunded pension system. Part 1, Article 36 requires that pension appropriations to be made with each budget (annual at the time) to avoid financial debacles. A cash balance plan does not meet the requirements laid out in the Constitution.

HRA Recommendation: Support Interim Study

FINANCE

HB 485-FN, relative to standards for emerging contaminants in drinking water. OTP/A Vote 23-3.

HRA Analysis: This bill is anti-business. The platform states "Minimize business regulations, permits, licenses and paperwork".

HRA Recommendation: Oppose OTP/A from Committee, Support Floor Amendment or Support ITL

SB 247-FN-A, preventing childhood lead poisoning from paint and water and making an appropriation to a special fund. OTP/A Vote 23-3.

HRA Analysis: The bill decreases the acceptable level of lead in children's blood, a substance that has been banned in paint for over 40 years. The proposed lead content level would be 40% lower than the current CDC standard. 3 micrograms per deciliter vs. 5 micrograms per deciliter (CDC), The bill mandates blood testing of all children unless the parents opt out. While Lead is hazardous, these new Blood lead levels have not been vetted. The CDC states: "Even though no medical treatment is recommended for children with blood lead levels lower than 45 micrograms per deciliter.." Testing at levels below 1/10 of the level where medical treatment is necessary is excessive and has not been proven necessary. Our platform states: Minimize business regulations, permits, licenses and paperwork and this runs contrary to this.

HRA Recommendation: Oppose OTP/A and Support Table or ITL

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB471, Relative to induced termination of pregnancy statistics. MAJ: OTP/A MIN: ITL Vote 12-8

HRA Analysis: HB471, which passed the House on consent two years ago, is a way to help the State and the CDC gather valuable information on pregnancy terminations. N. H. is one of only three (possibly two by now) states that do not have any information whatsoever on abortions performed within the State. This information, to be gathered anonymously and statistically, with stronger-than-HIPPA privacy safeguards, by the DDH and Vital Stats, could prove a huge help to pregnant women across this State. No matter one's thoughts on the legality of abortion, nearly everyone agrees that it presents difficult situations for many women, children, fathers, families, etc. HB471 would help us understand the problem better - where in the State do women need help? What kind of help? At what age ranges are women facing this situation? What educational levels are involved - could there be better outreach for early teens, late teens, etc? Could churches be doing a better job reaching and educating? For example: if the stats show that a significant percentage of women obtaining abortions in Manchester reside in the Northern parts of the State, then perhaps one of the many pregnancy help centers in Manchester would be better situated up north. The CDC states: abortion surveillance is important ...to guide and evaluate programs aimed at preventing unintended pregnancies....the data they provide are very important from both a demographic and a public health viewpoint." The platform states: "Encourage individuals and organizations who provide alternatives to abortion by meeting the needs of mothers through

adoption, support, counseling and educational services." HB471 would serve this purpose admirably by helping us more effectively bring the needed help to the women in need.

HRA Recommendation: Support OTP/A

JUDICIARY

HB 476, relative to the duties of registers of probate. MAJ: OTP/A MIN: ITL Vote 11-6

HRA Analysis: The reorganization of the lower courts in 2012 requested by the Supreme Court put the independent constitutional office of Register of Probate under the control of the Judges of Probate. Thought still elected by the people, Probate Judges were locking Registers or Probate out of their offices. The Registers of Probate were deprived of their power to protect the people's record of property transferred by succession, just as the Register of Deeds protects the record of property transferred by sale. This deprives the people of independent oversight of the actions of the Probate Court. This Bill, as amended: Restores the Constitutional office of Register of Probate, removes the court's authority over them, and continues the efficiency of the "E-Court" system. This restores the Constitutional balance between the Judicial and Executive branches, returns authority over the Registers to the County, and allows the Registers to properly perform their Constitutional duties. Costs are transferred from the Judicial budget to the counties. Platform: Support the people's oversight of the Judiciary through their elected Legislature; Implement reasonable and periodic oversight of judicial officers...

HRA Recommendation: Support OTP/A

HB 596-FN, relative to review hearings in involuntary admission cases. MAJ: OPA. MIN: ITL Vote 12-5.

HRA Analysis: Under the current laws, RSA 135-C, a person can be involuntarily admitted for a maximum of 5 years. These people have committed no crime and the burden for admission is 'clear and convincing', a lower burden than criminal convictions which require 'beyond a reasonable doubt.' In 1984 the constitution was amended to reduce the burden in cases where the person charged with a crime, and acquitted by reason of insanity. Those who are involuntarily admitted have been swept into the same category as those whom did commit a crime and were found not guilty by reason of insanity. When you couple the low burden of proof with the standard for admission; "treatment on an involuntary basis shall be whether the person is in such mental condition as a result of mental illness as to create a POTENTIALLY serious likelihood of danger to himself or to others". Constitution: [Art.] 15. [Right of Accused.] No subject shall be held to answer for any crime, or offense, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse or furnish evidence against himself. Every subject shall have a right to produce all proofs that may be favorable to himself; to meet the witnesses against him face to face, and to be fully heard in his defense, by himself, and counsel. No subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land; **_PROVIDED THAT, IN ANY PROCEEDING TO COMMIT A PERSON ACQUITTED OF A CRIMINAL CHARGE BY REASON OF INSANITY, DUE PROCESS SHALL REQUIRE THAT CLEAR AND CONVINCING EVIDENCE THAT THE PERSON IS POTENTIALLY**

DANGEROUS TO HIMSELF OR TO OTHERS AND THAT THE PERSON SUFFERS FROM A MENTAL DISORDER MUST BE ESTABLISHED._ Every person held to answer in any crime or offense punishable by deprivation of liberty shall have the right to counsel at the expense of the state if need is shown; this right he is at liberty to waive, but only after the matter has been thoroughly explained by the court.

HRA Recommendation: Support the OTP/A or OTP.

SB 249, relative to procedures related to the disclosure of exculpatory evidence by police officers. OTP/A Vote 15-2. (Ask Sylvia)

HRA Analysis: The 'Laurie list' is despised by law enforcement. This bill reworks procedures to provide exculpatory evidence such that county attorneys will no longer keep a list of cops with issues requiring disclosure.NH State Constitution, Part 1, Article 15, "Every subject shall have the right to produce all proofs that may be favorable to himself..."

HRA Recommendation: Support OTP/A

PUBLIC WORKS AND HIGHWAYS

HB 347-FN-A-LOCAL, making an appropriation for rural bus service. REFER FOR INTERIM STUDY. Vote 10-6.

HRA Analysis: Making a appropriation is contrary to NH State Constitution Part 1, Article 10, "No enrichment of any one man, family or class of men..."

HRA Recommendation: Support Interim Study, Table Motion, or ITL

RESOURCES, RECREATION AND DEVELOPMENT

SB 119, (New Title) relative to the length of docks on a water body, water body size. OTP/A Vote 12-4.

HRA Analysis: This bill minimizes the scope and complexity of regulations affecting seasonal docks, boat slips and temporary boat lifts. The NHGOP platform looks to "minimize business regulations, permits, licenses and paperwork". Simple logic and conservative values make it obvious that such a proposition applies to all human endeavors as a matter of natural right. Also the NHGOP Platform also "recognize(s) that private property ownershave a fundamental right to freely use and enjoy their property.

HRA Recommendation: Support OTP/A

SCIENCE, TECHNOLOGY AND ENERGY

HB 317, prohibiting the public utilities commission from increasing the system benefits charge without legislative approval. MAJ: OTP/A. MIN: ITL Vote 11-10.

HRA Analysis: The systems benefits charge is a defacto tax. Only the Legislature can impose or raise taxes. This bill restores that constitutional authority to the Legislature per Part 1, Article 28 of the State Constitution.

HRA Recommendation: Support OTP/A

**HB 559-FN, relative to expenditures from the energy efficiency fund. MAJ: ITL. MIN: OTP/A
Vote 11-10.**

HRA Analysis: This bill keeps energy costs from creeping upward; it also prevents residential customers from subsidizing the electric costs of businesses. Unconstitutional per Federal Constitution Article 1, Section 10, Paragraph 3 “No state shall without consent of congress enter into any compact or agreement with any other state...” and is also against the NH State Constitution Part 1, Article 10, “No enrichment of any one man, family or class of men...”

HRA Recommendation: Oppose ITL and Support OTP/A

**HB 592-FN, repealing the regional greenhouse gas initiative. MAJ: OTP/A. MIN: ITL Vote
11-10.**

HRA Analysis: Returns 100% of RGGI proceeds to ratepayers, which lowers the cost of Energy. Unconstitutional per Federal Constitution Article 1, Section 10, Paragraph 3 “No state shall without consent of congress enter into any compact or agreement with any other state...” and is also against the NH State Constitution Part 1, Article 10, “No enrichment of any one man, family or class of men...”

HRA Recommendation: Support OTP/A

REGULAR CALENDAR PART TWO

EDUCATION

CACR 7, relating to public education. Providing that the general court shall have the authority to define standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and have full discretion to determine the amount of state funding for education. MAJ: ITL MIN: OTP. Vote 12-7.

HRA Analysis: This is a reintroduction of CACR12 removing the duty to redistribute wealth, but giving full control of the definition and funding of public education to the Legislature. This CACR restores the original intent of Part 1, Article 6 (the 1984 Amendment being grammatically unintelligible), and the manner in which education funding was practiced until the Claremont Decisions. It supports the second plank under Local Control and Funding of Public Schools of the NHGOP Platform.

HRA Recommendation: Oppose ITL, Support OTP

HB 477, relative to free speech on campuses in the university system and the community college system. MAJ: REFER FOR INTERIM STUDY. MIN: ITL Vote 10-9.

HRA Analysis: We have all seen the attempts to curb freedom of speech on campuses - by students and administrators. This and prior bills have already seen a recognition of the issue by the university and community college systems. UNH has worked with the Foundation for Individual

Rights in Education (FIRE) to revise some policies. Several attempts to revise HB477 language were ongoing at the deadline for reports. Continued work is needed as this is a platform issue: “Support freedom of speech at all education levels”.

HRA Recommendation: Support Interim Study or a Table Motion

SB 193-FN, establishing education freedom savings accounts for students. MAJ: OTP/A. MIN: ITL Vote 10-9.

HRA Analysis: SB193 establishes education savings accounts (ESAs) to allow parents of eligible students to find the best education to meet their child’s needs. A child’s education should not be based on their zip code or the family’s wealth. This bill has strong accountability provisions both educationally and financially. It is just a five year pilot. It includes stabilization grants to districts that see a reduction in state adequacy funds of over ¼ of 1% due to students leaving for ESAs.

Contrary to opposition claims: 1) It is constitutional based upon US Supreme Court rulings and the opinion of the NH Attorney General. 2) It does not remove rights for children with special needs.

SB193 is about education opportunity and equity. All children do not learn in the same way or have the same interests. Even a great school may not be the right education solution for every child.

Platform issues: 1. Promote education freedom and parental rights to control the education of their children; 2. Encourage education freedom to allow all parents to choose the best public, private, charter or home school program for their children; 3. Expand education tax credits and education savings accounts; 4. We believe that every child is filled with potential and is unique in their own right; as such we believe there is no one-size-fits-all education solution; we support expanded education choices.

HRA Recommendation: Support OTP/A - Support Committee Amendment - Oppose any Floor Amendments

ENVIRONMENT AND AGRICULTURE

HB 399, relative to pesticide use and notification in places where children play. MAJ: ITL. MIN: OTP. Vote 7-5.

HRA Analysis: The platform states under Jobs and Economy “Minimize business regulations, permits, licenses and paperwork.” This bill expands the scope of state government and imposes new requirements on reporting. The E&A committee heard testimony from the Division of Pesticide Control confirming proper safeguards and responsible use programs are already in place. Further testimony from the Pesticide Control Board confirmed there have been no complaints filed related to pesticide use in areas where children play. The proper application of pesticides on school and municipal property is an important tool in the control of hazardous insects and problematic weeds. The fertilization and pest management policies should remain a local control issue.

HRA Recommendation: Support ITL

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

**HB 92, revising the definition of the state building code and ratifying changes to the state building code adopted by the state building code review board. MAJ: ITL MIN: OTPA
Vote 10-7.**

HRA Analysis: This bill enacts an entire suite of new building codes. These codes will set the new minimum standard for building and home construction in the state. In doing so, we will be adding 12% or more to the already high cost of housing. Since our codes are the minimum standard, there is no reason someone can't build to the higher standard if they choose. Our platform states that we should remove barriers to business formation and minimize business regulations. We also have an implied responsibility to keep the costs of housing low.

HRA Recommendation: Support ITL

**HB 168, relative to the definition of the New Hampshire fire code. MAJ: ITL. MIN: OTP.
Vote 10-7.**

HRA Analysis: This bill would have us adopt the 2012 and 2015 versions of NFPA 1, the Fire Safety Code. In accepting this code we would, by reference, be adopting 15 other codes consisting of over 2300 pages of new regulations. None of those other codes have been vetted by this committee and will certainly lead to new cost of building and doing business in NH. No testimony was submitted as to demonstrated need for these new codes. Our platform states that we should Remove barriers to business formation and encourage small businesses while minimizing business regulations. Enacting more unnecessary codes is contrary to that principle.

HRA Recommendation: Support ITL

FINANCE

HB 413-FN-A-LOCAL, relative to payment by the state of a portion of retirement system contributions of political subdivision employers. ITL Vote 17-9.

HRA Analysis: The bill would upshift 15% of the cost of retirement benefits from local taxpayers to state taxpayers. The platform says, "Maintain local control of spending and taxes designed to support local services."

HRA Recommendation: Support ITL or Support Table Motion

FISH AND GAME AND MARINE RESOURCES

SB 48, (New Title) establishing a commission to study the efficiency and effectiveness of the fish and game department's operations, governance, and management structure. MAJ: ITL. MIN: OTP/A. Vote 12-4

HRA Analysis: The Fish and Game department is continually having financing problems, and has become far more involved in law enforcement and rescue, leaving behind the original charter of management of hunting regulations and sustainability of game species. A study commission may recommend fixes to remove duplication and be more accountable to taxpayers. The platform states

that programs should be routinely reviewed and unnecessary waste of taxpayer dollars should be avoided.

HRA Recommendation: Oppose Floor Amendment, Oppose ITL, Support OTP/A

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 587-FN, relative to conversion therapy seeking to change a person's sexual orientation.

MAJ: ITL. MIN: OTP. Vote 12-8.

HRA Analysis: The definition of conversion therapy is so broad that it could apply to parents taking their child to a counselor (or pastor?) to discuss normal feelings that they might experience concerning sexuality. This bill is a model for unintended consequences.

Platform issue: "Maintain the fundamental role and responsibility of both parents in the care, upbringing and discipline of their children".

HRA Recommendation: Support ITL

SB 224-FN, relative to conversion therapy seeking to change a person's sexual orientation.

MAJ: ITL. MIN: OPA. Vote 12-8.

HRA Analysis: The definition of conversion therapy is so broad that it could apply to parents taking their child to a counselor (or pastor?) to discuss normal feelings that they might experience concerning sexuality. This bill is a model for unintended consequences.

Platform issue: "Maintain the fundamental role and responsibility of both parents in the care, upbringing and discipline of their children".

HRA Recommendation: Support ITL

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB407, requiring workers' compensation to cover prophylactic treatment for exposure.

HRA Analysis: For first responders and similar employers, in the event of a worker exposure to a communicable disease, existing public health law places a number of requirements on the employer. The employer must notify the State and the affected workers, and must also provide testing or treatment as indicated by the exposure. Existing law does not, however, dictate the method of payment. Some, but not all, of the costs associated with testing, preventative treatment, and treatment of the sick employee is part of the workers' compensation system. This caused confusion for some employers, such as smaller municipalities. HB 407 covers all of the requirements under workers' compensation. While the HRA might normally oppose the additional regulatory structure, practically speaking this bill imposes no new costs or requirements on business. Because the "market" for municipal insurance is so limited, legislation is necessary to alter the parameters of this type of coverage.

HRA Recommendation: No Recommendation

HB 628-FN, relative to a family and medical leave insurance program. MAJ: OTP/A. MIN: ITL. Vote 13-6.

HRA Analysis: The wording of this bill leaves more questions than it answers.

This bill proposes a 0.5% tax on employee income in order to fund a unemployment insurance -like benefit for workers to receive partial wage reimbursement during medical or family emergency absences. In the handful of States where this scheme has been implemented, employee participation is mandatory. To ensure passage, this bill proposes an “opt out” design, where all employees would be automatically signed up but have the option to decline participation. The data from existing programs suggest that without forced participation, the program will not be self funding. If the books ever don’t balance, then it will either be necessary to force employee participation (i.e. an income tax) or fund it from the State’s General Fund (increased spending). The bill violates a number of platform positions, including: Minimize business regulations, permits, licenses and paperwork. - Even if workers have the freedom to opt out, employers do not. This creates a new set of paperwork compliance rules for every NH employer. Keep state government lean. - This bill would add 40-some new State positions to implement and administer the program. Sunset programs and regulations to force periodic reevaluation - Once started, this will create a State-backed entitlement which can never be rescinded without cheating those who have paid into the system. Privatize programs and functions - While NY and NJ use the private insurance market, this bill creates a completely state run program. Ensure that public employee benefits are similar to and do not exceed those of the private sector - Public employees are exempt from this scheme.

HRA Recommendation: Oppose OTP/A. Support ITL.

SCIENCE, TECHNOLOGY AND ENERGY

HB 114, relative to minimum electric renewable portfolio standards. MAJ: OTP. MIN: ITL. Vote 11-10.

HRA Analysis: The bill freezes the RPS Class 1 requirement at 6%, which will prevent RPS costs from continuing to escalate. NH State Constitution Part 1, Article 10, “No enrichment of any one man, family or class of men...”

HRA Recommendation: Support OTP

HB 141, relative to electric renewable energy classes. MAJ: OTP/A. MIN: ITL. Vote 17-4.

HRA Analysis: Allows the PUC to adjust RPS Class 1 and Class 2 requirements, as they can currently with Classes 3 & 4. Could keep the cost of energy down. NH State Constitution Part 1, Article 10, “No enrichment of any one man, family or class of men...”

HRA Recommendation: Support OTP/A

SB 128-FN, relative to the policy goal of electric utility restructuring. REFER FOR INTERIM STUDY. Vote 17-4.

HRA Analysis: The language in this bill is vague and might well lead to unintended consequences but we do not see a platform or Constitutional issue.

HRA Recommendation: No Recommendation

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 636-FN, establishing a department of veterans affairs. OTP/A. Vote 13-0.

HRA Analysis: The bill creates a Department of Military and Veterans Services with several specific charges. This bill creates a central coordinator for veterans' affairs. Today, support for veterans and active duty military is spread across state agencies, and this bill will pull those elements together and add a commissioner, ensuring coordination for all eligible New Hampshire residents. The state has established several commissions, including the council on suicide prevention, the commission on post-traumatic stress disorder and traumatic brain injury, the governor's commission on alcohol and drug abuse prevention, etc., which support veterans as well as others. However, it is not easy for a veteran to navigate available services or to find support. The Department of Military and Veterans Services will facilitate efficient and effective services and provide one place for military, veterans and their family members to access services. As such, this is modeled on what other states have successfully established to military and veterans, adding New Hampshire to that growing list of states that recognize the need for coordination of services makes sense. Additionally, having one office dealing with the myriad of issues with the department of veterans' affairs will ensure greater achievement of mission completion and accountability. The platform states We believe that a strong national defense is necessary to preserve freedom and opportunity in America, and we believe that secure national borders are an integral part of a strong national defense. We believe that freedom can exist only in a nation that is willing to defend it. The utmost honor must be bestowed upon those who are willing to serve and sacrifice in the United States Military. Under the Health plank it also states Respect New Hampshire's honored veterans by ensuring the receive the benefits they have rightfully earned and deserve, particularly by combating homelessness and making all medical facilities available to qualified veterans.

HRA Recommendation: Support OTP/A

TRANSPORTATION

HB 388-FN, relative to special number plates for veterans and armed forces members. OTP/A. Vote 15-0.

HRA Analysis: Amendment 2456 replaces the bill. RSA 261:87-b is added to, so that persons eligible for special trailer plates under this section may obtain such veteran plates for trailers.

HRA Recommendation: No recommendation

SB 160, authorizing religious non-medical personnel, consistent with Centers for Medicare and Medicaid Services guidelines, to certify eligibility for walking disability plates and placards. MAJ: OTP. MIN: ITL. Vote 11-3.

HRA Analysis: This bill allows religious people without any medical training to make a medical diagnosis and certify who is qualified to receive disability plates and placards. The NH Constitution, Art 10 says the General Court ought not to pass laws to benefit one class of people.

HRA Recommendation: Oppose OTP

WAYS AND MEANS

HB 579-FN, relative to registration of semi-trailers. MAJ: OTP/A. MIN: ITL. Vote 13-10.

HRA Analysis: This bill provides an incentive for out of state trailer owners to register in NH. This is not a unique program, other states have similar programs. We heard testimony that there are 5.7 million semi-trailers registered in the country. This bill gives a discounted registration fee for multi-year registrations for both in-state and out of state registrations. This bill is setting up the program to collect revenue for the state from out of state semi-trailers few of which will actually be used on NH highways. Registrations by nonresidents for out of state semi-trailers would be handled by nongovernmental (private companies) registering trailer agents. The business of these agents would be to attract out of state trailers to register in NH. The Party platform states "Privatise programs and functions that can be handled more effectively by the private sector."

HRA Recommendation: Support OTP/A