

# 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.



## JANUARY 18, 2006 REGULAR CALENDAR SPECIAL ORDER

### RESOURCES, RECREATION AND DEVELOPMENT

**HB 1402**, defining "occupant" for purposes of liability for construction or maintenance of recreational trails. MAJ.: OTP W/Amendment. MIN.: ITL. **Vote 9-6**

We agree with the Majority blurb and add that it will help to reduce frivolous lawsuits against the snowmobile industry and advance tort reform. **Recommendation Support OTP W/Amendment**

### ENVIRONMENT AND AGRICULTURE

**HB 634-FN-A**, establishing a state recycling program to provide technical services to municipalities and establishing a fee on disposable and recyclable goods sold at retail. **OTP W/Amendment Vote 15-0.**

A tax by any other name is still a tax!! **Recommendation: Oppose OTP W/Amendment then support ITL**

### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

**HB 624-FN**, relative to penalties in certain health and health-related professions. **MAJ:OTP W/Amendment Vote 16-4.** NH has a long standing practice of supporting free enterprise by avoiding licensure. The bill aggravates the injustice of licensure which, on the frail premise of protecting the public good, is inherently designed to limit competition in trades and professions. Studies have shown that professional licensing is more in the private interest of the professions than that of the consuming public and that licensing deters entry into professions and limits competition by artificially raising thresholds for certification(s). This, in turn, enables licensed practitioners to raise prices for services on account of the absence of competition. Republicans advocate competition and free trade. Protection of the public interest must be achieved without limiting competition for goods and services.

**Recommendation Oppose OTP W/Amendment then support ITL**

**HB 685-FN-A**, permitting casino gambling. **MAJ.: ITL. MIN.: OTP. Vote 18-2.** The GOP Platform strongly opposes casino gambling as means of raising government revenue. **Recommendation: Support ITL**

### FINANCE

**HB 116,** **No Recommendation**

**HB 191-FN** **No Recommendation**

### HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

**SB 110-FN-A**, establishing the New Hampshire Rx plus program for prescription drugs. **MAJ: OTPW/Amendment. MIN.: ITL. Vote 17-4.** We agree with the minority blurb and support less government bureaucracy and costs associated with them. **Recommendation Oppose OTPW/Amendment then support ITL**

### JUDICIARY

**HB 656-FN**, relative to medical decision making for those adults without capacity to make health care decisions for themselves and establishing procedures for Do Not Resuscitate Orders. **MAJ.:OTP W/Amendment. MIN.: ITL. Vote 15-5.** The NHHRA has serious questions about this bill which is a life and death bill. Despite hours and hours of debate, this bill is still confusing with any number of negatives that will not be addressed by amendments.

**Recommendation Support ITL or a Motion to Table.**

## MUNICIPAL AND COUNTY GOVERNMENT

**HB 653-FN-LOCAL**, relative to bonds for construction, development, improvement, and acquisition of broadband facilities. **MAJ.: OTPW/Amendment. MIN.: ITL. Vote 12-3.** A bond is long term. All bonded items are supposed to last the life of the bond. Technology changes too quickly to be funded by long term bonds. It is better to allow the market place to develop the availability of broadband technologies. Private businesses offering either wireless or facilities based broadband connectivity will develop a sustainable strategy to stay current without stranding costs or saddling municipalities with those stranded costs. Consumers will have more and better choices with private businesses establishing connectivity.

**Recommendation Oppose OTPW/Amendment then Support ITL**

**HB 695-FN, No Recommendation**

## RESOURCES, RECREATION AND DEVELOPMENT

**HB 317-FN**, relative to mooring permits and fees. **OTP W/Amendment Vote 20-1.**

The bill proposes a 100% "fee" increase - or, in other words, a 100% TAX increase on moorings.

"When is a tax not called a Tax? When it's called a 'Fee'." Ronald Reagan.

**Recommendation: Oppose OTP W/Amendment then support ITL**

## SCIENCE, TECHNOLOGY AND ENERGY

**SB 128-FN**, relative to the establishment of emissions reduction standards as required by the Clean Power Act. **ITL Vote 9-5.** This bill produces minimal benefit with substantial cost to businesses which will be passed on to customers.

**Recommendation Support ITL**

## TRANSPORTATION

**HB 298, No Recommendation**

## WAYS AND MEANS

**HB 645-FN**, relative to fire-safe cigarettes. **OTP W/ Amendment Vote 17-2.**

Where so-called 'fire safe' cigarettes have been put into use, there's been no evidence of any decrease in cigarette related deaths. This effort constitutes no more than 'feel good' legislation requiring a production process which has not been evaluated with respect to whether or not it will make smoking even more chemically dangerous to the user.

**Recommendation: Oppose OTPW/Amendment then support ITL**

## **January 18, REGULAR CALENDAR**

## CHILDREN AND FAMILY LAW

**HB 397, No Recommendation**

**HB 485**, relative to the basis for awarding custody to a stepparent or grandparent. **MAJ.: REFER FOR INTERIM STUDY. MIN.: OTP W/ Amendment. Vote 10-3**

The NH Republican Party Platform section 8 The Family, Subsection Protecting Marriage and Family. That section states that "We oppose actions that inhibit and/or supplant the role of parents in the care and upbringing of children." This bill would have strengthened a parent's role in raising their children and taken unconstitutional laws off the books.

**Recommendation: Oppose Refer to Interim Study then Support OTP W/Amendment**

**HB 590, No Recommendation**

**HB 610-FN**, relative to the right to trial by jury in parental rights termination cases. **MAJ.: ITL. MIN.: OTP. Vote 9-6** The New Hampshire Supreme Court has held that parenting is an inherent and fundamental right, reinforced by Part 1, Article 2 of the New Hampshire Constitution. The NHHRA believes that both Part 1 Article 15 and Article 20 require that parents have a right to trial by jury in termination of parental rights cases.

**Recommendation: Oppose ITL then Support OTP**

**The Constitution of most of our states (and of the United States) assert that all power is inherent in the people; that they may exercise it by themselves; that it is their right and duty to be at all times armed and that they are entitled to freedom of person, freedom of religion, freedom of property, and freedom of press.**

**Enlighten people generally, and tyranny and oppressions of body and mind will vanish like evil spirits at the dawn of day-- Thomas Jefferson**

## COMMERCE

**HB 203-FN** No Recommendation  
**SB 211-FN,** No Recommendation

**He was so learned that he could name a horse in nine languages; so ignorant that he bought a cow to ride on** Ben Franklin

## CRIMINAL JUSTICE AND PUBLIC SAFETY

**HB 459,** No Recommendation

## EDUCATION

**HB 39,** relative to sex education in public schools. MAJ: OTP W/Amendment. **Vote 12-8**

This bill is a step in the right direction to affirm parental rights over their child's education. The NH GOP Platform in several sections states that we support a parent's ability to guide the education of their child. This bill advances that principle with regards to sexual education.

**Recommendation: Support OTPW/Amendment**

**HB 76,** revising the process of charter school approval by the state board of education. MAJ: OTP W/Amendment. MIN.: ITL. **Vote 17-1** The NH Supreme Court has ruled that public money can be given to private religious institutions as long as the purposes for which the funds are being given serve a secular purpose. Rep Ingbretson's amendment deletes the religious exempt language. We support the amendment. If it fails, the bill still addresses a fundamental problem with charter school operation and funding.

**Recommendation: Support the Ingbretson Amendment. Support OTP**

**HB 258-LOCAL,** relative to the terms of a collective bargaining agreement in a school district. MAJ: ITL. MIN.: OTP. **Vote 11-4** The party platform Section XI states "To improve and strengthen the classroom, we believe in: ...empowering teachers to maintain orderly, disciplined classrooms; and compensating teachers based upon their performance. This bill advances that principle.

**Recommendation: Oppose ITL then Support OTP**

**HB 278,** relative to the alternative budget procedure in school administrative units. MAJ: OTP. MIN.: ITL.

**Vote 15-1** This bill will change local town meeting form of government to SB2 and force the will of the majority of towns in the SAU district upon the minority who choose to maintain their town meeting form of government.

**Recommendation: Oppose OTP then Support ITL**

**HB 650-FN-LOCAL,** revising education funding and distribution and establishing needs-based matching grants. MAJ: ITL. MIN.: OTP. **Vote 14-5**

This is a spending bill. Under current law, there is transitional money to be given to the receiver towns to soften the blow of less state funding for the next few years. This bill wishes to take that money and forever keep it in education funding despite the fact that every year the state will increase spending for education. Where will the money come from? The taxpayer of course. Additionally, we believe that NH towns need time for the dust to settle from the new formula.

**Recommendation: Support ITL**

**HB 664-FN-LOCAL,** mandating open enrollment in all school districts. MAJ.: OTP W/Amendment. MIN.: ITL **Vote 14-6.** This bill enhances school choice. The NH GOP Platform states that "Only parents can be entrusted to control the education of their children and choose schools that best suit their children's needs. Laws should be implemented to encourage school choice and competition and allow all parents to choose the best public, private, charter or home school program for their children." This bill is consistent with that principle.

**Recommendation: Support OTP W /Amendment**

## ELECTION LAW

**HB 249,** No Recommendation

**HB 309-FN-A,** No Recommendation

**HB 345,** requiring photo identification to obtain a ballot. MAJ: OTP W/Amendment. MIN.: ITL. **Vote 10-4**

This bill is a step forward of making sure that the integrity of our Constitutional Republic stays strong. It further protects the integrity of our voting rights, and safeguards out voting system. The NH GOP platform states "Promoting voter registration to all eligible citizens and increased participation in the electoral process." This bill ensures that all who vote are eligible citizens.

**Recommendation: Support OTPW/Amendment**

**HB 347,** requiring proof of identity for voter registration. MAJ.: OTP W/Amendment. MIN: ITL. **Vote 10-5**

The NH GOP platform states "Promoting voter registration to all eligible citizens and increased participation in the electoral process." This bill ensures that all who vote are eligible citizens.

**Recommendation: Support OTP W/Amendment.**

**HB 391**, relative to voter registration forms for students. OTP W/Amendment **Vote 12-6**

The NH GOP platform states "Promoting voter registration to all eligible citizens and increased participation in the electoral process." This bill ensures that all who vote are eligible citizens.

**Recommendation: Support OTP W/Amendment.**

**HB 403**, **No Recommendation**

**HB 589**, **No Recommendation**

**HB 607-FN**, **No Recommendation**

**HB 621-FN**, **No Recommendation**

**HB 639-FN**, relative to voter registration. MAJ: OTP W/Amendment. MIN: ITL. **Vote 9-5.** This bill allows for greater ability to enforce our election laws, and further protects voting integrity. The NH GOP platform states "Promoting voter registration to all eligible citizens and increased participation in the electoral process." This bill ensures that all who vote are eligible citizens.

**Recommendation: Support OTP W/Amendment.**

## **ENVIRONMENT AND AGRICULTURE**

**HB 722**, **No Recommendation**

## **FINANCE**

**HB 470-FN-A**, relative to the annual funding of placement costs for juvenile diversion and alternative disposition programs and relative to an effectiveness study of such programs. **ITL. Vote 13-7.**

This is a spending bill which the committee believes that the state cannot afford right now. The NH GOP platform states that believe in "controlling spending and minimizing taxes are the best ways to protect the economic and civic well being of New Hampshire residents"

**Recommendation: Support ITL**

**HB 638-FN**, relative to county liability for payment of nursing home costs. OTP W/Amendment. **Vote 14-2.**

The platform states that : "We are committed to providing for the special needs of our senior citizens, including opportunities for personalized home health care and less expensive alternatives to hospital stays and prescription medication." and that we are in favor of "controlled spending and minimizing taxes." This bill appears to try to do both.

**Recommendation: Support OTP**

**HB 670-FN-A**, relative to the land and community heritage investment program. **ITL Vote 12-7**

We believe that LCHIP has received more than sufficient funds already this session. Government dollars should be given only to those accountable to the people. LCHIP is not accountable as it operates under no specific, clear laws or ethical guidelines when brokering large land deals.

**Recommendation Support ITL**

## **JUDICIARY**

**HB 541**, relative to repealing the incorporation of the New Hampshire Bar Association. MAJ: ITL. MIN: OTP **Vote 13-7** The NH GOP platform states that "The Republican Party believes that the New Hampshire Advantage is, in part, secured and promoted by a legal system that upholds the safety, values and freedoms of law-abiding citizens." The Minority blurb says that "the administrative controls that have been woven into the fabric of our state government by this private fraternal organization strike at the very heart of a free, open and representative government." We agree

**Recommendation: Oppose ITL then Support OTP**

**HB 626-FN-LOCAL**, relative to the right-to-know law. OTP W/Amendment

This bill goes against Article 8 and diminishes public participation in government affairs. Further, this bill as amended is ambiguous and favors those held to sunshine over the public's right to know and access, by saying we know you communicate without allowing public participation and its OK as long as you tell them at the next meeting. It is also troublesome that the amendment removes "all persons shall be permitted to attend any meetings" and exempts "draft documents" which are a vital part of the information and decision process.

**Recommendation Oppose OTP W/Amendment then Support ITL.**



Judiciary Committee members- Reps John Hunt, Bob Mead, Richard Morris, and James Wheeler

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

**HB 506**, including employees of charitable organizations under the protection of the state law against discrimination. OTP W/Amendment. **Vote 8-2**. This bill is government intrusion into private organizations. It will cause private organizations to go against their fundamental and historical moral and ethical standards, long set by such organizations. **Recommendation Oppose OTPW/Amendment then support ITL.**

**HB 524**, **No Recommendation**

## **MUNICIPAL AND COUNTY GOVERNMENT**

**HB 642-FN-LOCAL**, relative to the regulation of home inspectors. OTP W/Amendment.

**Vote 15-0**. NH has a long standing practice of supporting free enterprise by avoiding licensure . The bill aggravates the injustice of licensure which, on the frail premise of protecting the public good, is inherently designed to limit competition in trades and professions. Studies have shown that professional licensing is more in the private interest of the professions than that of the consuming public and that licensing deters entry into professions and limits competition by artificially raising thresholds for certification(s). This bill will increase government regulations which will increase costs to the consumer. **Recommendation Oppose OTP W/Amendment then Support ITL**

**HB 657-FN-LOCAL**, relative to promoting community revitalization. OTP W/Amendment **Vote 15-0**. This bill creates an unfair disadvantage to businesses that have already invested in the community and opens the door to cronyism.

**Recommendation Oppose OTP Then Support ITL**

**SB 104-FN**, **No Recommendation**

I do not believe that there is any data to support the allegations made by those who wish to impose a speed limit on Lake Winnepesaukee. I have owned a lakefront home in Gilford for the last 12 years and I operate a 21 foot Four Winns. I am frequently encountered by boaters traveling less than 45 mph but fail to yield right of way. I strongly believe that existing laws should be better enforced but adamantly oppose this new law. The data in support of a speed limit is just not there. I applaud the director of Marine Patrol for having the courage to speak out against this bill. R. Poire-Gilford NH

## **RESOURCES, RECREATION AND DEVELOPMENT**

**HB 162**, establishing boating speed limits for Lake Winnepesaukee. MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: OUGHT TO PASS WITH AMENDMENT. **Vote 11-10**.

This is clearly a personal responsibility issue. This bill with the majority amendment creates legislation that is completely unnecessary. Here are the facts:

- Boating registrations are up, yet boating accidents have decreased 63% since the year 2000.
- The safe boater education begun in 2000, which will have every boat operator required to be certified by 2008, is directly responsible for the decline in overall boating accidents. This decline is expected to continue.
- Existing laws such as, NH RSA 270-D:2 Safe Passage Law requiring a distance of 150 feet from any object while traveling faster than 5MPH, already address all of the existing safety issues on Lake Winnepesaukee and all NH waterways.
- **“Reasonable and Prudent”** speeds according to conditions is the tool that best suits the varied situations on all waterways of NH as stated by NH Marine Patrol Commissioner Barrett and is upheld in NH Courts. It is also the standard set by the US Coast Guard and is the effective rule of law used in 35 states.
- From 2000 to 2004 (five years of records) according to the NH Marine Patrol Official Records for Lake Winnepesaukee, there was only one (1) boating incident over 45 mph and that involved a single boat which made a quick turn and capsized.
- The very people who are given the task of keeping our lakes and waterways safe, the Marine Patrol, are against a speed limit bill.

**Recommendation Support the Minority Amendment If that fails Support ITL.**

**SB 140, No Recommendation**

**STATE FEDERAL RELATIONS AND VETERANS AFFAIRS  
HR 13, No Recommendation**

**TRANSPORTATION**

**HB 588, No Recommendation**

**WAYS AND MEANS**

**HB 91-FN**, repealing the local property tax exemption for wooden poles and conduits. ITL **Vote 11-5**. This bill is not business friendly. It would add a cost to business and pass on cost to the taxpayers. Further this is a repeal of SB 11 which became law last May. To repeal the exemption at this time would be creating a new tax. **Recommendation: Support ITL**

**HB 553-FN-A**, relative to a state tax on large lottery winnings. MAJ.: ITL. MIN.: OTP. **Vote 11-7**. The GOP Platform strongly supports opposition to tax increases and this is clearly an attempt to raise taxes. **Recommendation: Support ITL**

**HB 669-FN**, setting the laboratory fee schedule for certain environmental samples. ITL. **Vote 19-0**. This bill would have given government more money than it needed. We support fiscal restraint. **Recommendation: Support ITL**

### **From President Reagan's Farewell Address January 11, 1989**

When you've got to the point when you can celebrate the anniversaries of your 39th birthday, you can sit back sometimes, review your life, and see it flowing before you. For me there was a fork in the river, and it was right in the middle of my life. I never meant to go into politics. It wasn't my intention when I was young. But I was raised to believe you had to pay your way for the blessings bestowed on you. I was happy with my career in the entertainment world, but I ultimately went into politics because I wanted to protect something precious.

Ours was the first revolution in the history of mankind that truly reversed the course of government, and with three little words: "We the people." "We the people" tell the government what to do, it doesn't tell us. "We the people" are the driver, the government is the car. And we decide where it should go, and by what route, and how fast. Almost all the world's constitutions are documents in which governments tell the people what their privileges are. Our Constitution is a document in which "We the people" tell the government what it is allowed to do. "We the people" are free. This belief has been the underlying basis for everything I've tried to do these past eight years.

But back in the 1960s, when I began, it seemed to me that we'd begun reversing the order of things--that through more and more rules and regulations and confiscatory taxes, the government was taking more of our money, more of our options, and more of our freedom. I went into politics in part to put up my hand and say, "Stop." I was a citizen politician, and it seemed the right thing for a citizen to do.

I think we have stopped a lot of what needed stopping. And I hope we have once again reminded people that man is not free unless government is limited. There's a clear cause and effect here that is as neat and predictable as a law of physics: As government expands, liberty contracts.

**TRUST BUT VERIFY"**  
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