

# HOUSE REPUBLICAN ALLIANCE RECOMMENDATION SHEET



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.

**“TRUST BUT VERIFY”**

Bill Number	Committee	Committee Vote	HRA recommends
CACR 5	Judiciary	ITL 16-2	No Recommendation
HB 128	Commerce	ITL 16-4	Oppose ITL
HB 131	Commerce	ITL 19-1	Support ITL
HB 183	Election Law	OTP 13-6	Support OTP
HB 197	Commerce	OTP/A 15-5	Support OTP/A
HB 218	Education	OTP/A 14-6	Oppose OTP/A
HB 226	Municipal & County	ITL 10-3	No Recommendation
HB 231	Education	OTP/A 13-7	No Recommendation
HB 240	Criminal Justice	OTP 15-2	Support OTP
HB 242	Education	OTP/A 17-3	No Recommendation
HB 253	Education	ITL 14-6	Support ITL
HB 266	Children & Family	ITL 13-2	No Recommendation
HB 280	Transportation	OTP/A 15-0	No Recommendation
HB 297	Science, Tech and Energy	ITL 12-8	Support ITL
HB 301	Education	OTP/A 12-7	Support OTP/A
HB 334	Science, Tech and Energy	OTP/A 14-6	No Recommendation
HB 359	Ways & Means	OTP/A 17-2	Support OTP/A
HB 369	Public Pensions	Interim Study 8-5	Support Interim Study
HB 372	Environment & Agriculture	OTP 15-2	Support OTP
HB 376	Finance	ITL 15-10	Support ITL
HB 430	Municipal & County	OTP 13-0	No Recommendation
HB 471	Education	OTP/A 12-8	Support OTP/A
HB 475	ED&A	OTP/A 11-0	No Recommendation
HB 488	ED&A	ITL 12-0	No Recommendation
HB 499	Environment & Agriculture	OTP/A 15-2	Support OTP
HB 500	Fish & Game	OTP 7-5	Support OTP
HB 504	Transportation	ITL 10-7	Oppose ITL
HB 505	Fish & Game	ITL 10-2	Oppose ITL
HB 512	Criminal Justice	OTP/A 9-8	Support OTP/A
HB 513	Children & Family	OTP/A 9-7	Support OTP/A

HB 515	Children & Family	ITL 12-4	No Recommendation
HB 518	Fish & Game	ITL 7-5	No Recommendation
HB 527	Education	OTP/A 14-6	No Recommendation
HB 533	ED&A	OTP/A 6-5	Support OTP/A
HB 538	Education	Interim Study 11-9	No Recommendation
HB 549	Education	OTP/A 17-2	No Recommendation
HB 552	Ways & Means	ITL 13-4	Support ITL
HB 556	Public Pensions	Interim Study 9-4	Support Interim Study
HB 582	Criminal Justice	OTP/A 9-8	Support OTP/A
HB 586	Transportation	OTP/A 8-3	Support OTP/A
HB 594	Ways & Means	OTP/A 12-7	No Recommendation
HB 601	Commerce	OTP/A 18-2	Support OTP/A
HB 602	ED&A	OTP/A 12-0	Support OTP
HB 605	Criminal Justice	OTP/A 14-3	Support OTP/A
HB 611	Education	ITL 14-5	Support ITL
HB 617	Criminal Justice	OTP/A 14-3	Support OTP/A
HB 625	Education	Interim Study 11-8	No Recommendation
HB 626	Science, Tech and Energy	ITL 11-9	No Recommendation
HB 630	Ways & Means	ITL 12-7	Oppose ITL
HB 634	Ways & Means	ITL 12-7	Support ITL
HB 636	Judiciary	OTP/A 14-5	Support OTP/A
HB 661	ED&A	OTP/A 6-5	No Recommendation
SB 58	ED&A	ITL 8-3	No Recommendation
SB 75	Commerce	Interim Study 13-4	Support Interim Study
SB 110	Commerce	OTP/A 13-6	Oppose OTP/A
SB 136	Legislative Administration	Interim Study	Support Interim Study
SB 146	Municipal & County	OTP/A 11-2	No Recommendation
SB 155	Commerce	OTP/A 16-3	No Recommendation
SB 157	Education	OTP/A 14-5	No Recommendation
SB 178	Commerce	ITL 13-6	Support ITL
SB 203	Labor	OTP/A 14-0	No Recommendation
SB 238	Labor	OTP 14-0	No Recommendation

## WEDNESDAY, JANUARY 6 REGULAR CALENDAR

### **CHILDREN AND FAMILY LAW**

**HB 266, establishing a committee to study removing child custody cases which involve abuse or neglect from the jurisdiction of the family court and probate court divisions. ITL. Vote 13-2.**

**HRA Analysis:** This bill would establish a study committee. No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

**HB 513, complaint investigation procedures of the guardian ad litem board. MAJ: OTP/A. MIN: ITL. Vote 9-7.**  
**HRA Analysis:** As amended, this bill clarifies these procedures, and specifies that a complaint about a guardian in an ongoing case can be investigated by the board. The board must inform the complainant of all options if they decide not to do so. The Platform: Implement reasonable and periodic oversight of judicial officers, including guardians ad litem.  
**HRA Recommendation: Support OTP/A.**

**HB 515, oversight of guardians ad litem by the guardian ad litem board. MAJ: ITL. MIN: OTP. Vote 12-4.**  
**HRA Analysis:** This bill requires the board to gather customer satisfaction data from people involved in cases that used a guardian ad litem (typically, a divorce.) On the one hand, our statutes require the board to oversee and discipline the guardians; on the other, it will triple the cost of administering the board. Is it worth it?  
**HRA Recommendation: No Recommendation.**

## **COMMERCE AND CONSUMER AFFAIRS**

**HB 128, authorizing individuals and businesses to buy out-of-state health insurance. ITL. Vote 16-4.**  
**HRA Analysis:** If we allow the free market to prevail, quality of services and rates will improve for consumers. Government intervention into individual's health insurance has increased cost without additional benefits. The state Platform states, "Increase the use of market forces to improve healthcare and lower costs; allow the purchase of insurance plans across state lines." Even if no insurance company is interested right now, this authorization provides a starting point; with so many New Hampshire residents living near other states, an out of state plan may be the best option right now for some people.  
**HRA Recommendation: Oppose ITL.**

**HB 131, relative to renewal of health club memberships. ITL. Vote 19-1.**  
**HRA Analysis:** This bill would have added more regulation to businesses. State platform, "Minimize business regulations, permits, licenses and paperwork."  
**HRA Recommendation: Support ITL.**

**HB 197, relative to sales and samples provided by wine manufacturers. OTP/A. Vote 15-5.**  
**HRA Analysis:** As amended, this bill allows additional locations for local wine manufacturers, who supported the bill. State platform, "Foster and attitude of assistance and cooperation with business and increase responsiveness."  
**HRA Recommendation: Support OTP/A.**

**HB 601, relative to cash dispensing machine requirements. OTP/A. Vote 18-2.**  
**HRA Analysis:** This amended bill will reduce the annual fee, so that it just covers the processing costs. The Platform: opposes new taxes, and a fee that exceeds costs is a tax.  
**HRA Recommendation: Support OTP/A.**

**SB 75, relative to unfair trade practices targeting veterans. INTERIM STUDY. Vote 13-4.**  
**HRA Analysis:** This bill prohibits a business from charging veterans an unreasonable fee for aid or services and makes such conduct a violation of the Consumer Protection Act. As a very new idea with possible unintended consequences, interim study seems appropriate.  
**HRA Recommendation: Support Interim Study.**

**SB 110, establishing the administrative supervision act. OTP/A. Vote 13-6.**  
**HRA Analysis:** This bill gives the commissioner of insurance the ability to secretly take over a private insurance company, that the department feels may be in trouble financially or otherwise. Under this authority, the commissioner or designee has the ability to sell property, downsize staff, cancel policies, liquidate stock, cease dividends to shareholders, merge with another company, incur debt, terminate executive staff, cease operations, expand operations, and the list goes on and on. All of this can be done without any disclosure to the public, completely outside compliance with 91-A. Further, it eliminates any liability for the commissioner, the state, the department or any of their consultants but for wanton and reckless conduct. Hence, if the commissioner assumes command of a private insurer and makes the situation worse, a finding of negligence will not be sufficient to bring a cause of action by impacted customers, shareholders, or even the business itself.

This bill was requested and written by the Insurance Department, which explains why it bequeaths them unparalleled authority while wrapping them in near blanket immunity. Perhaps, the Insurance department wanted such a high level of immunity, since neither staff nor the Commissioner has any background in running a large private insurer with a 100 million dollar portfolio, but then again, what could go wrong? Ask the victims of FRM.

**HRA Recommendation: Oppose OTP/A.**

**SB 155, a recovery fund for victims of Financial Resources Mortgage (FRM) fraud. OTP/A. Vote 16-3.**

**HRA Analysis:** This is a feel-good bill that establishes a process for victims of this Ponzi scheme to request a recovery of their losses, without actually spending any money: the “fund” is a repository for donations, but no money is allocated to it. The Platform assumes personal responsibility, but also requires the state to have that same responsibility.

**HRA Recommendation: No Recommendation.**

**SB 178, relative to optometrist participation in vision insurance plans. ITL. Vote 13-6.**

**HRA Analysis:** This bill would micromanage the relationship between optometrists and insurance companies. The platform strongly supports a free(er) market in health insurance.

**HRA Recommendation: Support ITL.**

## **CRIMINAL JUSTICE AND PUBLIC SAFETY**

**HB 240, prohibiting law enforcement agencies from using a drone to collect evidence. OTP. Vote 15-2.**

**HRA Analysis:** This bill forbids the use of a drone to collect evidence except with a warrant or in specific, limited instances. The US Constitution, Amendment 4, protects the people from unreasonable searches.

**HRA Recommendation: Support OTP.**

**HB 512, prohibiting confiscation of firearms or ammunition during an emergency. OTP/A. Vote 9-8.**

**HRA Analysis:** This bill creates penalties for anyone seizing firearms during an emergency, in violation of the second and fourth amendments to the US Constitution. It also protects those who were ordered to do so, but refused.

**HRA Recommendation: Support OTP/A.**

**HB 582, repealing the license for carrying a concealed weapon. MAJ: OTP/A. MIN: ITL. Vote 9-8.**

**HRA Analysis:** The platform calls for eliminating this license.

**HRA Recommendation: Support OTP/A.**

**HB 605, repealing mandatory minimum sentences. OTP/A. Vote 14-3.**

**HRA Analysis:** As amended, this bill deletes references to a number of mandatory minimum sentences, maintaining the same maximum sentence. The Constitution requires that the punishment fit the crime, and eliminating the minimum allows for finer adjustments of a sentence.

**HRA Recommendation: Support OTP/A.**

**HB 617, requiring state police to wear a camera when interacting with the public. OTP/A. Vote 14-3.**

**HRA Analysis:** As amended, this bill sets procedures for the use of these cameras, requires erasure no later than 180 days after recording except in specific, limited occurrences, and exempts the recordings from the eavesdropping, wiretapping, and in some cases, right to know laws. Since camera use is optional for law enforcement agencies, there is no fiscal impact. The platform encourages us to protect the privacy of individuals, and this is a first step.

**HRA Recommendation: Support OTP/A.**

## **EDUCATION**

**HB 218, additional funding for third grade proficiency in mathematics. MAJ: OTP/A. MIN: ITL. Vote 14-6.**

**HRA Analysis:** Currently the adequate education formula has an additional \$675 for each third grader who is not proficient in reading and who is not otherwise eligible for differentiated aid, i.e. not special ed, not English as a second language and not free or reduced lunch. HB 218 would change this to pay the \$675 for third graders who are not proficient in math instead of reading. This would cost an additional \$250,000, as math proficiency trails reading proficiency. The committee's amendment makes it math **or** reading. This will cost more than \$250,000, but it is unknown how much. While this isn't a lot of money, paying for failure is at odds with the platform which says we

should “emphasize academic achievement” and promote local control of policy and funding.

**HRA Recommendation: Oppose OTP/A.**

**HB 231, applications for school building aid. MAJ: OTP/A MIN: ITL. Vote 13-7.**

**HRA Analysis:** As amended, this bill adds to the criteria the Dept. of Education uses to consider a request for school building aid. No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

**HB 242, relative to the statewide improvement and assessment program. OTP/A. Vote 17-3.**

**HRA Analysis:** This bill as amended just updates the RSA covering data reporting from the third grade testing program to include math results as well as reading. Testing on math is already done.

**HRA Recommendation: No Recommendation.**

**HB 253, relative to the requirements for filing a charter school application. ITL. Vote 14-6.**

**HRA Analysis:** HB 253 adds additional bureaucratic criteria to charter school applications so that they must differentiate themselves from the local public school in specific ways. The net result would be to make it more difficult to create a charter school. The platform is very supportive of school choice in general and charter schools in particular.

**HRA Recommendation: Support ITL.**

**HB 301, allowing a parent to elect not to include their child in the unique pupil identification system or other information database maintained by the department of education. MAJ: OTP/A. MIN: ITL. Vote 12-7.**

**HRA Analysis:** The original bill allows parents of minors or non-minor high school students to opt out of the statewide student database. The committee's amendment turns the bill into a study committee. The platform states that we should “protect the privacy of individuals from government agencies and employees who abuse their power and position.”

**HRA Recommendation: Support OTP/A or OTP.**

**HB 471, powers of the state board of education and duties of school boards. MAJ: OTP/A. MIN: ITL. Vote 12-8.**

**HRA Analysis:** The original bill removed the requirement that local school boards comply with the state board of education's rules and regulations, puts curriculum and assessment control in the hands of local boards, and gives local boards exclusive power over hiring and collective bargaining. The committee's amendment reduces all that to just the part giving local boards responsibility over curriculum as long as it meets or exceeds state standards. Our platform strongly emphasizes local control of schools.

**HRA Recommendation: Support OTP or OTP/A.**

**HB 527, establishing guidelines for school districts on the use of school resource officers. OTP/A. Vote 14-6.**

**HRA Analysis:** School Resource Officers are law enforcement officers who provide security to schools. This bill, as amended, simply requires that school boards who hire such officers adopt policies governing their duties and have a memorandum of understanding with the officers regarding these policies. The content and details of the policies are up to the school board. No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

**HB 538, the implementation of new statewide education annual assessments. INTERIM STUDY. Vote 11-9.**

**HRA Analysis:** HB 538 gives school boards up to two years to implement future new assessment programs imposed by the state board of education. No platform or constitutional issues identified.

**HRA Recommendation: No Recommendation.**

**HB 549, allowing school building aid grants for certain authorized projects. OTP/A. Vote 17-2.**

**HRA Analysis:** This bill changes the amount spent annually on school building aid from a maximum of \$50M to a minimum of \$50M. That is, assuming the current moratorium on aid for new projects is ever lifted. The reality is that the total amount of school building aid is likely to be determined by the budget for any given biennium, not by laws like this one. Unfortunately the economic reality of programs like this is that communities with access to other people's money end up spending more on schools than they would just spending their own money. The bill does reduce the fraction of state aid to any new project by 5%, which is at least a step in the right direction.

## **HRA Recommendation: No Recommendation.**

**HB 611, requiring legislative approval of all agreements, contracts, grants, or waivers involving the department of education or the state board of education. ITL. Vote 14-5.**

**HRA Analysis:** This is a well-intentioned bill which requires the General Court to approve any contracts or other legal agreements entered into by the department of education or the state board of education. Our constitution created the Executive Council for this purpose, not the legislature. In addition, the legislature can constrain the actions of the executive via law. It is inappropriate for the legislature to try to give itself more powers via law.

**HRA Recommendation: Support ITL.**

**HB 625, relative to public charter schools. INTERIM STUDY. Vote 11-8.**

**HRA Analysis:** This bill would establish a commission to charter schools, rather than going through the state Board of Education. This process seems clumsy and requires additional staff and budget to implement, growing the size of government. Despite the platform's support of charter schools, interim study seems appropriate.

**HRA Recommendation: No Recommendation.**

**SB 157, encouraging high school students to take and pass a United States citizenship test. OTP/A. Vote 14-5.**

**HRA Analysis:** Despite the title, this bill *requires* a citizenship test for all high school graduates. This not only mandates yet another test for students, it is micro-managing the curriculum. Our platform strongly emphasizes local control of schools. On the other hand, civics and citizenship should be taught, since they are necessary to develop informed voters, also required by the platform. Vote your conscience.

**HRA Recommendation: No Recommendation.**

## **ELECTION LAW**

**HB 183, relative to voter registration forms. MAJ: OTP. MIN: ITL. Vote 13-6.**

**HRA Analysis:** The Platform states: "Ensure voting is done by NH resident citizens only". However, the Supreme Court declared that "A person who has only a New Hampshire domicile, but who does not meet the statutory definition of "resident," is not "subject to the laws of the state of New Hampshire which apply to all residents" and "...because the challenged language unreasonably burdens the fundamental right to vote... violates Part I, Article 11 of the State Constitution."

The bill removes the motor vehicle language, but retains the language: "In declaring New Hampshire as my domicile, I am subject to the laws of the State of New Hampshire", providing a basis for further legislative clarity on domicile vs. residency for voting purposes. Floor amendment 2015-3030h removes all this language.

**HRA Recommendation: Oppose Floor amendment, support OTP.**

## **ENVIRONMENT AND AGRICULTURE**

**HB 372, relative to certain private employers under workers' compensation. MAJ: OTP. MIN: ITL. Vote 15-2.**

**HRA Analysis:** This bill allows some small farmers to get minimal worker's compensation insurance as part of their basic liability policy. This lowers costs to small farmers, helping us to "encourage small businesses."

**HRA Recommendation: Support OTP.**

**HB 499, permitting New Hampshire farmers to sell certain animals directly to the public. OTP/A . Vote 15-2.**

**HRA Analysis:** The basic bill sets up a process for slaughtering and selling farm-raised deer or bison meat, similar to that allowed for rabbits and small producers of poultry (which are also exempt from federal regulations.) The committee amendment limits the scope to bison, requires pre- and post slaughter inspections by a veterinarian, and requires butchering in an approved custom slaughterhouse. The platform requires us to "Minimize business regulations, permits, licenses and paperwork," and also to "encourage small businesses." You decide if this qualifies.

**HRA Recommendation: Support OTP or OTP/A , no recommendation on amendment.**

## **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 475, prohibiting the state from engaging in civil forfeiture. OTP/A. Vote 11-0.**

**HRA Analysis:** As amended, this bill would establish a study committee. No Platform or Constitutional issues identified. However, this is a backup to the superior HB636, in Judiciary, so HB475 should be tabled.

**HRA Recommendation: Support motion to table, no recommendation on bill.**

**HB 488, relative to an abusive work environment and the health and safety of public employees. ITL. Vote 12-0.**

**HRA Analysis:** No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

**HB 533, arc-fault circuit-breaker protection in residential construction. MAJ: OTP/A. MIN: ITL. Vote 6-5.**

**HRA Analysis:** As amended, this bill allows a home owner with a problematic AFCI a chance to have the circuit inspected and the AFCI replaced with a normal circuit breaker. The law requiring adopting the AFCI was passed awhile ago with the adoption of the newer building code. Platform: Sunset programs and regulations to force periodic reevaluation. & Minimize business regulations, permits, licenses and paperwork

**HRA Recommendation: Support OTP/A.**

**HB 602, relative to the use of drones. OTP/A. Vote 12-0.**

**HRA Analysis:** This bill establishes basic rules for drones, including bans on weapons and restrictions on gathering evidence (similar to HB240.) It also has civil and criminal penalties for abuse of drones. The committee amendment includes some unenforceable restrictions regarding critical infrastructure, use of tear gas (by police), and getting the consent of every property owner when flying below 250'.

**HRA Recommendation: Support OTP, no recommendation on amendment.**

**HB 661, relative to record keeping for sold or transferred animals. MAJ: OTP/A. MIN: OTP/A Vote 6-5.**

**HRA Analysis:** This bill requires additional record keeping and reporting for all pet vendors and shelters that transfer dogs, cats, or ferrets. The committee amendment simplifies the record keeping; the minority amendment simply removes private sales from regulation.

**HRA Recommendation: Support committee amendment and minority amendment, no recommendation on bill.**

**SB 58, relative to the United States flag worn as a patch. MAJ: ITL. MIN: OTP. Vote 8-3.**

**HRA Analysis:** No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

## **FINANCE**

**HB 376, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects. ITL. Vote 15-10.**

**HRA Analysis:** The primary funding in this bill was incorporated into HB1 and HB2, making HB376 redundant. The remainder is to restore payment for a FY15 cut done via Governor's Executive Order, pulling future spending into this year. Without any source of funds, this violates platform recommendations for fiscal responsibility and frugality.

**HRA Recommendation: Support ITL.**

## **FISH AND GAME AND MARINE RESOURCES**

**HB 500, repealing the ban on silencing devices for taking wildlife. MAJ: OTP. MIN: ITL. Vote 7-5.**

**HRA Analysis:** Repealing this ban not only reduces some regulations, it makes hunting less intrusive and objectionable. The Platform: "Encourage landowners to keep their property open and accessible to responsible recreation."

**HRA Recommendation: Support OTP.**

**HB 505, baiting for game birds and animals by persons with a disability. MAJ: ITL. MIN: OTP. Vote 10-2.**

**HRA Analysis:** This bill expands the definition of "disabled" from mobility challenged (in a wheelchair) to any handicap that affects hunting. The US Constitution prohibits discrimination against a class of individuals, and a deaf or brain-damaged hunter merits the same accommodations given to the wheelchair bound.

**HRA Recommendation: Oppose ITL.**

**HB 518, relative to authority to establish fees for licenses issued by the fish and game department. ITL. Vote 7-5.**

**HRA Analysis:** This content of this bill was included in HB2 last year.

**HRA Recommendation: No Recommendation.**

## **JUDICIARY**

**CACR 5, relating to legal actions. Providing that taxpayers have standing to bring actions against the government. MAJ: ITL. MIN: OTP. Vote 16-2.**

**HRA Analysis:** This constitutional amendment, if adopted, would give taxpayers the right to sue government for violations of law, as had been the case until a Supreme Court decision in 2010. On one hand, it could provide a powerful check on the actions of state and local agencies; on the other, the courts could be used to second guess the legislature any time someone disliked a tax or law. You decide.

**HRA Recommendation: No Recommendation.**

**HB 636, relative to forfeiture of property. MAJ: OTP/A. MIN: ITL. Vote 14-5.**

**HRA Analysis:** As amended, this bill corrects state law on the forfeiture of property seized in connection with felony level drug crimes. Currently, forfeiture action can proceed prior to criminal conviction, leaving open the possibility of an innocent person being unjustly deprived of his property. This is a clear violation of the concept of 'innocent until proven guilty'. As such the current law stands in violation of our constitutionally protected right to due process. This bill requires a criminal conviction before forfeiture; provides that evidence be 'clear and convincing'; protects owners of property wrongfully seized (innocent owners not involved in the crime); and shifts the forfeited funds from AG-local police dept-HHS to the state general fund, to remove perverse incentives.

**HRA Recommendation: Support OTP/A, oppose any floor amendments.**

## **LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES**

**SB 203, relative to review of eligibility for workers' compensation. OTP/A. Vote 14-0.**

**HRA Analysis:** The bill as amended would allow indemnity to continue in workers compensation cases where medical treatment is purposely postponed for the medical benefit of the injured worker and allows a injured worker to appeal claims for indemnity. No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

**SB 238, relative to the workers' compensation appeals board. OTP. Vote 14-0.**

**HRA Analysis:** This bill reduces the size of the board & raises compensation for the board members. The Platform says to limit the size of government and reduce its costs; this bill reduces size, but increases costs.

**HRA Recommendation: No Recommendation.**

## **LEGISLATIVE ADMINISTRATION**

**SB 136, a committee to review constitutional amendments regarding the Citizens United decision and related cases in the United States Supreme Court. MAJ: INTERIM STUDY. MIN: OTP. Vote 7-3.**

**HRA Analysis:** The United States Supreme Court held that the First Amendment prohibited the government from restricting independent political expenditures. Free speech should be for all, and the case was properly decided.

**HRA Recommendation: Support Interim Study.**

## **MUNICIPAL AND COUNTY GOVERNMENT**

**HB 226, allowing municipalities to borrow from any fund controlled by such municipality. ITL. Vote 10-3.**

**HRA Analysis:** The Platform states: "Expand openness and transparency to...expenditures and all recipients of taxpayers' funds". If a city or town wants to mortgage their future by borrowing from existing funds, and that process is transparent, the state should not stand in their way. However, the committee pointed out technical problems with the bill and recommended ITL.

**HRA Recommendation: No Recommendation.**

**HB 430, extending the veterans' property tax credit to all honorably discharged veterans. OTP. Vote 13-0.**

**HRA Analysis:** This bill cleans up language in the existing RSA on veteran eligibility. The Platform states: "Expand openness and transparency to...expenditures and all recipients of taxpayers' funds". Property taxes are public record, and this credit is a local option. Cities and towns should make their own decisions.



**HRA Recommendation: No Recommendation.**

**SB 146, relative to accessory dwelling units. OTP/A. Vote 11-2.**

**HRA Analysis:** As amended by the committee, this bill requires cities and town to allow one "accessory dwelling unit" to be attached to any and all single-family homes, bypassing normal zoning regulations on lot size, frontage and similar restrictions. There must be an interior door between the dwelling units. The municipality may require owner occupancy of one of the units, that it be the owner's principal residence, limit the size, and establish aesthetic standards on the exterior. The Platform states: "Provide for the special needs of seniors, including opportunities for personalized home health care and less expensive alternatives to hospital stays". An accessory dwelling for use of a senior, or a home care provider, is consistent with that objective. However, the committee amendment states: "An interior door shall be provided between the principal dwelling unit and the accessory dwelling unit, but a municipality shall not require that it remain unlocked." This is totally unenforceable, and overrides local zoning, voted on by the citizens of the town.

**HRA Recommendation: No Recommendation.**

## **SCIENCE, TECHNOLOGY AND ENERGY**

**HB 297, protecting customer data from disclosure by a public utility. MAJ: ITL. MIN: OTP/A. Vote 12-8.**

**HRA Analysis:** This bill is unnecessary, as the PUC and utilities are already protective of personal data.

**HRA Recommendation: Support ITL.**

**HB 334, on the sale of personally identifiable information by Internet service providers. OTP/A. Vote 14-6.**

**HRA Analysis:** As amended, this bill establishes a study committee. No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

**HB 626, authorizing energy infrastructure development and corridors. MAJ: ITL. MIN: OTP/A. Vote 11-9.**

**HRA Analysis:** This bill would authorize the PUC's Site Evaluation Committee to approve projects transporting energy along highways, on state owned land. While this may be a worthy goal, the SEC can approve such projects now.

**HRA Recommendation: No Recommendation.**

## **SPECIAL COMMITTEE ON PUBLIC EMPLOYEE PENSION PLANS**

**HB 369, defined contribution plan for public employees. MAJ: INTERIM STUDY. MIN: ITL. Vote 8-5.**

**HRA Analysis:** This bill establishes a defined contribution (401(k) type) for new-hired public employees and phases out the current defined benefit plan. At the end of 2014 the retirement system was 56.7% funded and now has an unfunded liability of \$4.6 billion. This remains a serious problem that requires ongoing analysis of alternatives. The Platform states: "Ensure that public employee benefits are similar to and do not exceed those of the public sector," and very few employees have a defined benefit plan these days. However, HB369 does not address all the issues needed to implement such a plan this year, especially transition costs.

**HRA Recommendation: Support Interim Study.**

**HB 556, a cash balance plan in the public employees retirement system. INTERIM STUDY. Vote 9-4.**

**HRA Analysis:** This bill is similar to HB369, above, as a cash balance plan looks and feels like a defined contribution plan, except that the employer (aka taxpayer) remains liable in the case of very poor investment results. It does have the benefit of minimal transition costs.

**HRA Recommendation: Support Interim Study.**

## **TRANSPORTATION**

**HB 280, a committee to study placing medal decals on special number plates for veterans. OTP/A. Vote 15-0.**

**HRA Analysis:** As amended, this bill creates a special license plate for veterans *and* everyone else who keeps asking for one. Any charitable organization that registers with the DMV can make and sell the decals; the state simply clears a space for it on a generic plate. No constitutional issues; the only Platform issue is that it eliminates a number of bills every year, making the legislature more efficient.

**HRA Recommendation: No Recommendation.**

**HB 504, relative to online driver education. ITL. Vote 10-7.**

**HRA Analysis:** This bill would allow the Department of Safety to define characteristics and content of an on-line course to replace the classroom part of driver training. On-line training would allow students more options in taking driver's ed, and would make the roads safer as fewer teens would wait until 18, when training is not required. It also happens that local businesses (driving schools) get **more** business with an on-line option, as these students need to take on the road training and practice. The Platform: "encourage small businesses."

**HRA Recommendation: Oppose ITL.**

**HB 586, relative to registration of automobile utility trailers. OTP/A. Vote 8-3.**

**HRA Analysis:** This bill creates a set of non-government registrars for trailers, allowing residents and non-residents to register their trailers here, and get multi-year discounts. The amendment ensures that residents using these registrars pay their town fees; non-residents needn't. This bill creates a new type of business, with the possibility of bringing in many non-resident registrations, as Maine does. The Platform urges us to "Privatize programs and functions that can be handled more effectively by the private sector."

**HRA Recommendation: Support OTP/A.**

## **WAYS AND MEANS**

**HB 359, allowing municipalities in Carroll county to offer property tax exemptions to foster commercial and industrial construction. MAJ: OTP/A. MIN: ITL. Vote 17-2.**

**HRA Analysis:** The bill as written gives Carroll County the same tax exemption authority as Coos County. The committee amendment broadens that authority to all counties. The Platform states: "Government has the moral obligation to be as cost effective as possible." If the citizens of any county feel this program is of benefit to them, the State should not stand in their way.

**HRA Recommendation: Support OTP/A.**

**HB 552, requiring the state treasurer to develop an implementation plan for the state to accept bitcoin as payment for taxes and fees. MAJ: ITL. MIN: OTP/A. Vote 13-4.**

**HRA Analysis:** This bill would require the Treasurer to accept the risks of collecting these unregulated funds, and incur the expense of setting up a bitcoin exchange. The Platform reminds us that "low taxes are the result of low spending."

**HRA Recommendation: Support ITL.**

**HB594, establishing keno. MAJ:OTP/A. MIN: ITL. Vote 12-7.**

**HRA Analysis:** This bill, as amended, allows any licensed establishment to offer keno, an electronic lottery. One the one hand, the Platform warns against gambling; on the other, this will help our businesses flourish.

**HRA Recommendation: No Recommendation.**

**HB 630, establishing the New Hampshire video lottery. MAJ: ITL. MIN: OTP/A. Vote 12-7.**

**HRA Analysis:** HB630 creates the New Hampshire video lottery whereby on-premise liquor licensees (bars, restaurants, clubs, etc) may license up to six video slot machines which must be located out-of-sight of minors. The businesses retain 33% of the proceeds and 67% goes to the education trust fund to reduce the statewide property tax. According to the fiscal note, this amount is expected to be \$217M per year. Unlike casino bills, HB630 is consistent with both the constitution and the platform. The constitution has anti-monopoly and anti-corruption language. Since there would be roughly 1,000 small-time licensees under HB630 there would be no monopoly and no corrupting concentrated funds. The platform states that we will "reject expanded casino and video lottery gambling as a means to balance the budget or increase spending". HB630 directs funds to tax reduction, not increased spending.

**HRA Recommendation: Support OTP or OTP/A.**

**HB 634, applying the interest and dividends tax to trusts, increasing exemptions, and extending the tax to capital gains; and relative to homeowners property tax relief. MAJ: ITL. MIN: OTP/A. Vote 12-7.**

**HRA Analysis:** This bill creates a new tax on capital gains. The Platform clearly states: "Strongly oppose new taxes and fees, including an income, sales and capital gains tax."

**HRA Recommendation: Support ITL.**