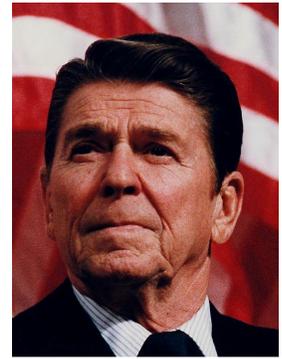


# House Republican Alliance Recommendation Sheet



"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, February 19, 2020**  
**Regular Calendar - Part One**

## Children and Family Law

**HB1601**, removing the exception for married minors from the definition of sexual assault. **Maj. OTP; Min. ITL Vote: 10-7**

**HRA Analysis:** This bill removes the exception for legally married spouse from certain sexual assault offenses. No constitutional or platform issues.

**HRA Recommendation:** No recommendation

## Commerce and Consumer Affairs

**HB1662**, relative to the purchase, use, and possession of tobacco products and e-cigarettes. **Maj. OTP/A; Min. ITL Vote: 12-8**

**HRA Analysis:** This bill increases the age for purchase, use and possession of tobacco products and e-cigarettes to 21. If we are to discriminate based on age, we should do so uniformly; 16, 18, 21, pick one. Constitution Part I, Article 1. [Equality of Men; Origin and Object of Government.] All men are born equally free and independent; therefore, all government of right originates from the people, is founded in consent, and instituted for the general good.

**HRA Recommendation:** Oppose OTP/A

**HB1696**, relative to fees for notices and applications for financial institutions. **OTP/A Vote: 17-3**

**HRA Analysis:** This bill as amended places a barrier to entry for new banks seeking to enter the market, thereby reducing competition in the market. Platform: Remove barriers to business formation and encourage small businesses.

**HRA Recommendation:** Oppose OTP/A

## Criminal Justice and Public Safety

**HB1555**, requiring prisoners to be paid the applicable minimum wage. **OTP/A Vote: 16-4**

**HRA Analysis:** This bill as amended forms a study committee. No constitutional or platform issues identified.

**HRA Recommendation:** Oppose OTP, Support amendment, No recommendation on OTP/A

**HB1663**, relative to the legalization and regulation of cannabis and making appropriations therefor. **Int. study Vote: 11-7**

**HRA Analysis:** This bill establishes procedures for the legalization, regulation, and taxation of cannabis and related establishments. The bill establishes a Cannabis Control Commission with three members appointed by the Governor and Executive Council. While this bill would allow adult access to a natural product, it comes with a hefty start up cost and a bureaucratic infrastructure.

**HRA Recommendation:** Oppose OTP, Vote your conscience on Int study

## Education

**HB1509**, relative to emergency threat protection orders for individuals at post secondary educational institutions. **Int. study Vote: 11-6**

**HRA Analysis:** This is a red flag bill for college campuses. There were some due process improvements but still many other problems. There was a technical problem with a 10-10 vote so the interim study motion passed. Our Constitution says "All persons have the right to keep and bear arms."

**HRA Recommendation:** Support Int. study, or ITL

## Environment and Agriculture

**HB1387**, prohibiting the declawing of cats. **Maj. ITL; Min. OTP Vote: 12-8**

**HRA Analysis:** This bill looks to ban the declawing of cats. The committee heard excellent testimony from the NH Vets Association explaining that the procedure is rarely performed in NH anymore and that they discourage it unless medically necessary. The Vets also explained that they provide thorough education to any client requesting the procedure and only if there is sufficient cause for the procedure to be performed will they proceed. Platform: Justify expenditures against measurable benefits.

**HRA Recommendation:** Support ITL

**HB1627**, creating an animal health certificate database. **Maj. OTP/A; Min. ITL Vote: 17-3**

**HRA Analysis:** This bill creates a database in the Department of Agriculture, Markets, and Food for handling animal records. Currently, the state requires health certificates for animals sold in NH, health certificates help limit the spread of infectious disease, provide consumer protection, and allow the state to determine who should be licensed as a pet vendor. The Department of Ag does not have an effective way to handle these documents. They are stored in file boxes and not secure. This bill does create a new fee, not to exceed \$2 per health certificate filed, but it also eliminates paperwork currently required. It is the opinion of many that the efficiencies gained with the electronic filing will save enough time, cost of postage, and cost of paper that it will offset the new fee and be a wash. The bill uses security standards that are currently in use with the prescription drug monitoring program and are considered to be very secure by DoIT. The platform states Strongly oppose new taxes and fees, including an income, sales and capital gains tax but it also states Justify expenditures against measurable benefits.

**HRA Recommendation:** Vote your conscience

## Executive Departments and Administration

**HB1205**, relative to the reduction in the calculation of state retirement system annuities at age 65. **Maj. OTP; Min. ITL Vote: 11-8**

**HRA Analysis:** This bill gives early retiring teachers and employees 10% more in their pension check for up to two years, from age 65 to the Social Security full retirement age, which increases to age 67 for younger employees. This costs ~ \$37 million in additional unfunded liability to the pension system, which will be paid from our property taxes for the next 20 years. Platform: Ensure that public employee benefits are similar to and do not exceed those of the private sector.

**HRA Recommendation:** Oppose OTP

**HB1235**, establishing a committee to study ensuring workforce maintenance through enhancement of the retirement system, and making an appropriation therefor. **OTP/A Vote: 12-7**

**HRA Analysis:** Although this bill just creates a study committee, the results are predetermined from the charge and the list of participants, namely, the enhancement of the already rich benefits for public employees. Platform: Ensure that public employee benefits are similar to and do not exceed those of the private sector.

**HRA Recommendation:** Oppose OTP

**HB1341**, relative to vested status of group II members in the state retirement system. **Maj. OTP/A; Min. ITL Vote: 14-5**

**HRA Analysis:** This bill increases pensions for police, fire and corrections officers who were working but not vested in 2011, when a major package of changes to the state retirement system passed in the state budget. The cost is approximately \$140 million. This will cause higher property tax payments for the next 20 years to fund pension enhancements for the cohort of police, fire and corrections officers hired between 2001 and 2011. Platform: Ensure that public employee benefits are similar to and do not exceed those of the private sector.

**HRA Recommendation:** Oppose OTP/A

**HB1580**, regulating the use of drones. **Maj. OTP/A; Min. ITL Vote: 14-6**

**HRA Analysis:** This bill, as amended, prevents anyone from operating weapons from a drone and limits law enforcement use of a drone. It also provides an enhanced penalty for violations of privacy committed with a drone. While this bill may provide privacy protections it may also restrict citizen in the use of their own property.

**HRA Recommendation:** Vote your conscience

**HB1642**, prohibiting the state or a state official from using a facial surveillance system. **OTP/A Vote: 18-2**

**HRA Analysis:** This bill, as amended, prevents state and local government agencies from engaging in facial recognition technology and protects the DMV database of photos and other data. Constitution: An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent.

**HRA Recommendation:** Support OTP/A

## **Fish and Game and Marine Resources**

**HB1606**, relative to cruelty to a wild animal, fish, or wild bird. **Maj. OTP/A; Min. Int. study Vote: 9-7**

**HRA Analysis:** This bill makes it a felony to purposely beat, cruelly whip, torture or mutilate any wild animal, fish or wild bird. Our criminal justice system is well burdened protecting the people of the state. Platform: Prioritize programs to ensure effective spending.

**HRA Recommendation:** Oppose OTP/A

## **Health, Human Services and Elderly Affairs**

**HB1513**, requiring the commissioner of the department of health and human services to study the conversion of the Medicaid program to block grant funding and making an appropriation therefor. **Maj. ITL; Min. OTP/A Vote: 15-6**

**HRA Analysis:** This bill requires the commissioner of the department of health and human services to conduct a study of converting the current Medicaid program into a block grant via a section 1115 waiver. On one hand there is a possibility of long term savings, on the other the study costs \$100,000.

**HRA Recommendation:** Vote your conscience

**HB1600**, relative to smoking cessation therapy and pharmacist reimbursement under Medicaid and making an appropriation therefor. **Maj. OTP/A; Min. ITL Vote: 16-5**

**HRA Analysis:** This bill authorizes pharmacists to provide smoking cessation therapy pursuant to a standing order from a physician or APRN and to be reimbursed under Medicaid. This bill also provides insurance coverage for pharmacist cognitive services under certain circumstances. The amendment removes references to contraceptive services. Platform: Allow free market driven health care plans and "ala carte" insurance plans free from government mandates.

**HRA Recommendation:** Support the amendment; Oppose OTP/A

**HB1638**, relative to the administration of the SNAP incentive programs. **OTP/A Vote: 20-0**

**HRA Analysis:** This bill requires the Department of Health and Human Services to implement and administer incentive programs through the Supplemental Nutritional Assistance Program (SNAP). It appropriates \$150,000 and will add bureaucracy in administering the distribution. Platform: Justify expenditures against measurable benefits

**HRA Recommendation:** Oppose OTP/A

**HB1660**, establishing a protective order for vulnerable adults. **Maj. OTP/A; Min. ITL Vote: 12-9**

**HRA Analysis:** This bill presumes the defendant is guilty until proven innocent, and provides for a mechanism by which to prevent the opportunity to prove innocence. The procedures of this bill could be easily abused or triggered by a momentary hostility in a dementia patient, and it conflates investigation, conviction, civil law and criminal law. The Constitution: "No subject shall be held to answer for any crime, or offense, until the same is fully and plainly, substantially and formally, described to him."

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

**HB1707**, expanding the family-centered early supports and services (FCESS) program to children under the age of 3 who are born substance-exposed. **OTP/A Vote: 20-0**

**HRA Analysis:** This bill directs the department of health and human services to administer a family-centered early supports and services program for children with developmental delays, including children under 3 with prenatal substance exposure. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

## Judiciary

**HB1563**, relative to the use of funds in the drug forfeiture fund. **Maj. OTP; Min. ITL Vote: 14-3**

**HRA Analysis:** This bill moves control of the Attorney General's drug forfeiture fund to the Governor and Executive Council. This change also includes more flexibility and transparency regarding the spending of the funds. Platform: Prioritize programs to ensure effective spending.

**HRA Recommendation:** Support OTP

**HB1599**, establishing a special marriage officiant license. **Maj. OTP; Min. ITL Vote: 11-9**

**HRA Analysis:** This bill creates a special marriage officiant license, and directs the bulk of the fees to the fund for domestic violence support. This bill is opposed by town clerks because the documentation is critical and special licensees are known to be less than diligent in returning necessary documents. Platform: Justify expenditures against measurable benefits.

**HRA Recommendation:** Oppose OTP

## Municipal and County Government

**HB1248**, relative to community revitalization tax relief incentives. **Maj. OTP/A; Min. ITL Vote: 12-4**

**HRA Analysis:** This bill, as amended, defines income levels for purposes of community revitalization zones, and the affordable housing fund. Clarity in the law is always appropriate, but these hairsplitting definitions raise questions of enforcement and discrimination that are not resolved in this bill.

**HRA Recommendation:** Vote your conscience

**HB1632**, relative to financial investments and incentives for affordable housing development. **Maj. OTP/A; Min. ITL Vote: 16-2**

**HRA Analysis:** This bill creates a package of tax incentives (property and business profits taxes) for affordable housing projects, and creates a "Housing Champion" program that gives towns that qualify funds from the profits of such projects. Our Constitution requires tax rates be equal for all.

**HRA Recommendation:** Oppose OTP/A

## Public Works and Highways

**HB1650**, establishing a road usage registration fee and making an appropriation therefor. **Maj. ITL; Min. Int. study Vote: 15-4**

**HRA Analysis:** This bill establishes a registration fee that increases with vehicle weight and miles traveled. It also increases automatically every year, and requires funding noise abatement projects ahead of every other type of highway build or repair. Platform: strongly oppose new taxes and fees.

**HRA Recommendation:** Support ITL

## Resources, Recreation and Development

**HB1273**, waiving the admission fee to state parks for military dependents. **Maj. ITL; Min. OTP Vote: 16-3**

**HRA Analysis:** This bill would provide an exemption from state park admission to day use areas for dependents of active duty military personnel and dependents of active and reserve members of the New Hampshire National Guard. While this is a nice gesture, it violates our constitution Part I, Art 10, not for the private interest or emolument of any one man, family, or class of men.

**HRA Recommendation:** Support ITL

## Science, Technology and Energy

**HB1364**, relative to payments to the public utilities commission in lieu of meeting renewable portfolio standards for biomass. **Maj. ITL; Min. OTP Vote: 12-7**

**HRA Analysis:** This bill would reduce alternative compliance payments (ACPs) to zero for Class III renewable energy projects. Without additional ratepayer subsidies above what they already receive from the Renewable Portfolio Standard law, these plants will close. Without these plants operating, there is no need for an alternate compliance price for class III renewable energy credits. Platform: Work to reduce energy costs and remove New Hampshire from the Regional Greenhouse Gas Initiative.

**HRA Recommendation:** Oppose ITL

**HB1402**, establishing procedures for municipal host customer-generators of electrical energy. **Maj. Int. study Vote: 12-8**

**HRA Analysis:** This bill is a compromise developed by various representatives working with people from the Governor's office. It lifts the cap to anything under 5 MWs and it limits the use of this higher cap to municipal hosts which means qualifying generation that is owned by or only provides electricity to a municipality. Platform: Work to reduce energy costs and remove New Hampshire from the Regional Greenhouse Gas Initiative

**HRA Recommendation:** Oppose Int. study; Support OTP/A

**HB1661**, relative to the exemption from property taxes for water and air pollution control facilities. **Maj. ITL; Min. OTP Vote: 15-5**

**HRA Analysis:** This bill would eliminate the tax exemption for pollution control equipment which was installed with the understanding that it would receive the tax exemption over the useful life of the equipment. No platform or constitutional issues identified.

**HRA Recommendation:** No recommendation

**HB1664**, establishing a climate action plan, an office of the environmental advocate, and an oversight commission on environmental services. **Maj. OTP/A; Min. ITL Vote: 11-8**

**HRA Analysis:** This bill is simply a backdoor attempt to institute a carbon tax through administrative rules. It represents an unconstitutional unfunded mandate on cities and towns. Constitution: Part I Art. 28-a The state shall not mandate or assign any new, expanded or modified programs or responsibilities to any political subdivision.

**HRA Recommendation:** Oppose OTP/A

**HB1684**, establishing an energy conservation program and an energy conservation project fund and establishing the state PACE reserve fund. **Maj. OTP/A; Min. ITL Vote: 11-8**

**HRA Analysis:** This bill establishes energy efficiency and clean energy districts and imposes special assessments. This program is beyond a proper governmental interest and infringes on the property rights of those placed in a special district. Constitution: [Art.] 2. [Natural Rights.] All men have certain natural, essential, and inherent rights – among which are, the enjoying and defending life and liberty; acquiring, possessing, and protecting, property.

**HRA Recommendation:** Oppose OTP/A

## Transportation

**HB1620**, relative to electric vehicle parking spaces. **OTP/A Vote: 11-8**

**HRA Analysis:** As amended (the amendment lowers the applicable fines) the bills established that special parking spots with a charging station, shall be used only by electric vehicles. And any person who violates this shall be fined a minimum of \$100. NH Constitution, Part First, Art. 10, States Government is for the common benefit and not for one class of men. Party platform: prefer incentives to penalties and issue warnings before fines.

**HRA Recommendation:** Oppose OTP/A

## Ways and Means

**HB1708**, relative to certain liquor license fees and establishing 2 liquor investigator positions. **OTP Vote: 20-0**

**HRA Analysis:** This bill will increase fees and use those funds to hire more regulators. Platform: Prioritize programs to ensure effective spending.

**HRA Recommendation:** Oppose OTP

## Regular Calendar - Part Two

### Commerce and Consumer Affairs

**HB1281**, requiring insurance coverage for epipens. **Maj. OTP/A; Min. ITL Vote: 15-5**

**HRA Analysis:** This bill establishes yet another mandate on insurers in New Hampshire to cover the cost of single-use epinephrine injectors. Platform: Allow free market driven health care plans and "ala carte" insurance plans free from government mandates.

**HRA Recommendation:** Oppose OTP/A

## **Criminal Justice and Public Safety**

**HB1101**, imposing a waiting period between the purchase and delivery of a firearm. **Maj. OTP/A; Min. ITL Vote: 11-9**

**HRA Analysis:** This bill mandates a minimum 3 day waiting period before taking possession of a firearm, even after a successful background check for the 'purpose' of preventing suicide. There is no exemption for someone who already owns a firearm. The Platform states "Protect the rights of law-abiding individuals to own and carry firearms to defend themselves, their families and their property;..." and the Constitution States: "[Art.] 2-a. [The Bearing of Arms.] All persons have the right to keep and bear arms in defense of themselves, their families, their property and the state." Delaying the purchase of a firearm for some arbitrary time period violates both the platform and the NH Constitution.

**HRA Recommendation:** Oppose OTP/A

**HB1149**, relative to child obscenity. **ITL Vote: 17-3**

**HRA Analysis:** This bill would make possession and creation of sexualized images of partially clothed children a felony. This bill could criminalize innocent photos of children. Constitution: Part I, [Art.] 18. [Penalties to be Proportioned to Offenses; True Design of Punishment.] All penalties ought to be proportioned to the nature of the offense.

**HRA Recommendation:** Support ITL

**HB1350**, requiring a locking safety device be provided for commercial firearm sales and transfers. **Maj. ITL; Min. OTP Vote: 12-8**

**HRA Analysis:** This bill mandates that firearms be sold with a lock approved by the commissioner of the department of safety, allowing the commissioner indirect control over all firearm sales. Current manufacturers and dealers already sell firearms with locks so this is an additional burden and cost to the consumer. Our platform states "Minimize business regulations, permits, licenses and paperwork" Requiring all dealers to supply a lock that might be different than the one provided by the manufacturer, would be an additional hurdle for them.

**HRA Recommendation:** Support ITL

**HB1351**, relative to immunity from arrest or prosecution for certain alcoholic beverage violations for a person under 21 years of age who reports a situation involving risk of alcohol overdose. **OTP Vote: 15-4**

**HRA Analysis:** This bill provides immunity from prosecution when reporting alcohol overdose incidents. It is better to report than to flee the scene leaving the victim to fate. Constitution Part I Art. 18 ...For the same reason a multitude of sanguinary laws is both impolitic and unjust. The true design of all punishments being to reform, not to exterminate mankind.

**HRA Recommendation:** Support OTP

**HB1378**, establishing a committee to study oversight authority and timelines for processing and retaining sexual assault evidence collection kits. **OTP/A Vote: 16-4**

**HRA Analysis:** This bill establishes a study committee. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

**HB1379**, requiring a background check for commercial firearms sales. **Maj. OTP; Min. ITL Vote: 11-9**

**HRA Analysis:** This bill redefines the word 'commercial sale' to include almost every firearm transfer. This would even include loaning a firearm to someone who wants to learn how to shoot. The NH Constitution States: "[Art.] 2-a. [The Bearing of Arms.] All persons have the right to keep and bear arms in defense of themselves, their families, their property and the state." The bill also mandates that Government specifically issue a proceed order or the sale/transfer cannot go through. This allows government to stop all firearms sales by simply doing nothing. Intentionally impeding the ability of a law abiding person to acquire a firearm is in clear violation of the NH Constitution.

**HRA Recommendation:** Oppose OTP

**HB1625**, reducing the penalty for certain first offense drug possession charges. **OTP Vote: 14-6**

**HRA Analysis:** This bill reduces penalties for first offense drug possession charges, which are the most common crimes in our courts. Constitution All penalties ought to be proportioned to the nature of the offense.

**HRA Recommendation:** Vote your conscience

**HB1648**, relative to the home cultivation of cannabis plants and the possession of certain cannabis-infused products. **OTP/A Vote: 13-7**

**HRA Analysis:** This bill legalizes cannabis and allows growing it, with quantity limits. No sales are allowed, no fees or taxes imposed. Platform: Support the State's Constitutional right to determine legal restrictions on possession of controlled substances.

**HRA Recommendation:** Support OTP/A

**HB1654**, relative to previous convictions for driving while intoxicated. **Maj. OTP; Min. ITL Vote: 11-9**

**HRA Analysis:** This bill extends the look back period from 10 years to 20 years for the purposes of charging 3rd and 4th Drunk Driving Offenses, which have more severe penalties than first or second offenses. People convicted of more than 3 offenses have not been rehabilitated and continue to engage in behavior that creates a serious risk to public safety. Constitution All penalties ought to be proportioned to the nature of the offense.

**HRA Recommendation:** Support OTP

## Education

**HB1336**, relative to disclosure of information regarding high school student assessment. **Maj. ITL; Min. OTP Vote: 11-9**

**HRA Analysis:** The bill simply removes the vendor specific references to SAT or ACT as our high school assessment and replaces them with “national college readiness assessment”. No Constitutional or platform issue.

**HRA Recommendation:** No recommendation

**HB1369**, relative to the acceptance of high school course credits from certain schools or education agencies. **Maj. ITL; Min. OTP/A Vote: 11-9**

**HRA Analysis:** This bill is intended to promote acceptance of HS credits from other accredited and NH DOE approved schools. Provisions are included for local district acceptance of the credit or, if denied, student requested competency testing to gain credit acceptance. A current example situation that would be resolved by the bill is that some districts do not accept credits from VLACs – a public online charter school. Our platform says to support expanded education choices and education freedom.

**HRA Recommendation:** Oppose ITL

**HB1412**, requiring secondary schools to grant educational credit for certain courses completed. **Maj. ITL; Min. OTP Vote: 12-8**

**HRA Analysis:** This bill is somewhat similar to HB1369 in that it relates to acceptance of credits from other public school, academies, and public charter schools, such as VLACs. If the local district approves less than full credit acceptance, they are to notify the parents and state Board of Education. Our platform says to support expanded education choices and education freedom.

**HRA Recommendation:** Oppose ITL

**HB1454**, relative to credit for alternative, extended learning, and work-based programs. **Maj. OTP; Min. ITL Vote: 11-9**

**HRA Analysis:** This is a repeal of legislation last year that provided for state board development of rules for the “Learn Everywhere” program. The program would recognize the learning that takes place outside the classroom and in organizations like the Boys and Girls Club and the Civil Air Patrol. The committee majority argued local control but failed to consider the rules which provide for a course approval committee made up by department subject experts and local school personnel. And make no mistake; the vote was also because this is a program initiated by our Education Commissioner. Our platform says to emphasize knowledge attainment and academic achievement.

**HRA Recommendation:** Oppose OTP

## Executive Departments and Administration

**HB1434**, repealing premium contribution requirements for certain state and judicial retirees. **Maj. OTP; Min. ITL Vote: 14-5**

**HRA Analysis:** This bill repeals payment of medical coverage fees for state retirees currently 65-70 years old. Without any appropriation, this simply shifts over \$1 million/year in medical costs from them to the under-65 retirees, or as cheaper medical coverage for all retirees. No platform or constitutional issues identified.

**HRA Recommendation:** No recommendation

## Finance

**HB677**, relative to discipline of students, addressing students' behavioral needs, and making an appropriation therefor. **OTP/A Vote: 19-1**

**HRA Analysis:** This bill makes an appropriation of \$1. No platform or constitutional issue identified.

**HRA Recommendation:** No recommendation

**HB705**, (New Title) relative to the rights of victims of crime, increasing the cap on assistance for victims of crime, and establishing a commission to study the needs of crime victims and enforcement of statutes governing crime victims' rights. **OTP/A Vote: 21-0**

**HRA Analysis:** This bill increases the amount limit for claims against the Victim's Assistance Fund. As the fund is currently flush with money, perhaps a reduction on penalty assessments might be in order? [Art.] 18. [Penalties to be Proportioned to Offenses; True Design of Punishment.] All penalties ought to be proportioned to the nature of the offense.

**HRA Recommendation:** Oppose OTP/A

**HB1224**, making an appropriation to the lakeshore redevelopment planning commission. **OTP/A Vote: 21-0**

**HRA Analysis:** This bill funds (via matching grants) efforts to get the Laconia State School grounds off the State's books. It currently costs about \$400k/yr just to maintain the property. No platform or constitutional issue identified.

**HRA Recommendation:** No recommendation

**HB1234**, making an appropriation for the purposes of heating state-owned buildings. **OTP/A Vote: 21-0**

**HRA Analysis:** The Concord Steam replacement project wasn't completed by the end of the last fiscal year (6.30.19) and the funding lapsed. There was funding remaining to complete the project and this bill restores the previously allocated funding so the project can be completed. No platform or constitutional issue identified.

**HRA Recommendation:** No recommendation

**SB7**, establishing the secure modern accurate registration act (SMART ACT). **Maj. OTP/A; Min. ITL; Min. ITL Vote: 13-7**

**HRA Analysis:** This is essentially a motor-voter bill, and a very expensive attempt to fix that which is not broken. Platform: Justify expenditures against measurable benefits.

**HRA Recommendation:** Oppose OTP/A

## Judiciary

**CACR14**, relating to reproductive medical decisions. Providing that the state shall not infringe or unduly inconvenience the right of reproductive medical decisions. **Maj. ITL; Min. OTP Vote: 18-2**

**HRA Analysis:** This CACR was intended to affirm a right to abortion. The language being less than clear, it found little support. Platform: Support the pre-born child's fundamental right to life and personhood under the Fourteenth Amendment, and implement all Constitutional and legal protections.

**HRA Recommendation:** Support ITL

**CACR15**, relating to regulation of searches and seizures. Providing that certain information in a legally enforceable contract shall be secure from unreasonable searches and seizures. **ITL Vote: 19-1**

**HRA Analysis:** This CACR seeks to build on the Constitutional Amendment passed in 2018. While the goal is worthy, it would be better placed as a statute, adding detailed guidance to the constitutional provision. No constitutional or platform issue identified.

**HRA Recommendation:** No recommendation

**HB1353**, relative to the writ of quo warranto. **ITL Vote: 17-2**

**HRA Analysis:** The writ of quo warranto long predates our founding and is an element of the common law. It serves to challenge a person improperly holding office. Constitution: Part II [Art.] 90. [Existing Laws Continued if Not Repugnant.] All the laws which have heretofore been adopted, used, and approved, in the province, colony, or state of New Hampshire, and usually practiced on in the courts of law, shall remain and be in full force, until altered and repealed by the legislature.

**HRA Recommendation:** Oppose ITL

## Labor, Industrial and Rehabilitative Services

**HB1181**, allowing the New Hampshire public employer labor relations board to award pain and suffering damages. **Maj. ITL; Min. OTP/A Vote: 16-3**

**HRA Analysis:** This bill would move the awarding of tort "damages" out of the courts and into the jurisdiction of the PELRB. This would add a complex and time-consuming role to the PELRB, making it more difficult to do the work they tasked to do. The platform warns us of the dangers of growing government.

**HRA Recommendation:** Support ITL

**HB1221**, relative to privacy for an employee's personal financial and credit information. **Maj. OTP/A; Min. ITL Vote: 11-6**

**HRA Analysis:** This bill is identical to HB 293, vetoed by the Governor last year. The bill would restrict NH employers from making their own assessments of business risk by prohibiting one tool for that purpose. Credit reports are often not material to hiring decisions, but business owners must decide, themselves, on those cases where they are. Platform: Minimize business regulations.

**HRA Recommendation:** Oppose OTP/A

**HB1290**, relative to public employee labor relations and collective bargaining. **Maj. OTP/A; Min. ITL Vote: 12-7**

**HRA Analysis:** With the amendment, this bill allows a union to convert any election to a mail-in ballot. The platform supports the “right to join or avoid labor unions without coercion or intimidation,”

**HRA Recommendation:** Oppose OTP/A

**HB1322**, prohibiting university system funds from being spent to oppose the formation of unions and collective bargaining units. **Maj. OTP; Min. ITL Vote: 11-6**

**HRA Analysis:** This bill reacts to an expenditure of university system funds on consultants during a union organizing drive. As written, it suggests any activity that isn't pro-unionization could be prohibited within the universities. This is an unnecessary level of micromanagement of university operations. This could include challenging unfair labor practices undertaken by a union. The platform supports the “right to join or avoid labor unions without coercion or intimidation.”

**HRA Recommendation:** Oppose OTP/A

**HB1399**, relative to the establishment of public employee bargaining units. **Maj. OTP/A; Min. ITL Vote: 11-8**

**HRA Analysis:** This bill would re-institute “Card Check,” allowing unions to establish bargaining units without the required election. A process where the unions themselves collect signatures can be perceived as open to coercion and intimidation (which the platform opposes). Secret ballot elections help ensure process integrity.

**HRA Recommendation:** Oppose OTP/A

**HB1554**, relative to elections in collective bargaining. **Maj. ITL; Min. Int. study Vote: 11-6**

**HRA Analysis:** This bill addresses the issue that, for many unions, less than half the workers under the contract have ever had the opportunity to vote for their representation. While a procedure exists, it can be difficult to meet the hurdles without an active organization drive like those run by a union. As written, the bill has some technical issues but there was bi-partisan interest in creating a version of this bill that was workable and fair. The platform protects the right to avoid labor unions without coercion or intimidation, and this concept would give all workers the chance to participate.

**HRA Recommendation:** Oppose ITL

## **Municipal and County Government**

**HB1125**, enabling municipalities to adopt an exemption from property taxes for volunteer firefighters and volunteer emergency medical personnel. **Maj. ITL; Min. OTP Vote: 17-3**

**HRA Analysis:** This bill allows a town to exempt "volunteer" firefighters (as defined by the town) a tax exemption up to the total value of their home, as determined by the town. This grants a benefit to a special class of citizens, which burdens all other taxpayers in the municipality and violates the constitutional prohibitions on special benefits for specific classes of people.

**HRA Recommendation:** Support ITL

**HB1158**, relative to the adoption of bylaws and ordinances by municipalities. **Maj. ITL; Min. OTP Vote: 17-2**

**HRA Analysis:** This bill requires local ordinances cite the enabling RSA. On one hand, it's a mandate to municipalities; on the other it encourages transparency and makes it easier for ordinances to reflect changing laws.

**HRA Recommendation:** Vote your conscience.

**HB1197**, exempting disabled veterans from the payment of property taxes. **Maj. ITL; Min. OTP Vote: 17-3**

**HRA Analysis:** This bill completely exempts disabled veterans from all property taxes, with no regard to the value of the homestead in question. This grants a benefit to a special class of citizens, which burdens all other taxpayers in the municipality; while supporting the platform requirement to honor our veterans, it violates the constitution on special benefits.

**HRA Recommendation:** Vote your conscience.  
(or Support ITL)

**HB1210**, establishing a property tax exemption for energy storage systems. **Maj. ITL; Min. OTP Vote: 19-1**

**HRA Analysis:** This bill mandates a property tax exemption for energy storage system, rather than making it a local option. While generally objecting to such special cases which burden other taxpayers, we believe a local option is generally preferable to a state-wide mandate. No constitutional or platform issue identified.

**HRA Recommendation:** No recommendation

**HB1276**, relative to ex-officio members of budget committees and planning boards. **Maj. ITL; Min. OTP Vote: 10-8**

**HRA Analysis:** This bill prevents ex-officio members of budget committees and planning boards from voting. In the case of budget committees, this grants those members extra recommendations, as both a member and a selectman/school board member. No platform or constitutional issues identified.

**HRA Recommendation:** No recommendation

**HB1277**, requiring notice to owners of dogs that have failed to license their dog or renew their dog license. **Maj. ITL; Min. OTP Vote: 17-1**

**HRA Analysis:** This bill requires town clerks to annually notify residents that they have not registered all known dogs, not only imposing a new and potentially costly mandates on towns but also creating excuses for those who don't bother to register the dogs. This violates the constitutional ban on unfunded mandates.

**HRA Recommendation:** Support ITL

**HB1372**, relative to the election of Carroll county commissioners. **Maj. OTP; Min. ITL Vote: 10-8**

**HRA Analysis:** This bill changes commissioner elections so that they are elected by district, rather than at large. No constitutional or platform issue identified.

**HRA Recommendation:** No recommendation

**HB1546**, relative to meeting minutes of county delegations. **Maj. ITL; Min. OTP Vote: 12-7**

**HRA Analysis:** This bill would allow county delegation to meet for the sole purpose of approving minutes and not require minutes for that meeting. More bureaucracy to eliminate bureaucracy? Platform: Justify expenditures against measurable benefits.

**HRA Recommendation:** Support ITL

**HB1629**, relative to training and procedures for zoning and planning boards. **Maj. OTP/A; Min. ITL Vote: 16-2**

**HRA Analysis:** As amended, this bill cleans up a number of issues with current zoning and planning boards. It recommends training for board members, requires fees that are not posted be waived, and sets deadlines for action. It also defines workforce housing and requires any incentives given to senior housing also apply to workforce housing, and requires any disapprovals to cite specific findings. It attempts to balance the platform requirement to encourage business and that of local control.

**HRA Recommendation:** Vote your conscience.

## **Science, Technology and Energy**

**HB1218**, relative to net energy metering and limits for customer generators. **Maj. OTP/A; Min. ITL Vote: 12-8**

**HRA Analysis:** This is one more attempt at feel good net metering that shifts the cost of subsidies to electric ratepayers. Platform: Work to reduce energy costs and remove New Hampshire from the Regional Greenhouse Gas Initiative.

**HRA Recommendation:** Oppose OTP/A

**HB1480**, relative to the use of system benefits charges. **Maj. ITL; Min. OTP Vote: 11-8**

**HRA Analysis:** This bill would restore that legislative authority and protect the SBC from any potential constitutional challenge. In 2018, the Governor signed into law a requirement that the legislature, as stipulated by the State Constitution, must approve any changes to a de-facto tax known as the Systems Benefits Charge (SBC). Hiding a tax in energy bills does not make it any less a burden. Constitution: Part I, Art. 12 But no part of a man's property shall be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people.

**HRA Recommendation:** Oppose ITL

## Transportation

**HB1408**, relative to license plate covers. **OTP/A Vote: 13-6**

**HRA Analysis:** As amended (the amendment is the bill) the bill requires that any covers attached to number plates must be completely transparent, and the fine for a violation shall be \$150.00. Constitution: Where the same undistinguishing severity is exerted against all offenses, the people are led to forget the real distinction in the crimes themselves, and to commit the most flagrant with as little compunction as they do the lightest offenses. For the same reason a multitude of sanguinary laws is both impolitic and unjust.

**HRA Recommendation:** Oppose OTP/A

**HB1427**, removing the authorization for OHRV use on certain sections of state highway. **ITL Vote: 16-3**

**HRA Analysis:** This bill repeals RSA 215-A:10, IV(c) which enables part of NH's 'Ride the Wilds' for OHRV's. A repeal of allowing OHRV's on certain state roads could jeopardize and damage businesses in the north country. HB1182 (on consent calendar) establishes a commission to study the on-road usage of non-traditional motor vehicles. The commission is to look at all phases of OHRV uses and whether it is best to repeal sections of NH's RSA's or to expand them. Platform: Foster an attitude of assistance and cooperation with business.

**HRA Recommendation:** Support ITL

**HB1621**, relative to the use of protective head gear while operating motorcycles and motorized bicycles. **Maj. ITL; Min. OTP Vote: 16-4**

**HRA Analysis:** This bill will make helmet use mandatory. Platform: promote personal responsibility and consequences for one's actions.

**HRA Recommendation:** Support ITL

## Ways and Means

**HB1652**, including ski area ticket sales under the meals and rooms tax and dedicating the revenue to the governor's scholarship program for New Hampshire resident students. **ITL Vote: 20-0**

**HRA Analysis:** This bill calls for expanding the meals and rooms tax to include ski tickets. This would be a new tax and we know taxation is theft. Platform: Strongly oppose new taxes and fees, including an income, sales and capital gains tax.

**HRA Recommendation:** Support ITL

**HB1699**, relative to a tax on electronic cigarettes. **Maj. OTP; Min. ITL Vote: 12-8**

**HRA Analysis:** This bill taxes electronic cigarettes. This will discourage those who are trying to stop smoking and it will drive shoppers to the internet. Platform: Minimize business regulations, permits, licenses and paperwork.

**HRA Recommendation:** Oppose OTP

## Removed from Consent Calendar

## Education

**SB684**, relative to Medicaid to schools. **OTP/A Vote: 19-1**

**HRA Analysis:** This bill creates a way to get school professionals, currently certified by the state department of education, immediately licensed by the appropriate licensing board so that they are eligible to be paid by Medicaid. No platform or constitutional issues identified.

**HRA Recommendation:** No recommendation

## Executive Departments and Administration

**HB1292**, revising certain benefit provisions in the city of Manchester employees contributory retirement system. **OTP/A Vote: 19-1**

**HRA Analysis:** This bill revises the Manchester employee pension plan to correct the reduction in pension for early retirees; require final earnings be a 5 year average rather than 3; increase the normal retirement age from 60 to 62; and increase employee contributions by 2% of pay. Platform: Ensure that public employee benefits are similar to and do not exceed those of the private sector.

**HRA Recommendation:** Support OTP/A

## **Fish and Game and Marine Resources**

**HB1596**, relative to the funding for search and rescue operations of the fish and game department and making an appropriation therefor. **OTP/A Vote: 15-1**

**HRA Analysis:** This bill appropriates \$200K per year for the fish and game search and rescue fund. Since most persons in need of rescue are hikers and not hunters, they do not routinely pay into this fund. General fund revenue is a better plan than continually raising the cost of hunting and fishing licenses. No platform or constitutional issues identified.

**HRA Recommendation:** No recommendation