

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, the NH and Federal Constitutions.



WEDNESDAY, FEBRUARY 8
REGULAR CALENDAR

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1375, relative to access to firearms by persons convicted of nonviolent felonies. **ITL Vote 13-2**

HRA Analysis: The state constitution exhorts that "All penalties ought to be proportioned to the nature of the offense." Inherent in this is that once a convicted person has "done the time" and fulfilled his penalty, he/she should enjoy liberties and natural rights as a free person. In keeping with the party platform, we "Believe in the rights of law-abiding citizens to own firearms to defend themselves, their families and their property;" and thus all rights, including those of self defense, should be restored to felons released from prison.

HRA Recommendation: Oppose ITL and support OTP

HB 1648-FN, requiring prosecution of a law enforcement officer for failure to enforce the crime of interference with custody. **MAJ: ITL MIN: OTP Vote 14-3**

HRA Analysis: This bill would add a section to statute 643 - Abuse of Office. It is currently a crime to interfere with a custody decree by taking away or hiding a child from the the parent or guardian with responsibility for the child. Testimony was heard that some law enforcement don't want to get involved in family matters and are thus ignoring court orders against one parent or family member. The platform states that the Republican Party "Promotes a limited government that is open, responsive and fully accountable to its citizens without interfering in their personal, daily lives." This bill promotes accountability within law enforcement by penalizing public officials who fail to enforce a court order. Requiring police to follow the law, and providing for penalties for those who don't, will build confidence and trust in the system. Some may argue that a Class B felony is too stiff a penalty in this instance; we would support an amendment to make it a lesser offense for "knowingly failing to enforce state law on interference with custody as defined in RSA 633:4."

HRA Recommendation: No recommendation

EDUCATION

HB 1413-FN, directing New Hampshire to withdraw from the No Child Left Behind Act. **MAJ: OTP MIN: INTERIM STUDY Vote 12-4**

HRA Analysis: Our platform has a couple of things to say about federal education mandates: "We demand that the federal government fully fund its commitment to special education mandates under the IDEA (Individuals with Disabilities Education Act) and NCLB (No Child Left Behind)." and "State and federal school aid should not contain mandates that prevent parents and local taxpayers from making educational decisions for their own communities." There is also the point that federal involvement in education is unconstitutional by the 10th amendment, and against our goal of local control.

HRA Recommendation: Support OTP

HB 1517-FN-L, prohibiting the state and any political subdivision from entering any agreement implementing any provision of the No Child Left Behind Act without prior approval of the general court. **MAJ: OTP MIN: INTERIM STUDY Vote 14-3**

HRA Analysis: The reasoning here is the same as for HB 1413.

HRA Recommendation: Support OTP

HB 1566, relative to withdrawal from a school administrative unit or an authorized regional enrollment area school. **ITL Vote 12-4**

HRA Analysis: This bill makes small changes in the procedure for a school district to withdraw from an SAU or area agreement. Current procedures give a dominate role to the state Board of Education and the state Department of Education. This bill would provide local school districts a smoother procedure for determining where its own students will attend school and where it obtains administrative services. The bill makes it easier and less expensive to accomplish those changes. This exact wording passed the committee and the House last year. This is in keeping of our goals of smaller state government, more local, and hence parental, control and better education.

HRA Recommendation: Oppose ITL and support OTP

HB 1692-FN, making changes to the administration of the university system of New Hampshire. **MAJ: OTPA MIN: ITL Vote 12-4**

HRA Analysis: The University System has very high central office overhead. This bill would drastically cut those central positions to at most twelve and let the four universities operate more independently. The platform promotes efficient government and trimming bureaucracy is a good way to accomplish that.

HRA Recommendation: Support OTPA

ELECTION LAW

HB 1354, relative to a person's residence for voting and all other legal purposes. **MAJ: OTP MIN: ITL Vote 10-7**

HRA Analysis: The platform clearly states that the Republican Party “Believes voting in NH must be done by NH resident citizens only.” A few years ago the Democrats put this nonsensical sentence into law: “A person's claim of domicile for voting purposes shall not be conclusive of the person's residence for any other legal purpose.” In other words, someone could vote in New Hampshire without really living here. This bill inverts the meaning of that sentence by changing it to “A person's claim of domicile for voting purposes shall be conclusive of the person's residence for all other legal purposes.” If you vote here, you live here. Amazing!

HRA Recommendation: Support OTP

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1317, relative to certifying electricians as fire suppression equipment and alarm installers. **INTERIM STUDY Vote 8-4**

HRA Analysis: No platform or constitutional issues identified.

HRA Recommendation: No recommendation

HB 1379, establishing a committee to study the regulation of pharmacy technicians by the board of pharmacy. **ITL 11-1**

HRA Analysis: No platform or constitutional issues identified.

HRA Recommendation: No recommendation

HB 1544-FN, adding state and local government part-time and public employees to employees eligible to participate in the state group insurance coverage. **INTERIM STUDY Vote 8-3**

HRA Analysis: The Platform, part VII, “The state government needs to be effective and efficient. ...Programs and functions should be reviewed to identify those that can be implemented more effectively in the private sector.” This bill if passed would expand state government in competition with private insurance companies.

HRA Recommendation: Support Interim Study (or ITL)

HB 1634, prohibiting the state, counties, towns, and cities from implementing programs of, expending money for, receiving funding from, or contracting with the International Council for Local Environmental Initiatives. **OTPA Vote 6-4**

HRA Analysis: The Platform, part VII “Rejects the imposition on the citizens of New Hampshire of law contrary to our founding principles and documents and our system of government” This Council intends to implement the UN Agenda 21, which is alleged to oppose our Constitutional values of private property and individual freedom. A study committee to verify these allegations, resolve the question of this being an unconstitutional Bill Of Attainder, and determine a plan of attack, seems appropriate.

HRA Recommendation: Support OTPA

HB 1647-FN, requiring the department of health and human services to license supervised visitation centers. **INTERIM STUDY Vote 11-1**

HRA Analysis: The Platform, part VI, states we are “Working to prevent over-regulation of business, particularly with respect to small businesses”. Licensing these centers would be increased regulation and likely over-regulation.

HRA Recommendation: Support Interim Study (or ITL)

HB 1710, establishing a commission to identify issues for legislation related to strengthening the role of fathers in families with divorced or unmarried parents. **OTP Vote 8-3**

HRA Analysis: The Platform, part VIII “We place our highest priority on promoting and preserving the family” and families without fathers have many serious problems. This commission would continue the most important function of the Commission on the Status of Men.

HRA Recommendation: Support OTP

MUNICIPAL AND COUNTY GOVERNMENT

HB 1189, establishing a committee to study the privatizing of county corrections operations. **MAJ: ITL MIN: OTP 15-2**

HRA Analysis: This is a simple bill that just studies an important issue. Many counties have jails that are much more expensive per prisoner than state prisons. The state of Vermont has a unified, partially privatized, corrections system that could easily be studied. Our platform calls for effective and efficient government and “Programs and functions should be reviewed to identify those that can be implemented more effectively in the private sector.”

HRA Recommendation: Oppose ITL and support OTP

HB 1200, relative to reduced spending alternatives in proposed county budgets. **MAJ: ITL MIN: OTP Vote 16-1**
HRA Analysis: This bill requires counties to send their delegation an alternative budget with 10% less spending in addition to the standard one. While the platform strongly supports lower spending in order to achieve lower taxes, it also says we want “local control of spending and taxes designed to support local services.” Perhaps this should have been enabling legislation to allow county delegations to require this information if they wish.

HRA Recommendation: No recommendation

PUBLIC WORKS AND HIGHWAYS

HB 1138, naming a bridge in Pelham in honor of Sergeant Daniel R. Gionet. **OTPA 13-0**

HRA Recommendation: No recommendation

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 1229, declaring March 30 as Welcome Home Veterans Day to honor veterans of Vietnam. **OTP Vote 10-0**

HRA Analysis: The platform states that the party “Respects New Hampshire’s honored veterans by ensuring that they receive the benefits that they have rightfully earned and deserve.” This is a small benefit for a large sacrifice.

HRA Recommendation: Support OTP

HCR 31, commending the work of pregnancy care centers in New Hampshire and across the United States. **MAJ: OTP MIN: ITL Vote 9-2**

HRA Analysis: This, too is explicitly mentioned in the platform: “Commending and encouraging those individuals and organizations who provide alternatives to abortion by meeting the needs of mothers through adoption, support, counseling and educational services.”

HRA Recommendation: Support OTP

HR 26, expressing support for admitting the District of Columbia as the fifty-first State of the United States of America.

MAJ: ITL MIN: OTP Vote 8-3

HRA Analysis: While the platform doesn’t address this issue, we do have an objection to the way the amendment is worded. It doesn’t ask Congress to create a constitutional amendment to advance DC statehood, even though such an amendment is clearly necessary given the structure of the nation’s capitol that is controlled by the constitution.

HRA Recommendation: No recommendation

WAYS AND MEANS

HB 593-FN-A-L, relative to video lottery and table gaming. **MAJ: OTPA MIN: ITL Vote 14-7**

HRA Analysis: This bill creates two \$50M licenses for 5,000 slot-machine & 150 table-game casinos. This implementation is contrary to both the platform and the NH Constitution. The platform clearly state that we “Oppose casino and video-lottery gambling because of the negative social consequences.” Part 2, article 83 of the constitution goes on at length about the evils of monopolies, including the statement that “Free and fair competition ... should be protected against all monopolies and conspiracies which tend to hinder or destroy it.” This legislation explicitly creates a monopoly, for unless it was limited, a gambling license would not be worth \$50M. Amendment 0560h tries to create a 3/5ths vote to undo its action, an absurdity.

HRA Recommendation: Support amendments except 0560h, but Oppose OTPA and support ITL

HB 1245-FN, relative to the fee for retail dealer’s licenses for lobster and crab. **ITL Vote 16-4**

HRA Analysis: This bill does away with the licenses required to sell lobster and crab at retail. These licenses bring in the tiny sum of under \$15,000 annually. Those dealers are subject to laws such as requiring lobsters to be a certain size. The licensing fee pays for enforcement of those laws. Better would be to remove those requirements at the same time as removing the license.

HRA Recommendation: No recommendation

HB 1302-FN, relative to underpayment of estimated taxes and equalization of valuations administered by the department of revenue administration. **OTPA Vote 20-0**

HRA Analysis: Makes some rather technical tax code changes. No significant impact.

HRA Recommendation: No recommendation

HB 1641-FN, requiring the carry forward of certain net operating loss deductions to relate to creation of new jobs. **MAJ: ITL MIN: OTPA Vote 14-5**

HRA Analysis: This bill puts an odd restriction (based on jobs created) on the ability of businesses with losses in prior years to carry forward their losses against current profits. It would have the net effect of raising taxes, and complicating calculations. We recently increased the ability to carry forward losses, so this seems somewhat schizophrenic.

HRA Recommendation: Support ITL