

# 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, MARCH 21**

## NOTICE OF RECONSIDERATION

On the motion whereby the House, on a roll call vote of 226 – 130, adopted the Majority Committee Report of Ought to Pass on **HB 184**, repealing the parental notification law. **Recommendation: Vote Yes on the Motion to Reconsider and, if adopted, Vote ITL**

## **REGULAR CALENDAR**

### CHILDREN AND FAMILY LAW

**HB 51**, permitting adoption by 2 unmarried adults in a familial relationship. **MAJORITY: OTP W/ AMENDMENT. MINORITY: ITL. Vote:12-7.** The NH GOP Platform states that we believe in "protecting marriages and families as the central core in society for enhancing morality, integrity, responsibility." Second, the bill, as presented, makes a statement of equal value in married and unmarried relationships.

**Recommendation: Oppose OTP; Support ITL**

### COMMERCE

**HB 88**, establishing a committee to study single payer national health care law. **OTP. Vote: 10-6.** The NH GOP Platform states that: "We support increased use of market forces to provide and improve health care and we support efforts for higher quality health care and better access to health care and prescription drugs." Any universal health care system would violate both of these principles. This is a feel good measure that looks to socialize medicine in New Hampshire. **Recommendation: Oppose OTP; Support ITL**

**HB 169**, relative to penalties for insurance adjusters, appraisers, or companies purposefully underestimating the value of an insurance claim. **OTP W/ AMENDMENT. Vote: 12-3.**

**No Recommendation**

**HB 264**, relative to a time period for declaring a person to be cancer free. **ITL. Vote: 12-2.**

**Recommendation**

**No**

**HB 334**, relative to the hours for sale of alcoholic beverages in stores. **OTP W/AMENDMENT. Vote: 14-3.** This legislation gives business owners greater freedom over the hours they may allow their establishments to stay open. The NH GOP Platform states that we believe in: "Working to prevent over-regulation of business, particularly with respect to small businesses."

**Recommendation: Support OTP**

### W/Amendment

**HB 386-FN**, relative to advertisement of prescription drugs. **MAJORITY: ITL. MINORITY: OTP. Vote: 11-3.** This is a perennial bill that is killed year after year for reasons that could not be stated any better than in the blurb: "Drug advertising is free speech that is clearly protected by both the New Hampshire and US constitutions. In addition, if we were to pass such legislation, the state would very likely be sued by the drug companies. Expensive litigation at the expense of the taxpayer would be the result."

**Recommendation: Support ITL**

## CRIMINAL JUSTICE AND PUBLIC SAFETY

**HB 97**, relative to the recording of audio and video images on private property for security purposes. **ITL. Vote: 14-0**,

**No**

**Recommendation**

**HB 171**, clarifying the wiretapping and eavesdropping statute. **ITL: Vote 16-0**.

**No**

**Recommendation**

**HB 177-FN**, including "unborn child" in the definition of "another" for the purpose of first and second degree murder, manslaughter, and negligent homicide. **ITL. Vote: 14-3**. The NH GOP Platform states that we: "Believe the unborn child has a fundamental right to life which cannot be infringed upon" and "The New Hampshire Advantage cannot survive without safety and security for individual citizens." This legislation works to promote and strengthen both of those principles. **Recommendation: Oppose ITL; Support OTP**

**EDUCATION**

**HB 95-L**, including charter school pupils in the average daily membership in residence in the pupil's district of residence. **OTP W/ AMENDMENT. Vote: 16-6**. The NHGOP Platform states: "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 can affect charter schools and taxpayers beyond those stated in the blurb.

**Recommendation: Oppose OTP**

**W/AMENDMENT, Support ITL**

**HB 473-FN**, relative to reimbursement for members of the council for teacher education. **OTP. Vote 18-1**.

**No**

**Recommendation**

**ELECTION LAW**

**HB 132**, relative to domicile for voting purposes. **OTP. Vote: 11-4**. This bill attempts to make it easier for non-inhabitant transients to vote in New Hampshire elections. The NH Constitution confers voter status on NH inhabitants. Statute defines inhabitant as being domiciled in NH. The dictionary defines domicile as "a person's fixed, permanent, and principal home for legal purposes." Logic would conclude that anyone who is domiciled in a location is also a resident. However, those who are residents are not necessarily domiciled there.

**Recommendation: Oppose OTP, Support ITL**

**HB 133**, relative to voter registration forms. **OTP W/ AMENDMENT. Vote: 11-4**. This bill attempts to make it easier for non-inhabitant transients to vote in New Hampshire elections. The NH Constitution confers voter status on NH inhabitants. Statute defines inhabitant as being domiciled in NH. The dictionary defines domicile as "a person's fixed, permanent, and principal home for legal purposes." Logic would conclude that anyone who is domiciled in a location is also a resident. However, those who are residents are not necessarily domiciled there. Read the Amendment. It defines domicile as where one sleeps most nights of the year or where one would return after a temporary absence!

**Recommendation: Oppose OTP, Support ITL**

**HB 609-FN**, relative to disclosure of campaign contributions in local elections. **OTP W/ AMENDMENT. Vote 13-2**. This bill seems to promote transparency in government, a principle long held by the NH GOP. However, it is also recognized that local politics is the type most susceptible to intimidation and retribution and this bill may have a chilling effect. There may also be an article 28a issue. Vote your conscience.

**No Recommendation**

**HB 756-FN**, relative to centralized voter registration database information. **ITL Vote: 13-2**. The NH GOP Platform states: "We believe in the citizens' right to access government information to the extent such disclosure does not violate the security of our state or the privacy of individual citizens." However, the sanctity of the electoral process is the paramount cornerstone of our republic. The harm of denying the public access to "who voted" information would far outweigh the privacy benefits.

**Recommendation: Support ITL**

## EXECUTIVE DEPARTMENTS AND ADMINISTRATION

**CACR 11**, relating to the term of office for governor. Providing that beginning with the 2010 general election, there shall be a 4-year term of office for governor. **MAJORITY: OTP. MINORITY: ITL. Vote:9-8.** The party platform promotes "a limited government that is open, responsive and fully accountable to and in touch with its citizens." A 2 year term for governor gives the people greater power over the chief executive.

**Recommendation: Oppose OTP, then Support ITL**

## FINANCE

**HB 46-FN-A-L**, making an appropriation to support kindergarten programs in the towns of Merrimack, Hampstead, and Goffstown. **OTP W/ AMENDMENT. Vote: 19-2.**

**No Recommendation**

**HB 118**, extending the commission to determine the appropriate use of real property destroyed in the October 2005 floods, established in 2006, 256. **OTP W/ AMENDMENT. Vote: 24-0.** The original bill did not have a lapsing statement. This bill provides that the unspent funds will be returned to the general fund. Fiscally responsible.

**Recommendation: Support OTP**

## FISH AND GAME

**HB 604-FN**, prohibiting the taking of deer from baited areas. **OTP W/ AMENDMENT. Vote: 9-6.**

**No**

**Recommendation**

**HB 846**, transferring certain land in the town of Stoddard from the Trust for Public Land to the fish and game department. **OTP W/ AMENDMENT. Vote: 11-0.**

**No Recommendation**

## HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

**HB139**, requiring the reporting of burn injuries. **OTP W/ AMENDMENT. Vote: 13-2.**

**No**

**Recommendation**

## JUDICIARY

**HB 246**, relative to identifying legislative enactments as public policy. **ITL. Vote: 12-1.**

**No**

**Recommendation**

**HB 508**, relative to the unlawful adoption of part 2, article 72-a of the New Hampshire constitution. **ITL. Vote: 12-1.** This bill was based on a Supreme Court ruling that no amendment can affect more than one Article. The amendment incorporating Part2, Article 72a affected Part 2, Article 4, and therefore, violated the Judiciaries own standards. Therefore, the issue ought to be revisited.

**Recommendation: Oppose ITL,**

**Support OTP**

## LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

**HB 306**, establishing a task force on work and family. **OTP W/ AMENDMENT, Vote: 13-4.** Typical "warm and fuzzy/feel good" legislation. An attempt to lend credibility to a social engineering agenda. The GOP Platform promotes a limited government, not social engineering. The task force poses a threat to the NH advantage.

**Recommendation: Oppose OTP, Support ITL**

## MUNICIPAL AND COUNTY GOVERNMENT

**HB 257**, allowing towns to appoint or elect a town treasurer. **MAJORITY: OTP. MINORITY: ITL. Vote 14-2.** The NH GOP Platform states: "The New Hampshire Constitution affirms that our government is founded upon the people's consent and is instituted for the general good." Elected officials are more accountable to the people.

**Recommendation: Oppose OTP,**

**Support ITL**

**HB 391**, establishing a committee to study the implementation of a circuit breaker on property tax liability. **ITL Vote 13-0.**

No

Recommendation

**HB 851-FN-A-L**, relative to the determination of county payments for nursing home services. **ITL, Vote 14-0.** The NH GOP Platform opposes unfunded mandates and the New Hampshire Constitution forbids them. This legislation is also unnecessary and if passed would enlarge government and spend money needlessly.

**Recommendation: Support ITL**

PUBLIC WORKS AND HIGHWAYS

**HB 157**, establishing a committee to determine a permanent location for the old state house. **ITL, Vote 14-0** Bill would establish an unnecessary committee that would spend money when another study committee is already working and spending money on the issue. Small government, low spending.

**Recommendation: Support ITL**

**HB 283**, allocating a portion of unrefunded road tolls to the dam maintenance fund. **OTP W/ AMENDMENT, Vote 14-1.**

This bill is unconstitutional, violating Part 2, Article 6a. The constitution makes no provision for un-refunded road toll revenues. "no part of such revenues shall, by transfer of funds or otherwise, be diverted to any other purpose whatsoever." The fact that we have violated the constitution in the past does not justify it now.

**Recommendation: Oppose OTP, Support ITL**

**HB 403**, establishing the Interstate 93 widening commission. **ITL, Vote 18-0.** Another commission that is not needed. Support smaller, more efficient government.

**Recommendation: Support ITL**

RESOURCES, RECREATION AND DEVELOPMENT

**HB 189**, relative to swim lines in public waters. **OTP W/ AMENDMENT, Vote 16-0.**

No

Recommendation

**HB 440-FN**, relative to the authority to quarantine to prevent dissemination of forest pests, relative to police training for forest rangers, and relative to forest resources and timber harvesting. **OTP W/ AMENDMENT, Vote 17-1.** This bill deals with 3 different items related only by their connection to forests. In the spirit of a more open government, each item should have been the subject of a different bill.

**Recommendation, Oppose OTP W/ Amendment, Support ITL**

**HB 498-FN-A**, dedicating certain OHRV and snowmobile un-refunded road tolls to the fish and game department. **OTP W/ AMENDMENT, Vote 14-3.** This bill is unconstitutional, violating Part 2, Article 6a. The constitution makes no provision for un-refunded road toll revenues. "no part of such revenues shall, by transfer of funds or otherwise, be diverted to any other purpose whatsoever." The fact that we have violated the constitution in the past does not justify it now.

**Recommendation: Oppose OTP**

**W/Amendment, Support ITL**

SCIENCE, TECHNOLOGY AND ENERGY

**HB 361**, relative to technical changes in certain laws governing public utilities. **OTP W/ AMENDMENT, Vote 15-0.**

No

Recommendation

**HB 427**, relative to construction and demolition debris. **OTP w/ AMENDMENT, Vote 14-0.**

No

Recommendation

**HB 428**, relative to prohibiting the combustion of construction and demolition waste. **OTP W/ AMENDMENT, Vote 13-1.**

No

Recommendation

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

**HCR 5**, endorsing the National Health Insurance Act. **MAJORITY: OTP. MINORITY: ITL. Vote: 9-6.** The dangers of monopoly outlined in Part 2, article 83 are more dangerous in the hands of government than in the hands of private industry as government has the power to make laws of fine and imprisonment to protect itself from competition and reproach. As there will be no restraint on the cost of healthcare by free market forces, the inevitable result will be the rationing of healthcare as it has in other countries that have implemented socialized medicine. The NHGOP Platform “support(s) increased use of market forces to provide and improve health care.”  
**Recommendation: Oppose OTP, Support ITL**

**HCR 6**, urging Congress to prevent the implementation of the North American Free Trade Agreement superhighway system. **OTP. Vote: 11-2** The construction of such a highway is a violation of the sovereignty of the states through which it would pass. Our constitution is clear that we regard ourselves as a sovereign an independent state which has delegated limited powers to a common cause.  
**Recommendation: Support OTP**

#### **TRANSPORTATION**

**HB 449-FN**, relative to motor vehicle inspections. **ITL, Vote 12-0.** The NHGOP Platform “promote(s) a limited government that is...in touch with its citizens without interfering in their personal, daily lives.” Vehicle inspections have become an increasing burden on New Hampshire citizens, especially those of limited means. The alleged safety gains are being overshadowed by the economic strain of the all-to-common expensive repair bill.  
**Recommendation: Oppose ITL, Support OTP**