

# HOUSE REPUBLICAN ALLIANCE RECOMMENDATION SHEET



“TRUST BUT VERIFY”

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

**WEDNESDAY, JANUARY 30**

**REGULAR CALENDAR**

## **CRIMINAL JUSTICE AND PUBLIC SAFETY**

**HB131-FN-L**, relative to payment for medical services for county prisoners. **OTP. Vote 15-3.**

**HRA Analysis:** This bill refers only to county correctional facilities and paying for medical services for prisoners thereof. It does three things: it allows the facility superintendent to negotiate service rate agreements with a hospital; it defines "hospital" for purposes of this chapter as a number of types of facilities, but excludes physician practices or community health care clinics; and it adds "outpatient" to inpatient and emergency room care under the restriction on charges to the county facility by providers. The majority report incorrectly refers to a rate cap of 125%, which is not part of this bill. This bill appears to give a little more authority to the superintendent. There are no apparent Platform or Constitutional issues involved.

**HRA Recommendation:** No Recommendation.

## **EDUCATION**

**HB 159**, requiring patriotic exercises in public schools on federal Constitution Day. **OTP/A. Vote 15-4.**

**HRA Analysis:** This bill calls on public schools to hold patriotic exercises on Constitution Day, adding to RSA 189:18. Public schools may also recognize the New Hampshire Constitution and our civic rights and responsibilities. This bill encourages public schools to call attention to our revered constitutions in the same fervor as our Veteran's Day and Memorial Day. Adherence to the constitutions is the basis of our support of bills. We hold these documents in high esteem, and support making students knowledgeable with pride of the words we live by, endearing those magnificent documents to them far into the future.

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

## **JUDICIARY**

**HB 106**, relative to the demand for rent and other damages, and the repeal of the landlord-agent requirement. **ITL. Vote 15-5.**

**HRA Analysis:** This bill raises the cap (not the fee) for service of process reimbursement in an eviction

from \$15 to a more reasonable \$165, and repeals the onerous, inconsistently enforced landlord agent reporting. This is unnecessary because municipalities can easily obtain service of process information from the tax collector. The platform states in Section I that we should “Minimize business regulations”.

**HRA Recommendation:** Oppose ITL, support OTP.

**HB 107**, relative to the losing party’s payment of the prevailing party’s costs in tort actions. **ITL. Vote 20-0.**

**HRA Analysis:** This bill would require that the court order the losing party to pay the prevailing party’s attorney fees and court costs in all tort actions. No Platform or Constitutional issues identified.

**HRA Recommendation:** No recommendation.

**HB 116**, relative to the powers of an executor or administrator to take control of a decedent’s social networking websites. **MAJORITY: ITL. MINORITY: OTP. Vote 13-7.**

**HRA Analysis:** This bills add an additional level of business regulations to social networking companies. Besides being almost unenforceable on the many out of state companies involved, it violates the platform, Section I, “Minimize business regulations”. The bill also invades one's privacy by forcing disclosure of online IDs and passwords.

**HRA Recommendation:** Support ITL.

## **PUBLIC WORKS AND HIGHWAYS**

**HB 117**, relative to driveway permits issued by the department of transportation. **ITL. Vote 16-1.**

**HRA Analysis:** The DOT's driveway rules limit land parcels to at most three driveways (assuming sufficient frontage, sight distances, etc). That would be fine if they used the same definition of a parcel as everyone else, i.e. lots recorded at the registrar of deeds. Instead, their rules define a parcel as a lot that existed in 1971. Subsequent subdivisions do not increase the number of driveways. This definition only exists in rules, and the driveway rules are exempt from legislative oversight. HB 117 would require that recorded lots be eligible for driveways, and that the driveway rules be subject to JLCAR. The calendar blurb is misleading in that the bill has no effect on DOT's ability to deny or locate driveways for sight distance or other engineering considerations. The Platform states that “private property owners ... have a fundamental right to freely use and enjoy their property.” Owners of lots created in 2013 should have the same rights as owners of lots created in 1970.

**HRA Recommendation:** Oppose ITL and support OTP.