

# 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 and values contained within the Republican Party Platform and the NH and Federal Constitutions including the principles of fiscal restraint, personal freedom and responsibility, small government, free enterprise and strong family values.



“TRUST BUT VERIFY”

## WEDNESDAY, MARCH 3 NOTICE OF RECONSIDERATION

**HB 1330, relative to the preservation of religious freedom**, which the House found ITL on a roll call vote of 203-119.

**HB 1330**, relative to the preservation of religious freedom. **MAJORITY: ITL. MINORITY: OTP Vote 12-6.**

**HRA Analysis:** In its Platform discussion concerning the discrimination against religious schools [Platform, Art. XI], our party recognizes that the role of government should not be to promote religion, but to respect religion and, where necessary, protect religion. As the minority report so aptly states, freedom of religion is under attack HB 1330 will work to thwart that attack.

**HRA Recommendation: Vote yes on Reconsideration, then Oppose ITL; Support OTP.**

## SPECIAL ORDER JUDICIARY

**HCR 26**, reaffirming the state's religious heritage and constitutional rights to practice religion and free speech.

**MAJORITY: ITL. MINORITY: OTP. Vote 11-7.**

**HRA Analysis:** As with HB 1330, reference to our constitutions, our party platform and the analysis of the minority blurb will demonstrate why Republican representatives should support this House Concurrent Resolution. HCR 26 is a reaffirmation of Art. 5, Pt. I of the N.H. Constitution and the Bill of Rights enshrined in our federal constitution.

**HRA Recommendation: Oppose ITL; Support OTP.**

## LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

**HB 1385-FN**, relative to appeals under the workers' compensation law. **ITL. Vote 15-2.**

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

**HRA Recommendation: Vote your conscience.**

## LOCAL AND REGULATED REVENUES

**HB 1276-FN-L**, relative to investment of capital reserve funds. **OTP. Vote 17-0.**

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

**HRA Recommendation: Vote your conscience.**

**HB 1439-L**, relative to tax exemptions for water and air pollution control installations. **OTP/A. Vote 17-0.**

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

**HRA Recommendation: Vote your conscience.**

**HB 1489**, allowing municipalities to adopt a volunteer incentive property tax credit. **ITL. Vote 18-0.**

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

**HRA Recommendation: Vote your conscience.**

**HB 1504**, establishing a liquor commission oversight committee. **ITL. Vote 17-0.**

**HRA Analysis:** The Platform, Section XII, stresses that low taxes are the result of low spending. Why spend on a new commission when the legislature already oversees the liquor commission?

**HRA Recommendation: Support ITL.**

**HB 1522**, relative to local spending caps. **MAJORITY: ITL. MINORITY: REFER FOR INTERIM STUDY. Vote 12-6.**

**HRA Analysis:** Why is it that Democrats so hardily mistrust the voters? Why is it that they don't want voters to control their own destinies? By contrast, NH Republicans know "that controlling spending and minimizing taxes are the best ways to protect the economic and civic well being of New Hampshire residents" and that we can do it by "[s]upporting local control of spending and taxes." [Platform, Art. VII.]

**HRA Recommendation: Oppose ITL; Support OTP or, if necessary to preserve the issue, Interim Study.**

## **TRANSPORTATION**

**HB 1247**, establishing a speed limit for vehicles traveling through a tollbooth or gate. **MAJORITY: OTP/A. MINORITY: REFER FOR INTERIM STUDY. Vote 12-1.**

**HRA Analysis:** There are no platform issues with this bill.

**HRA Recommendation: Vote Your Conscience.**

## **WAYS AND MEANS**

**HB 1679-FN-A**, establishing a soft drinks tax. **MAJORITY: ITL. MINORITY: OTP/A. Vote 13-5.**

**HRA Analysis:** The Platform, Section VII, reiterates our opposition to new taxes, especially those that harm our small businesses.

**HRA Recommendation: Support ITL.**

## **COMMERCE AND CONSUMER AFFAIRS**

**HB 1268-FN**, prohibiting the use of a person's occupation when obtaining insurance coverage. **MAJORITY: ITL. Vote 16-2.**

**HRA Analysis:** The Platform, Section VI, charges us with "Working to prevent over- regulation of business" and this bill would be over-regulating.

**HRA Recommendation: Support ITL.**

**HB 1493**, establishing a committee to study comprehensive mental health parity. **OTP/A. Vote 12-5.**

**HRA Analysis:** The Platform, Section XII, states "*We support efforts for higher quality health care*", however this bill would create a study committee that will focus on business regulation, particularly on how to impose costly health care insurance mandates on small business. Hasn't the legislature done enough this year to hobble NH small businesses?

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

**HB 1505**, establishing a commission to study state-imposed burdens on unregulated businesses. **ITL. Vote 16-1.**

**HRA Analysis:** The Platform, Section VI, charges us with "Working to prevent over- regulation of business". Knowing of that mandate and knowing where this Minority appointed committee would go, nothing good can come out of the proposed commission.

**HRA Recommendation: Support ITL.**

**HB 1541-FN**, prohibiting the sale of e-cigarettes to minors. **OTP/A Vote 15-4.**

**HRA Analysis:** The Platform, Section VI, charges us with "Working to prevent over- regulation of business", yet it is equally clear in our platform that we should protect our children from harmful products.

**HRA Recommendation: Vote your conscience.**

**HB 1627-FN**, relative to the regulation of manufactured housing and modular buildings. **REFER FOR INTERIM STUDY. Vote 16-1.**

**HRA Analysis:** The Platform, Section VI, charges us with "Working to prevent over- regulation of business".

**HRA Recommendation: Support Interim Study or ITL.**

## **REGULAR CALENDAR**

### **COMMERCE AND CONSUMER AFFAIRS**

**HB 1244**, relative to insurance fraud. **MAJORITY: ITL Vote 11-5.**

HRA Analysis: The platform support law and order, and this bill would be a step backward in preventing fraud.

**HRA Recommendation: Support ITL.**

**HB 1444-FN**, allowing the purchase of drugs from Canada. **MAJORITY: ITL Vote 12-4.**

**HRA Analysis:** This is from the HRA legislative agenda. The Platform, Part XIII, states “*We support efforts for higher quality health care and better access to health care and prescription drugs, while reducing costs of health care.*”

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

**HB 1502**, relative to costs associated with cashing payroll checks. **ITL Vote 10-5.**

**HRA Analysis:** The Platform, Part IX, requires “*that those who commit crimes be swiftly and surely punished consistent with due process of law.*” and these employers are violating RSA 275:43, I(e).

**HRA Recommendation: Support ITL.**

## **CRIMINAL JUSTICE AND PUBLIC SAFETY**

**HB 1146**, eliminating requirements for additional breath tests for blood alcohol content. **OTP Vote 18-0.**

**HRA Analysis:** The Platform supports individual liberties, and this change would further protect the rights of our citizens.

**HRA Recommendation: Support OTP.**

**HB 1628**, establishing guidelines for neighborhood notification upon release of sexual offenders. **OTP Vote 16-3.**

**HRA Analysis:** Protection of our citizens and especially our children is a basic plank in our platform.

**HRA Recommendation: Support OTP.**

## **EDUCATION**

**HB 1400**, requiring all colleges and universities to report crimes to the local law enforcement agency. **OTP/A Vote 19-1.**

**HRA Analysis:** While well intended, this bill is seriously flawed, by tilting the scales of justice in favor of local police and against college and University students.

**HRA Recommendation: Oppose OTP.**

**HB 1411**, requiring notice of the decision against rehiring is provided to educational support personnel.

**Reported**

**Without Recommendation:**

**HRA Analysis:** This bill would limit the flexibility of school districts by guaranteeing employment of support personnel prior to the school districts workload analysis of the coming school year. These are tax dollars and should not be earmarked to guarantee public employment in advance of the determination that public service is needed.

**HRA Recommendation: Support ITL; Oppose OTP.**

## **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 1182**, relative to return to state employment of recently deployed military personnel. **ITL. Vote 9-7.**

**HRA Analysis:** This bill unnecessarily increases the cost of government.

**HRA Recommendation: Support ITL.**

**HB 1593-FN**, establishing a board of dental hygienists. **REFER FOR INTERIM STUDY. Vote 16-1.**

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

**HRA Recommendation: Vote your conscience.**

**HB 1688**, relative to the regulation of the installation and operation of boiler and pressure vessels. **OTP/A. Vote 15-1.**

**HRA Analysis:** The Platform, Part VI, requires us to be “*Working to prevent over-regulation of business*” and this decreases regulation.

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

## FINANCE

**HB 1677-FN-L**, relative to the distribution of total education grants to municipalities in the 2012 and 2013 fiscal years. **MAJORITY: ITL Vote 14-11.**

**HRA Analysis:** This bill calls for amending state education funding now in place to continue for the next biennium. Our platform states: Local control of education policy and education funding creates the best-managed school systems.

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

## JUDICIARY

**CACR 20**, relating to the administration of the Supreme Court. Providing that the rules promulgated by the chief justice governing the administration of the courts shall not have the force and effect of law. **MAJORITY: ITL. MINORITY: OTP. Vote 10-8.**

**HRA Analysis:** The Supreme Court, in its own self-interest, has expanded the power given them to make administrative rules, to interpret their rule making authority as taking precedent over any conflicting statutory laws that are passed by the legislature. This was a fraudulent misuse of the Constitutional process and therefore is in violation of the State's Constitution.

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

**HB 1254**, relative to insurance coverage in tort cases. **MAJORITY: OTP/A. MINORITY: ITL Vote 11-5.**

**HRA Analysis:** This bill gives a person's lawyer the ability to research how much insurance a possible defendant has. It encourages nuisance lawsuits by revealing a significant asset of a putative defendant. Its approach to civil lawsuits is to put consideration of a potential defendant's assets before consideration of the defendant's liability, thereby encouraging an evaluation of those assets to substitute for a proper consideration of liability. Section X of our Platform states, "frivolous lawsuits are burdensome to our legal system." As this encourages them, we need to oppose this bill.

**HRA Recommendation: Oppose OTP/A and Support ITL.**

**HB 1260**, authorizing enhanced compensatory damages for injury or death caused by operation of a motor vehicle after consumption of alcohol or a controlled drug. **MAJORITY: OTP/A. MINORITY: ITL Vote 8-5.**

**HRA Analysis:** This bill calls for enhanced penalties in certain cases. New Hampshire has a long-standing tradition of awarding only actual damages to an injured party. It has been our policy to make the party whole. Punitive damages are not allowed, and enhanced damages only in a few selected areas. To change this policy sends the wrong message to the legal profession both inside and outside the state. Section X of the Platform provides prompt and impartial justice for every citizen. To make some of our citizens more whole than others is not impartial justice.

**HRA Recommendation: Oppose OTP/A and Support ITL.**

**HB 1344**, relative to the taking of private property during a state of emergency. **MAJORITY: REFER TO FOR INTERIM STUDY. MINORITY: OTP Vote 11-8.**

**HRA Analysis:** This bill amends the state's powers to seize commercial and private property during a declared state of emergency. This bill specifically prohibits the taking, confiscation, or seizure of firearms, ammunition, or ammunition components from law-abiding New Hampshire citizens during a declared state of emergency. Section X of the Platform recognizes "*that private ownership of property is fundamental to a free and well ordered society.*" Property rights are secured in the Constitution and property taken must be justly compensated. This bill supports that.

**HRA Recommendation: Oppose Interim Study and Support OTP.**

## STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

**HB 1567-FN**, relative to leave of absence for military training. **ITL. Vote 10-2.**

**HRA Analysis:** This bill provides that "[a]ny regular employee of the state of New Hampshire who is a member of any reserve component of the armed forces of the United States or of this state shall, upon request, be entitled to not more than ~~15~~ **30** days leave of absence with pay in any one training year for the purpose of engaging in military drill, training, or other temporary duty under military or naval authority." Republicans fully support the patriotism, and recognize the incalculable sacrifice of our fellow citizens who serve in our military forces and those who prepare for that service. The fact that the sponsor and all co-sponsors of this legislation are Republicans speaks to this support and recognition. We know however, that such service does not result from a desire for monetary gain; it arises out of a love of country and the cherishing of American exceptionalism. Yet, as

one views this bill, it begs the questions of whether state employees should be paid to take time for military service training while they are being monetarily compensated by the military for such training and why should state employees be favored with such benefits over private employees. Unnecessary spending, we know, increases taxes and that excessive burden stifles the prosperity of individuals and our state. Disparity in employment benefits favoring public employees is truly becoming an issue of concern in our state and country. We should not promote this disparity.

**HRA Recommendation: Support ITL.**

## **WAYS AND MEANS**

**HB 1445-FN-A-L**, eliminating the meals and rooms tax on campsites. **MAJORITY: ITL. MINORITY: OTP. Vote 10-9.**

**HRA Analysis:** Republicans oppose new taxes and welcome the reduction of taxes, particularly those adopted through stealth and generally imposed on families and those who have the least ability to pay. Our constituents would welcome and deserve an elimination of the tent tax.

**HRA Recommendation: Oppose ITL; Support OTP.**

## **BILLS REMOVED FROM CONSENT CALENDAR CHILDREN AND FAMILY LAW**

**CACR 29**, relating to parental rights. Providing that the state shall not abridge the responsibility of parents for the health, education, and welfare of their children. **ITL. Vote 16-0.**

**HRA Analysis:** Our party's platform states that in order "[t]o protect marriages and families as the central core in society for enhancing morality, integrity, responsibility and concern for others, we ... [o]ppose actions that inhibit and/or supplant the role of parents in the care and upbringing of children." [Platform, Art. VIII.] CACR 29 would provide the basis to oppose the increasingly common usurpation of parents by government. Children don't belong to Hilary Clinton's "village"; they are members of families and those families need constitutional protection from the interventionist policies of governmental elites and do-gooders.

**HRA Recommendation: Oppose ITL; Support OTP.**

## **CRIMINAL JUSTICE AND PUBLIC SAFETY**

**HB 1442-FN**, relative to residency restrictions on offenders against children. **ITL Vote 18-0.**

**HRA Analysis:** Our platform states: Child Protection. Establish strict laws to protect our children from sexual predators including life incarceration as appropriate.

**HRA Recommendation: Oppose ITL.**

**HB 1447**, relative to authorization to use firearms in the compact part of a town. **OTP Vote 18-1.**

**HRA Analysis:** Our platform supports the Second Amendment and while it is but a small step in strengthening that right, it is a beginning.

**HRA Recommendation: Support Willette Amendment; if passes Support OTP/A; otherwise ITL.**

## **EDUCATION**

**HB 1224**, relative to school employee and volunteer background investigations and relative to applicants for driver education certificates and school licenses. **OTP/A Vote 20-0.**

**HRA Analysis:** This further strengthens the protection of our young people by weeding out those who would obtain employment under faults pretences.

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

## **ELECTION LAW**

**HB 1245**, requiring certified copies of birth certificates for nominees for president and vice-president. **OTP/A Vote 14-0.**

**HRA Analysis:** This bill puts the qualification language from the U.S Constitution directly on the filing document and it requires candidates to swear under the penalty of perjury that they meet those qualifications.

**HRA Recommendation: Support OTP/A**

## **HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS**

**HB 1164**, relative to newborn screening tests. **OTP Vote 19-0.**

**HRA Analysis:** This bill eliminates competitive bid contracts and removes the requirement to hold a public hearing before new tests or fees are added. As this would ultimately increase fees and costs and violate free enterprise, we should oppose this bill.

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

**HB 1232**, establishing a committee to study elder abuse statewide. **ITL Vote 19-0.**

**HRA Analysis:** This issue is being studied by other groups and a new committee is not needed. We already have enough committees and they are costly. To keep lower spending we should oppose this bill.

**HRA Recommendation: Support ITL.**

**HB 1553**, establishing a maternal mortality review panel to conduct comprehensive, multidisciplinary reviews of maternal deaths in New Hampshire. **OTP/A Vote 18-0.**

**HRA Analysis:** In Section XIII of our platform we seek to “improve the health care of all citizens.” This bill takes steps to analyze maternal mortality including from abortion. Looking at how often we have a problem in this state will hopefully lead to correcting mistakes and provide better outcomes for the mothers of this state.

**HRA Recommendation: Support OTP/A**

## **LOCAL AND REGULATED REVENUES**

**HB 1358**, relative to the amendment of property tax inventories and tax lists by selectmen or assessors. **OTP.**

**HRA Analysis:** This bill relates solely to the process of selectmen or assessors correcting errors in tax inventories and tax lists in preparation for a tax sale. No party or constitutional issue is apparent from the changes.

**HRA Recommendation: No Recommendation.**

**HB 1595-FN-L**, relative to tax collection procedures for manufactured housing in a manufactured housing park. **ITL. Vote 14-0.**

**HRA Analysis:** Our party platform opposes over-regulation, as well as unnecessary regulation. Moreover, we should not be increasing the administrative burden of taxation in our state.

**HRA Recommendation: Support ITL.**

## **RESOURCES, RECREATION AND DEVELOPMENT**

**HB 1239**, relative to department of environmental services field citations and cease and desist orders. **OTP/A.**

**HRA Analysis:** Our party platform opposes over-regulation. We recognize that exorbitant fines become taxation of a particularly pernicious kind. Moreover, permitting bureaucrats to enforce their unreviewed and therefore unrestrained rulings by denying governmental services is certainly a step toward the soft tyranny that we, as Republicans and representatives of a free people, should oppose wherever, as in HB 1239, it surfaces.

**HRA Recommendation: Oppose the Committee Amendment. Oppose OTP/A. Support ITL.**

## **STATE-FEDERAL RELATIONS**

**HB 1610-FN**, establishing a New Hampshire commission on Native American affairs and recognizing the Abenaki and other American Indian residents as a minority population in the state of New Hampshire. **OTP/A.**

**HRA Analysis:** In their effort to Balkanize America into “grievance” groups in order to cobble a voting majority out of minority groups dependent on the government (read, “Democrats”) for favors, the Democrats don’t mind that their efforts divide our country; they don’t even mind ignoring the present and historical absence of indigenous American Indian tribes in our State. Instead, they will go so far, as they do here, to invent an aggrieved minority group, invent problems faced by that group, and then enact a process to seek governmental solutions for those problems.

**HRA Recommendation: Oppose OTP/A; Support ITL.**

“Democracy extends the sphere of individual freedom; socialism restricts it. Democracy attaches all possible value to each man; socialism makes each man a mere agent, a mere number. Democracy and socialism have nothing in common but one word: equality. But notice the difference: while democracy seeks equality in liberty; socialism seeks equality in restraint and servitude.”

Alexis de Tocqueville (1848)