

## 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.



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### WEDNESDAY, MAY 6

#### HOUSE BILLS AMENDED BY THE SENATE

(Senate messages will be heard at the end of the calendar)

- HB 41**, allowing the executive director of fish and game to donate certain hunting and fishing permits to the wildlife heritage foundation of New Hampshire. (SJ 4/8/09)
- HB 44**, relative to the use of alternates by local land use boards. (SJ 4/29/09)
- HB 52-FN**, relative to the regulation of massage therapists. (SJ 4/22/09)  
(the amendment made a minor change to the qualifying exam)
- HB 56-FN**, renaming a bridge to honor U.S. Navy Seal Daniel Healy. (House Concurred 4/22/09)
- HB 80**, requiring at least one member of the pharmacy board to be a hospital pharmacist, and relative to the consecutive years of service of pharmacy board members. (SJ 4/22/09)  
(the amendment added a member to the board, rather than replacing an existing one)
- HB 105**, relative to voting machines for the counting of ballots. (House Concurred 4/29/09))
- HB 129**, establishing a committee to study the incorporation of electronic filing procedures under the administrative procedures act. (SJ 4/22/09)  
(the amendment removed one senator from the committee)
- HB 234**, establishing a committee to study the certificate of need process. (SJ 4/29/09)
- HB 387**, relative to observation of voter registration. (SJ 4/29/09)
- HB 436-FN-L**, relative to civil marriage and civil unions. (SJ 4/29/09)  
(the amendment completely rewrote the bill as submitted to the Senate)
- HB 527**, repealing the coordinated school health committee and relative to health education in kindergarten through grade 12. (SJ 4/29/09)
- HB 648-FN**, relative to the use of marijuana for medicinal purposes. (SJ 4/29/09)

There is a possibility that SB 153 will come before the House this session, depending on whether the Commerce committee votes on the bill. The following is the HRA's analysis and recommendation on the bill:

### COMMERCE

(This bill listed below is not in the House Calendar at the time the Pink Sheet was prepared, however there it appears that it will be brought forward for a vote on during this session)

**SB 153**, relative to business practices between motor vehicle manufacturers, distributors and dealers.

**HRA Analysis:** This bill would extensively amend RSA 357-C (“Regulation of Business Practices between Motor Vehicle Manufacturers, Distributors and Dealers”). A bill this long (12 pages) and this far-reaching merits careful consideration, but it is being rushed through the legislative process, having had both its Commerce Committee public hearing and vote only yesterday, so that it could be placed on the calendar for today. The reason given for this extraordinary haste is that General Motors has apparently set May 11th as the date it will announce which of its dealerships are to be closed, and the New Hampshire Automobile Dealers Association hopes to have this bill passed, signed into law, and effective before then in order to prevent, hinder, forestall, or soften the consequences to such of its members as may be slated for closure. In the long term, it is debatable whether statutes such as RSA 357-C should exist at all, since they interfere with the ability of sophisticated businesses, dealing at arm's length and with full access to competent legal counsel, from reaching such contractual arrangements as they may mutually agree upon. In the short term, it would seem that to the extent that the fast-tracking of this bill is intended to alter the rights established in existing contracts before May 11, it will be unavailing, since such application would be unconstitutional under Article I, Section 10 of the Federal Constitution (“*No State shall...pass any...Law impairing the*

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

**WEDNESDAY, MAY 6  
REGULAR CALENDAR  
ENVIRONMENT AND AGRICULTURE**

**SB 13**, declaring the chinook the state dog of New Hampshire. **OUGHT TO PASS. Vote 11-0.**

**HRA Analysis:** This bill does not appear to take a bite out of state funds or otherwise invoke any constitutional or platform issue.

**HRA Recommendation:** None.

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**SB 108**, establishing a committee to study the imposition of assessments to retirement system employers for excess benefits paid to retirees. **OUGHT TO PASS WITH AMENDMENT. Vote 18-0.**

**HRA Analysis:** While SB 108 establishes another committee, in this case it is necessary. This committee will continue to the review of the operations and computation policies of the NH Retirement System (NHRS). There is a problem of favored retirees establishing final compensation in an amount unsupported by the contributions made by those retirees and their employers. This contribution shortfall is one source of the drain on the NHRS's fund balance. The committee will formulate an employer assessment to address this issue and to prevent one employer (town or school district) from transferring liability to another employer.

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

**SB 200-FN**, relative to retirement system death benefits for members who die while performing military service. **OUGHT TO PASS WITH AMENDMENT. Vote 13-5.**

**HRA Analysis:** Section V of the Party platforms, states that our Party: “[s]upports efforts to stop Washington from mandating unfunded federal programs on our state and local governments, and hold the federal government to the same standard against unfunded mandates as we do our state government under the New Hampshire Constitution.” This bill is an effort to comply with Federal legislation in order to keep our retirement system's tax exemption, without the funding (however minimal) that should support it. The amendment extends the benefit beyond remarriage, in excess of Federal requirements but in concordance with SB 160, which we approved last week. We should oppose these efforts to fund unfunded mandates.

**HRA Analysis: Oppose the amendment, Oppose OTP/A.**

**JUDICIARY**

**SB 52**, making technical corrections to laws relative to courts and court procedures. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 11-4.**

**HRA Analysis:** Our party promotes fiscal responsibility and stands for transparency in government. Hiding state revenue and state expenditures through the use of dedicated funds should not expanded and, ideally, should be eliminated. SB 52 further funds just such a dedicated fund.

**HRA Recommendation: Oppose OTP/A**

**LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES**

**SB 144-FN**, allowing the unemployment compensation trust fund to be charged for benefits paid for certain employee terminations. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 10-4.**

**HRA Analysis:** As explained in the minority report, this legislation is fiscally irresponsible.

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

## **MUNICIPAL AND COUNTY GOVERNMENT**

**SB 121**, establishing a commission to study potential revenue enhancements for municipalities.

**MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 10-7.**

**HRA Analysis:** The best enhancement we can offer our constituents is to reduce the burden of government, not to find additional ways to tax them. We rejected an earlier version of this concept when we voted earlier this session to ITL HB 309, the House version of the effort to allow towns and cities to burden NH citizens with new taxes.

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

## **RESOURCES, RECREATION AND DEVELOPMENT**

**SB 168-FN**, establishing the Coastal Watershed Alliance. **OUGHT TO PASS WITH AMENDMENT. Vote 18-0.**

**HRA Analysis:** This bill allows 44 coastal communities to voluntarily band together to correct regional problems concerning their watershed. The bill was completely amended to gain the support of the communities. The NHGOP Platform states that "*we recognize the need to deal effectively with waste disposal and pollution.*"

**HRA Recommendation: Support OTP/A**

## **SCIENCE, TECHNOLOGY AND ENERGY**

**SB 97**, establishing a committee to study the standards and procedures by which certain information should be provided to electrical service customers. **OUGHT TO PASS. Vote 11-3.**

**HRA Analysis:** The Public Utilities Commission should be providing this service. The committee is duplicative of existing resources and unwarranted.

**HRA Recommendation: Oppose OTP**

## **EDUCATION**

**SB 149**, relative to the transition of functions and amending the reporting requirements of the community college system of New Hampshire and making an appropriation therefor. **OUGHT TO PASS WITH AMENDMENT. Vote 16-0.**

**HRA Analysis:** Under this bill, the state's Departments of Administrative Services, Treasury, and Justice will continue to provide services to the community college system that were suppose to terminate at the end of this June for two more years (July 1, 2009 to July 1, 2011). This additional obligation will cost of \$1.8 million for administrative support alone. No explanation is given for extending the time for the community college system to assume obligations as it is required under prior legislation. Since this bill was reported out by the Education Committee information has emerged showing that the community college system lacks sufficient competence to independently run itself. The doubling of the time and money needed to make this transition is more evidence of the same.

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

**SB 180-FN**, establishing an accountability system to ensure the opportunity for an adequate education and repealing the legislative committee on costing an adequate education. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 15-1.**

**HRA Analysis:** A series of bad court decisions does not change the wisdom set forth in Section XI of our party platform that there should be "[l]ocal control of education policy...."

**HRA Recommendation: Oppose OTP/A**

## **ELECTION LAW**

### **SPECIAL ORDER**

**SB 116**, repealing the prohibition on political contributions by insurance companies. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 10-7.**

**HRA Analysis:** During discussions concerning this bill it became clear there are countervailing platform and constitutional considerations that prevented a consensus from being reached as to a recommendation.

**HRA Recommendation: None**

**Marriage, like money, is still with us; and, like money, progressively devalued.**  
**Robert Graves**

The Current HRA Scorecard Can Be Found Here: [http://www.nhhra.org/report\\_cards.htm](http://www.nhhra.org/report_cards.htm)