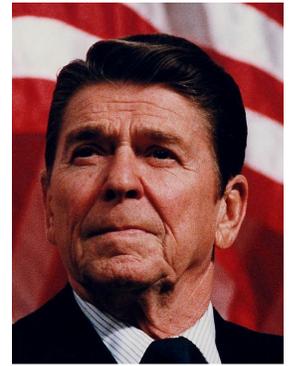


# House Republican Alliance Recommendation Sheet



"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.

**Thursday, March 10, 2022**  
**Regular Calendar**

## **Criminal Justice and Public Safety**

**HB1011**, relative to the penalty for criminal mischief. **OTP Vote: 16-5**

**HRA Analysis:** This bill would clarify RSA 634:2 by making the offense of vandalism and unauthorized alterations a misdemeanor throughout the RSA. Currently, in the RSA, criminal mischief is listed as a misdemeanor and a violation. This bill can allow penalties to be beyond proper proportions. 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. No wise legislature will affix the same punishment to the crimes of theft, forgery, and the like, which they do to those of murder and treason. 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. The true design of all punishments being to reform, not to exterminate mankind.

**HRA Recommendation:** Oppose OTP

**HB1031**, prohibiting law enforcement from encrypting public frequencies. **ITL Vote: 12-5**

**HRA Analysis:** This bill would prohibit all NH law enforcement from encrypting any non-sensitive transmissions. Testimony given states that few NH police do encrypt. NH State Police testimony states that it is very difficult to switch the channel frequencies back and forth in the heat of action. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

**HB1151**, prohibiting the display of a deadly weapon at a parade, funeral procession, picket line, march, rally, vigil, or demonstration. **Maj. ITL Vote: 13-6**

**HRA Analysis:** This bill as written would curtail the right to open carry firearms by prohibiting open carry within 100 feet of any event or any participant in any event, such as funerals processions, vigils, parades, protest marches, marches of any kind, religious events on public property or any property under the control of the state or any of the states subdivisions. This bill would apply whether any event had the proper permits or not. NH Constitution Part First, Art 2-a: All persons have the right to keep and bear arms.

**HRA Recommendation:** Support ITL

**HB1175**, relative to recording interactions with public officials. **Maj. ITL Vote: 17-3**

**HRA Analysis:** This bill clarifies the NH 91-a Right to Know law and the Wiretapping RSA 570-A by adding to the RSA that it is not illegal for "A person to record a public official in public while the public official is in the process of performing his or her duties." The stated purpose of the Right to Know Law is to ensure both the greatest possible public access to the actions, discussions and records of all public bodies, and their accountability to the people. NH Constitution Part First, Art. 8: Government should be open, accessible, and accountable.

**HRA Recommendation:** Oppose ITL

**HB1281**, relative to access to firearms confiscated from a person who is subject to a protective order. **Int. study Vote: 12-8**

**HRA Analysis:** As written, the bill would allow that the subject of a protective order may authorize any other person to obtain any confiscated weapons from law enforcement custody. The prime sponsor agreed with the Interim Study since the bill, along with the penalty section of the bill did need further study. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

**HB1282**, relative to the records of communication common carriers. **Maj. OTP Vote: 14-6**

**HRA Analysis:** As written this is a rewording similar to HB 539 which passed by voice vote in the House on 4/8/21 then was ITL'd by They Who Shall Not Be Mentioned. HB 1282 states that every communications common carrier shall require a valid search warrant before providing any information regarding its customers. NH Constitution Part First Art 2-b: The right to live free from government intrusion in private and personal information is natural, essential, and inherent.

**HRA Recommendation:** Support OTP

**HB1483**, relative to the use of physical force by a law enforcement officer. **ITL Vote: 14-3**

**HRA Analysis:** This bill seeks to prohibit police officers from using deadly force when effecting an arrest. No platform or constitution issues identified.

**HRA Recommendation:** No recommendation

**HB1636**, relative to prohibitions on carrying a loaded firearm on an OHRV or snowmobile. **OTP Vote: 11-6**

**HRA Analysis:** This is a simple bill to make the firearms carry law for snowmobiles and ATVs consistent with the laws for cars, motorcycles, pickup trucks and boats. Constitution: [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.

**HRA Recommendation:** Support OTP

## **Executive Departments and Administration**

**HB1037**, relative to the governor's duties during a state of emergency. **OTP/A Vote: 11-6**

**HRA Analysis:** This bill as amended makes minor changes to the statutory language. No platform or constitution issues identified.

**HRA Recommendation:** No recommendation

**HB1059**, clarifying limits on licensure by operation of law. **Maj. OTP Vote: 11-5**

**HRA Analysis:** This bill allows the staff at CPLC to deny a professional license if the board has not met in 60 days and the applicant does not meet the objective qualifications (such as, degree specified in statute). Where excessive licensing pushes boards beyond their ability to timely respond, the response ought be in the affirmative. Platform: Minimize business regulations, permits, licenses and paperwork.

**HRA Recommendation:** Oppose OTP

**HB1159**, recognizing November 7 as Victims of Communism Memorial Day. **Maj. ITL Vote: 12-5**

**HRA Analysis:** This bill would memorialize the over 100 million victims of communism, and express support for education and awareness of the atrocities resulting from communism. No platform or constitution issues identified.

**HRA Recommendation:** No recommendation

**HB1257**, requiring the retirement system to divest from investment in companies located in China. **Maj. ITL Vote: 12-3**

**HRA Analysis:** This bill does what it claims to. Constitution Part 1, Article 36a "all contributions and payments made to any such system to provide for retirement and related benefits shall be held invested or disbursed as in trust for the exclusive purpose of providing for such benefits and shall not be encumbered for, or diverted to, any other purposes. This bill diverts pension funds from what are profitable investments for the purpose of virtue signaling.

**HRA Recommendation:** Support ITL

**HB1460**, relative to minimum age requirements for certain occupational licenses. **ITL Vote: 12-6**

**HRA Analysis:** This bill repeals minimum age requirements for occupational licenses for a number of professions. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

## Fish and Game and Marine Resources

**HB1299**, relative to the process for the importation of wildlife and creating an appeal process for denials of permits.

**Maj. OTP/A Vote: 13-6**

**HRA Analysis:** This bill ensures that every citizen asking for permission to import species gets a timely decision and access to due process. The party platform states "We believe, above all else, in the founding principle that all people are created equal... unimpeded by intrusive government regulation and control." Providing a right to due process and limiting the open-ended regulating of importing of species by demanding a response and allowing an appeal limits government power.

**HRA Recommendation:** Support OTP/A

## Health, Human Services and Elderly Affairs

**HB1126**, permitting minors over the age of 16 to obtain a vaccination without parental consent. **Maj. ITL Vote: 12-7**

**HRA Analysis:** This bill is intended to give those 16 years of age or older the ability to make their own choice to be vaccinated or not. Platform: Traditional families are the foundation of strong communities and that family life best nurtures love of country, faith in God, morality and concern for others. Support the moral and ethical right of informed consent with regard to all medical treatment and intervention. Maintain the fundamental role and responsibility of both parents in the care, upbringing and discipline of their children

**HRA Recommendation:** Support ITL

## Judiciary

**CACR21**, relating to registers of probate. Providing that eliminating the office of register of probate and all references to such office. **Maj. OTP Vote: 20-1**

**HRA Analysis:** This CACR eliminates the office of register of probate and all references to such office in our constitution. This CACR will bring the constitution in line with the statutes which is the opposite of how the legislature should operate. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

**HB1013**, relative to meetings of the New Hampshire rare disease advisory council. **ITL Vote: 15-6**

**HRA Analysis:** This bill would allow remote meetings, obscuring transparency and discouraging redress of grievances. Constitution: Part I, Article 8 government accountability.

**HRA Recommendation:** Support ITL

**HB1021**, prohibiting regulation of religious land use based on the religious nature of the assembly or speech taking place on the land or in the structure. **OTP Vote: 14-7**

**HRA Analysis:** This bill prohibits regulation of land use based on the religious nature of an assembly or of speech taking place on the land or in the structure. Constitution: [Art.] 5. [Religious Freedom Recognized.] Every individual has a natural and unalienable right to worship God according to the dictates of his own conscience, and reason; and no subject shall be hurt, molested, or restrained, in his peers on, liberty, or estate, for worshipping God in the manner and season most agreeable to the dictates of his own conscience; or for his religious profession, sentiments, or persuasion; provided he doth not disturb the public peace or disturb others in their religious worship.

**HRA Recommendation:** Support OTP

**HB1205**, allowing the department of environmental services to have access to enhanced 911 information. **OTP/A Vote: 17-4**

**HRA Analysis:** This bill would allow DES to have access to the mapping information for creating and maintaining an inventory of drinking water sampling sites and to comply with the Federal Safe Drinking Water Act. Citizens were promised that the location data collected for E911 would be kept secure. That data is now to be shared; just this once, we promise. Constitution: [Art.] 2-b. [Right of Privacy.] An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent.

**HRA Recommendation:** Oppose OTP/A

**HB1216**, repealing the housing appeals board. **ITL Vote: 17-3**

**HRA Analysis:** This bill would repeal the Housing Appeals Board. Many believe the HAB favors developers and override communities local preferences. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

**HB1254**, relative to the housing appeals board. **ITL Vote: 18-3**

**HRA Analysis:** This bill makes various changes to the housing appeals board. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

**HB1260**, making immunization status a protected class. **ITL Vote: 17-4**

**HRA Analysis:** This bill seeks to make immunization status a protected class under the state's anti-discrimination law. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

**HB1408**, requiring the refund of residential tenancy application fees. **ITL Vote: 14-7**

**HRA Analysis:** This bill would require landlords to refund all but the landlord's actual out-of-pocket costs for specific services such as credit reports or criminal background checks, to people whose application has been denied. As is always the case the cost put upon landlords is passed on to tenants. Platform: Minimize business regulations, permits, licenses and paperwork.

**HRA Recommendation:** Support ITL

## **Labor, Industrial and Rehabilitative Services**

**CACR14**, relating to unions. Providing that all workers have the right to join a union. **Maj. ITL Vote: 12-9**

**HRA Analysis:** This proposed constitutional amendment would require that "All workers within this state shall have the right to join a union." No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

**HB1385**, prohibiting the use of credit history in employment decisions. **ITL Vote: 17-4**

**HRA Analysis:** This bill prohibits an employer from using an employee's or prospective employee's credit history as a criterion for making certain employment decisions. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

## **Municipal and County Government**

**HB1275**, relative to municipal representation on regional planning commissions. **Maj. ITL Vote: 16-3**

**HRA Analysis:** This bill would change the overall representation of municipalities on the regional planning commissions by increasing the number of commissioners from larger cities. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

**HB1387**, enabling municipalities to adopt a property tax homestead exemption. **Maj. ITL Vote: 17-2**

**HRA Analysis:** This bill enables municipalities to adopt a property tax homestead exemption against the assessment on a person's principal place of residence. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

## **Public Works and Highways**

**HB1456**, relative to the Hampton marine memorial. **OTP/A Vote: 17-0**

**HRA Analysis:** The bill expands the period of eligibility to include Operation Desert Shield, Desert Storm and the Wars on Terrorism following September 11, 2001 attack. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

## **State-Federal Relations and Veterans Affairs**

**CACR32**, relating to independence. Providing that the state peaceably declares independence from the United States and proceeds as a sovereign nation. **ITL Vote: 21-0**

**HRA Analysis:** This constitutional amendment would place state independence on the ballot for the voters in November. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

**HB1411**, relative to transparency of federal agency operations within New Hampshire. **OTP/A Vote: 14-7**

**HRA Analysis:** This bill as amended increases transparency of federal agencies and provides a centralized location to the public for this information. Our state's constitution demands transparency and that rightly extends to federal operations within the state.

**HRA Recommendation:** Support OTP/A

## **Transportation**

**HB1138**, exempting the display of a front license plate on certain vehicles. **ITL Vote: 15-3**

**HRA Analysis:** This bill allows for an application and payment of a fee to exempt the display of a front license plate on certain vehicles. No constitutional or platform issues identified.

**HRA Recommendation:** No recommendation

## **Removed from Consent Calendar**

### **Children and Family Law**

**HB1142**, relative to the right to submit evidence and testimony in family court proceedings. **ITL Vote: 14-0**

**HRA Analysis:** Current court rules and various statutes give the judge the discretion of what evidence can be submitted in family court hearings. This includes prohibiting the respondent from sharing any evidence. The right of the citizens to provide evidence in support of their position is documented in our NH Constitution: “[Art.] 15. [Right of Accused.] 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; or be compelled to accuse or furnish evidence against himself. Every subject shall have a right to produce all proofs that may be favorable to himself; to meet the witnesses against him face to face, and to be fully heard in his defense, by himself, and counsel...”

**HRA Recommendation:** Oppose ITL

**HB1436**, relative to appeals of family court decisions. **ITL Vote: 14-0**

**HRA Analysis:** In 2020 in HB1245, the Senate removed the de novo appeal process for family court decisions in an omnibus bill. The change was opposed by almost all House Republicans when the house voted on that change. This bill restores the due process rights of the citizens removed by that bill. Platform “Ensure due process rights of those accused of child abuse or neglect.” Appeals to the NH Supreme court can not be made on merits of the case, only on process.

**HRA Recommendation:** Oppose ITL

### **Labor, Industrial and Rehabilitative Services**

**HB1124**, requiring businesses to use the federal E-Verify system of the United States Citizenship and Immigration Services. **Vote:**

**HRA Analysis:** This bill requires employers to verify employment eligibility through the federal E-Verify system. Platform: Demand the enforcement of national border security and immigration laws. Oppose any form of amnesty for illegal aliens. Define trespass to include illegal presence in New Hampshire.

**HRA Recommendation:** Oppose ITL