

NHHRA

RECOMMENDATION SHEET

The purpose of the NHHRA caucus 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.



"TRUST BUT VERIFY"

Thursday, June 1, 2017
Regular Calendar

SB3 Support OTP/A	SB74 Oppose OTP/A	SB131 Vote your conscience
SB8 Support OTP/A	SB93 Support Table or ITL	SB133 No Recommendation
SB38 Support OTP/A	SB96 Vote your conscience	SB155 Support OTP/A
SB50 Support ITL	SB113 No recommendation	SB185 Oppose OTP
SB57 No Recommendation	SB123 Support ITL	SB191 Oppose OTP/A
SB59 Vote Your Conscience	SB124 Support ITL	SB216 Support OTP/A
SB66 Support OTP/A with Majority Amendment	SB126 Support ITL	SB225 No Recommendation
SB67 No Recommendation	SB129 Support Table; Oppose OTP/A	SB248 No recommendation

Commerce and Consumer Affairs

SB225, revising the New Hampshire trust code. **Maj. OTP/A; Min. ITL Vote: 15-6**

HRA Analysis: This bill updates NH trust laws to keep us more attractive and competitive than other states. The House Calendar incorrectly printed the minority amendment twice, so an Addendum was printed with the correct majority committee amendment (2017-1991h). The Committee amendment replaces the entire bill with important corrections, clarifications and enhancements. This bill is the latest in a series of legislation enacted over the past decade to make NH a great place for families to create trust companies. No platform or constitutional issues identified.

HRA Recommendation: No Recommendation

Criminal Justice and Public Safety

SB66, (New Title) including a fetus in the definition of "another" for purposes of certain criminal offenses. **Maj. OTP/A; Min. OTP/A Vote: 12-8**

HRA Analysis: SB66 expands the definitions of homicide to include the preborn aged 20 weeks or more. The committee amendment ensures that the mother can't be charged under any homicide category. The minority amendment would enhance the penalty for homicides to the mother causing the death of the fetus, but no homicide charge for the death of the baby if the mother lives.

Platform: We believe that life is sacred from conception to natural death and that we cannot diminish the value of one category of human life without diminishing the value of all human life. 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 OTP on Majority Amendment, Oppose OTP on Minority Amendment, Support OTP/A with Majority Amendment

Education

SB8, relative to school attendance in towns with no public schools. **Maj. OTP/A; Min. ITL Vote: 13-6**

HRA Analysis: This amended Senate bill addresses options for towns, such as Croydon, that do not have schools for all grades to contract with other public or nonsectarian schools for these grades. There are several differences from HB557 which was passed by the House. It will be the local board's decision to contract with a school that they believe will provide an adequate education to their students. The contracted school will be required to administer any nationally recognized student achievement test and to provide annual student progress reports. If the students in the contracted school are not performing to the 40th percentile, the Commissioner may perform a site visit to determine if the school is providing the opportunity for an adequate education. This is a local control issue and our platform states "Promote local control of education policy".

HRA Recommendation: Support OTP/A

Election Law

SB3, relative to domicile for voting purposes. **Maj: OTP/A Min: ITL Vote: 11-9**

HRA Analysis: This bill makes the voter responsible for documenting their domicile and requires their signing of a “domicile affidavit” to attest they are domiciled in the town or ward under penalty of perjury. Ensuring that a potential voter lives where they claim to live supports article 11 of the NH Constitution and our platform: “Prosecute violations of election law and ensure voting is done by New Hampshire resident citizens only; to prevent voter fraud we support the requirement to produce positive identification upon both registering and voting”.

HRA Recommendation: Support OTP/A

SB113, relative to an electronic poll book trial program. **OTP/A Vote: 19-1**

HRA Analysis: The bill authorizes towns to conduct pilots of electronic poll books and check-in for elections. No platform or constitutional issues identified at this time.

HRA Recommendation: No Recommendation

SB248, (New Title) establishing a committee to study the rescheduling of elections. **Maj. OTP/A; Min. OTP Vote: 18-1**

HRA Analysis: The Senate amended bill established a committee to study the rescheduling of elections by towns as happened this year. A non-germane amendment was added by the House committee dealing with signatures on absentee ballots. There is also the possibility of a floor amendment to address issues with the non-germane amendment.

HRA Recommendation: No Recommendation

Finance

SB38, (2nd New Title) making an appropriation to DOT for local highway aid and municipal bridges; relative to distribution of highway aid; relative to red list bridges **OTP/A 26-0**

HRA Analysis: This bill provides over \$36.8 million in grants to fund local infrastructure projects from FY’17 surplus funds. It also requires an equitable distribution of funds between the 6 state highway Districts. Platform says to “Prioritize programs to ensure effective spending”.

HRA Recommendation: Support OTP/A

SB57, (New Title) Making appropriations to DES for the purposes of funding eligible drinking water and wastewater projects under the state aid grant program and relative to making an appropriation from the drinking water and groundwater trust fund to DES to address drinking water contamination in Amherst. **OTP/A Vote: 26-0**

HRA Analysis: No platform or Constitutional issue.

HRA Recommendation: No Recommendation

SB96, relative to the compensation of the boxing and wrestling commission. **OTP Vote: 22-0**

HRA Analysis: While this bill increases the compensation paid to Boxing Commissioners from \$45 to \$100 per day, the revenues brought in from these events far exceed the costs of these increases. Platform states: "Justify expenditures against measurable benefits."

HRA Recommendation: Vote Your Conscience

SB131, establishing a cross border drug interdiction program and making an appropriation therefore. **OTP 24-1**

HRA Analysis: When this bill came out of the Criminal Justice committee, we raised concerns about the prudence of this additional expenditure at this time. Once 5 additional state troopers, cruisers, equipment and training are authorized plus additional personnel at the crime lab, the positions will likely not be eliminated, adding further financial burden in future years. Some of Granite Hammer money has still gone unspent, and that program has been arguably less effective than promised in actually stopping dealers. The money could positively impact a greater number of NH citizens on a treatment basis. On the other hand, the amendment adds requirements for semi-annual reports that shall include measurable results, and accounting of funds and their use. Platform: "Justify expenditures against measurable benefits".

HRA Recommendation: Vote Your Conscience

SB155, relative to implementation of the Medicaid managed care program **OTP/A Vote 24-1**

HRA Analysis: This bill delays Medicaid managed care step 2 implementation and directs DHHS to re-procure contracts in the future. Concerns have been expressed that not delaying at this time could result in the loss of federal dollars for county nursing homes. Platform: Oppose "downshifting" of costs and regulatory enforcement from state to local government.

HRA Recommendation: Support OTP/A

SB191, (new title)relative to the definition of average daily membership in attendance **OTP/A 26-0**

HRA Analysis: As amended, this bill uses Keno to pay for full-day kindergarten. Platform: Reject expanded gambling as a means to balance the budget or increase spending.

HRA Recommendation: Oppose OTP/A

SB216, relative to differential pay for state troopers and relative to crowd control by marine patrol officers. **OTP/A Vote: 25-0**

HRA Analysis: As amended, the bill equalizes pay for undercover officers and allows marine patrol officers to be assigned to extra duty functions after regular hours if reimbursed by an outside entity. The marine patrol officers would be allowed to enforce criminal and motor vehicle laws on property adjacent to the water body where the services were being performed. Could result in actual savings. Platform: "Justify expenditures against measurable benefits".

HRA Recommendation: Support OTP/A

Judiciary

SB 59, relative to blood testing orders. **Maj: OTP/A. Min: ITL. Vote: 12-3**

HRA Analysis: This bill allows a person to petition the court for a blood testing order. A forced blood draw is a violation against a person who simply is the victim of an accident and whose only 'violation' might be an uncontrollable loss of a body fluid. A court order violating a person's right to their body is still a violation of that person's rights. This bill also includes mandates on insurance carrier to cover the expenses involved. While the blood testing order in some ways restricts testing to infectious diseases, it leaves holes in protection of the source individual's privacy; what happens to the blood sample after testing?

On the one-hand the platform states "Improve access to the information necessary to make informed healthcare decisions", and knowing if they have been exposed to anything infectious is vital information for first-responders to ensure they seek proper medical attention. On the other hand, the platform states "Protect the privacy of individuals from government agencies and employees who abuse their power and position", and requiring someone to submit to blood testing when they have done nothing more than need assistance from a first-responder is a violation of privacy.

HRA Recommendation: Vote Your Conscience

SB 67, relative to the authority of state police employees. **Maj: OTP/A. Min: ITL. Vote: 14-3**

HRA Analysis: Expands the jurisdiction of state police from patrolling highways to enforce traffic laws to statewide authority. The amended bill limits that authority to towns over 3,000 and only for enforcing motor vehicle laws, transportation of hazardous materials or public safety situations with probable cause but no time to get a warrant. No platform or constitutional issue.

HRA Recommendation: No Recommendation

SB 93, rel to adoption of the Uniform Access to Digital Assets Act. **Maj: ITL. Min: OTP. Vote: 9-8.**

HRA Analysis: This bill passed House Commerce 19-0 and the full House on consent. However, concerns have been raised that some aspects of the bill could be retroactive with no signature acknowledgement/notary required. Constitution Part 1 Art. 23: "Retrospective laws are highly injurious, oppressive, and unjust. No such laws, therefore, should be made, either for the decision of civil causes, or the punishment of offenses."

HRA Recommendation: Support Motion to Table otherwise Support ITL

Science, Technology and Energy

SB50, relative to members of the site evaluation committee. **Maj. ITL; Min. OTP Vote: 11-8**

HRA Analysis: This bill would modify the membership of the site evaluation committee and reduce the number of members required for a full committee or subcommittee quorum to an even number increasing chances for a tie vote. The current structure is the result of SB245 in 2014 which passed the House on a voice vote. Platform: "Require that all energy and infrastructure projects constructed within New Hampshire be constructed in a manner which does not negatively affect New Hampshire's natural beauty and personal property values."

HRA Recommendation: Support ITL

SB123, establishing a commission to study a carbon reduction investment program for New Hampshire. **Maj. ITL; Min. OTP/A Vote: 10-9**

HRA Analysis: While this is only a study commission, the bill wants to consider imposing a carbon tax - a broad based tax - on NH residents. Platform: "Strongly oppose new taxes and fees."

HRA Recommendation: Support ITL

SB124, establishing a commission to study municipal regulation and incentives for solar energy. **Maj. ITL; Min. OTP Vote: 11-9**

HRA Analysis: While this is only a study commission, the bill wants to consider regulations and more incentives for solar energy. This is also a local control issue. Platform: "We believe in free people, free markets and free enterprise."

HRA Recommendation: Support ITL

SB126, relative to eligibility of hospitals with renewable energy projects for funds from the renewable energy fund. **Maj. ITL; Min. OTP Vote: 14-7**

HRA Analysis: This bill is unnecessary because hospitals are already eligible to receive renewable energy project awards from the Renewable Energy Fund.

HRA Recommendation: Support ITL

SB129, (New Title) requiring a portion of the renewable energy fund to benefit low to moderate income residential customers, relative to electric renewable energy classes, relative to the class rate for biomass, and relative to requirements for incentive payments from the renewable energy fund. **Maj. OTP/A; Min. ITL Vote: 17-4**

HRA Analysis: While the committee amendment appropriately reduces the solar subsidy amount, the bill increases the subsidies for biomass and raises costs on all ratepayers.

HRA Recommendation: Support Motion to Table or Oppose OTP/A

Ways and Means

SB74, relative to economic revitalization zone tax credits. **Maj. OTP/A; Min. ITL Vote: 16-6**

HRA Analysis: The bill increases certain tax credits, picking winners and losers among business entities. Part 1, Article 10 of the NH Constitution states: "Government being instituted for the common benefit, protection, and security, of the whole community, and not for the private interest or emolument of any one man, family, or class of men". The state should treat all business the same.

HRA Recommendation: Oppose OTP/A

SB185, extending the community revitalization tax relief program to coastal properties subject to storm surge, sea level rise, and extreme precipitation. **Maj. OTP; Min. ITL Vote: 17-5**

HRA Analysis: The bill give property tax relief to coastal properties at the expense of other town properties. Part 1, Article 10 of the NH Constitution states: "Government being instituted for the common benefit, protection, and security, of the whole community, and not for the private interest or emolument of any one man, family, or class of men".

HRA Recommendation: Oppose OTP

Pulled from Consent

SB133-FN, relative to security screening at state correctional facilities. **OTP Vote: 21-0**

HRA Analysis: Legislation had previously been passed requiring security screening by full body scanner for anyone entering the secure perimeter of a state correctional facility. Funds had been included in the current budget for 6 full body scanners. This amended bill states that anyone will be subject to one or more security screenings by use of electronic devices, visual searches, pat searches, or search by drug dog. No platform or constitutional issue.

HRA Recommendation: No Recommendation