

# HOUSE REPUBLICAN ALLIANCE RECOMMENDATION SHEET



freedom

“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 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.

Bill Number	Committee	Committee Vote	HRA recommends
HB 110	Environment & Agriculture	OTP/A 11-6	Oppose OTP/A
HB 114	Municipal & County	OTP/A 14-1	No Recommendation
HB 120	Commerce	ITL 11-9	Oppose ITL
HB 151	Election Law	Interim Study 15-2	No Recommendation
HB 169	Labor	ITL 18-1	Support ITL
HB 173	ED&A	OTP/A 10-9	Oppose OTP/A
HB 217	Criminal Justice	ITL 12-6	Support ITL
HB 249	Labor	ITL 11-8	No Recommendation
HB 284	Science & Energy	ITL 17-1	Support ITL
HB 286	Science & Energy	OTP/A 13-5	Oppose OTP/A
HB 292	Resources	OTP/A 13-5	Oppose OTP/A
HB 336	Criminal Justice	ITL 16-0	Support ITL
HB 341	Finance	ITL 17-4	No Recommendation
HB 343	Commerce	OTP/A 14-4	No Recommendation
HB 421	ED&A	OTP/A 11-7	Oppose OTP/A
HB 427	Ways & Means	OTP/A 10-9	Oppose OTP/A
HB 430	Commerce	OTP/A 11-9	Oppose OTP/A
HB 461	HHS	OTP/A 16-1	No Recommendation
HB 473	ED&A	Interim Study 14-5	No Recommendation
HB 474	Education	OTP/A 11-7	Oppose OTP/A
HB 485	Ways & Means	OTP/A 14-5	No Recommendation
HB 493	State Federal Relations	ITL 10-1	No Recommendation
HB 496	Criminal Justice	OTP/A 16-1	Support OTP/A
HB 523	Resources	ITL 15-2	No Recommendation
HB 532	Municipal & County	OTP/A 9-6	Oppose OTP/A
HB 533	Education	OTP/A 15-3	Oppose OTP/A
HB 569	Science & Energy	OTP/A 12-7	No Recommendation
HB 580	Science & Energy	ITL 13-6	No Recommendation
HB 582	Judiciary	OTP/A 10-6	Oppose OTP/A
HB 586	Science & Energy	ITL 15-4	No Recommendation
HB 597	HHS	OTP/A 18-0	No Recommendation
HB 600	Election Law	Interim Study 10-7	Oppose OTP

HB 627	ED&A	ITL 12-7	Oppose ITL
HB 645	Criminal Justice	Interim Study 16-2	No Recommendation
HB 654	Ways & Means	OTP/A 19-0	Support OTP/A
HB 657	Finance	OTP/A 21-0	Support OTP/A
HB 658	ED&A	OTP/A 13-5	Oppose OTP/A
HB 660	Environment & Agriculture	ITL 12-8	Support ITL
HB 663	Resources	Interim Study 10-8	No Recommendation
HB 685	Judiciary	OTP/A 14-2	No Recommendation
SB 15	Public Works	OTP 11-4	No Recommendation
SB 29	Public Works	Interim Study 13-2	No Recommendation
SB 169	Commerce	ITL 12-8	No Recommendation

## WEDNESDAY, JANUARY 22 REGULAR CALENDAR- PART TWO

### EDUCATION

**HB 474**, relative to eligibility for in-state tuition rates at the university of New Hampshire. **MAJ: OTP/A. MIN: ITL. Vote 11-7.**  
**HRA Analysis:** This bill would grant in-state tuition rates to illegal aliens, thereby declaring them to be lawful residents of New Hampshire. The Platform, Part IX, reminds us to “oppose any form of amnesty for illegal aliens”, and this would be amnesty.  
**HRA Recommendation: Oppose OTP/A, support ITL.**

### ENVIRONMENT AND AGRICULTURE

**HB 110**, requiring persons who record cruelty to livestock to report such cruelty. **MAJ: OTP/A. MIN: ITL. Vote 11-6.**  
**HRA Analysis:** This bill, as amended, would require anyone who witnesses such a crime to report it to the police. While cruelty to animals is heinous, neither the Constitution nor the Platform justifies imposing such a new duty on our citizens.  
**HRA Recommendation: Oppose OTP/A, support ITL or tabling.**

**HB 660-FN**, requiring the labeling of genetically engineered foods. **MAJ: ITL. MIN: OTP/A. Vote 12-8.**  
**HRA Analysis:** This bill would require labeling of foods sold in New Hampshire containing, or processed with, genetically engineered products, as defined in the bill. The Platform, Part I, reminds us to “minimize business regulations.”  
**HRA Recommendation: Support ITL.**

### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

**HB 173**, repealing the authority for supplemental allowances in the judicial retirement plan. **MAJ: OTP/A. MIN: ITL. Vote 10-9.**  
**HRA Analysis:** This bill, as amended, would quintuple the amount available used for one time payments. The state pays 75% of a judge's salary into the judicial retirement system now, and any further draining will only make it worse. As the Platform reminds us. “low taxes are the result of low spending.”  
**HRA Recommendation: Oppose OTP/A.**

**HB 473-FN**, retirement system status of the university system police force. **MAJ: INTERIM STUDY. MIN: ITL. Vote 14-5.**  
**HRA Analysis:** This bill would put the university police into the state retirement system as Group II (police/fire). One the one hand, more funds would flow into the system; on the other hand, more pensions would be due eventually and the university would have to spend more. In addition, the police must stay in Social Security, and Group II is designed for jobs that aren't in SS.  
**HRA Recommendation: No Recommendation.**

**HB 627-FN**, considering accumulated leave as service time in calculating retirement benefits. **MAJ: ITL. MIN: OTP. Vote 12-7.**  
**HRA Analysis:** This bill would ensure that pensions are set by base salaries only, bringing the system marginally closer to the Constitutional mandate: “no pension shall be granted, but in consideration of actual services.” (Part I, Article 36)  
**HRA Recommendation: Oppose ITL.**

### HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS

**HB 461-FN**, relative to long-term care services. **OTP/A. Vote 16-1.**  
**HRA Analysis:** This bill, as amended, raises the basic income level allowed to recipients of Medicaid long term care to the general Medicaid income level and requires HHS to confirm medical eligibility within 45 days of becoming financially eligible. No problem

with the second part, and it's not clear how many more people will become eligible for Medicaid by the first change, since the cost of a nursing home (\$35K and up/year) swallows what income most medically eligible people receive. If there is any increased Medicaid spending, the most likely effect is to have split Federal/state funding replace county funding, not a decrease in personal spending.

**HRA Recommendation: No Recommendation.**

**HB 597-FN**, relative to mandatory drug testing for certain health care workers. **OTP/A. Vote 18-0.**

**HRA Analysis:** This bill, as amended, requires licensed health care facilities to establish a drug free workplace policy and outlines the elements needed to maintain licensure. One would hope that hospitals and other facilities would have such a policy already, but the recent problems at Exeter Hospital revealed that they didn't. While the Platform warns against over-regulation, the health care field is so regulated already that requiring a policy most people would assume to be necessary is a negligible mandate.

**HRA Recommendation: No Recommendation.**

## JUDICIARY

**HB 582**, repealing early offers for medical injury claims. **MAJ: OTP/A. MIN: ITL. Vote 10-6.**

**HRA Analysis:** This bill, as amended, significantly changes the early offer program passed in 2012, which has not yet been used. While the HRA took no position on the early offer program itself, making this sort of change before we can find out how it works just wastes everyone's time and energy.

**HRA Recommendation: Support OTP/A**

## LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

**HB 249-FN**, requiring employers to verify an employee's eligibility to work in the USA. **MAJ: ITL. MIN: OTP/A. Vote 11-8.**

**HRA Analysis:** This bill, with the minority amendment, only applies to state departments, and requires them to participate in E-Verify or an equivalent status verification system, so as to verify the work eligibility status of all new employees. The Platform, Part IX, calls for enforcing immigration laws; however, Part II requires us to protect the privacy of individuals against government snooping, and the multiple databases interfacing through E-verify threaten our privacy.

**HRA Recommendation: Vote your conscience.**

## SCIENCE, TECHNOLOGY AND ENERGY

**HB 569**, relative to the placement of all new electric transmission lines in New Hampshire. **MAJ: OTP/A . MIN: ITL. Vote 12-7.**

**HRA Analysis:** This bill, as amended, adds new criteria for approving power transmission lines. On one hand, proponents claim that the view of power transmission lines impairs the value of other properties, forbidden by the Constitution, Part 1, Art. 12-a; on the other hand, it dictates a one size fits all strategy for power lines, and requires that individuals or companies erecting transmission lines on their own land incur costs to meet someone else's preferences, which impairs *their* property rights. In any event, the committee amendment improves the bill by making it advisory rather than mandatory.

**HRA Recommendation: Support the committee amendment, support a motion to table, no recommendation on the bill.**

**HB 580**, establishing moratoriums on wind turbine plants and electric transmission line projects. **MAJ: ITL. MIN: OTP. Vote 13-6.**

**HRA Analysis:** This bill prohibits the Site Evaluation Committee from approving any wind turbine plants or transmission lines until the comprehensive state energy plan is complete. On one hand, it diminishes the property rights of landowners to put up turbines or transmission lines; on the other, it asserts local control (typically neglected by the current process) and legislative oversight by creating incentives for the energy plan to be completed.

**HRA Recommendation: No Recommendation.**

## WAY AND MEANS

**HB 427**, relative to tobacco tax laws. **MAJ: OTP/A . MIN: ITL. Vote 10-9.**

**HRA Analysis:** This bill, as amended, clarifies tobacco tax laws. One "clarification" is to define premium cigars (which are exempt from taxes) such that some will be taxed, violating the constitutional requirement for proportional taxes. (Part 2, Art 5)

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

**HB 485-FN-A**, establishing keno. **MAJ: OTP/A . MIN: ITL. Vote 14-5.**

**HRA Analysis:** This bill, as amended, allows any licensed establishment to offer keno, an electronic lottery. On the one hand, the Platform warns against gambling; on the other, this will help our businesses flourish.

**HRA Recommendation: No Recommendation.**

**HB 654-FN**, relative to licensure and renewal fees. **OTP/A . Vote 19-0.**

**HRA Analysis:** This bill, as amended, sets license fees for a group of small boards in statute, with the legislature responsible for making sure that they equal the estimated cost of running the boards. The new fees are nearly all decreases, some significant (from \$450 to \$110) or small increases (from \$50 to \$55). Eliminating the rulemaking to set fees and physically consolidating the staff is expected to decrease costs without affecting performance. The Platform, Part I, urges us to "keep state government lean."

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

## REGULAR CALENDAR- PART THREE

### COMMERCE AND CONSUMER AFFAIRS

**HB 120**, relative to hours of sales by off-premises liquor licensees. **MAJ: ITL. MIN: OTP/A. Vote 11-9.**

**HRA Analysis:** This bill would allow towns to vote to extend hours for retail sales of wine and beer. In a small way, it decreases business regulations, as urged by the Platform, Part I.

**HRA Recommendation: Oppose ITL.**

**HB 343**, relative to laws regarding pawnbrokers. **OTP/A. Vote 14-4.**

**HRA Analysis:** This bill, as amended, would create a study commission. No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

**HB 430**, requiring insurance companies sending out solicitations to include a license number. **MAJ: OTP/A. MIN: ITL. Vote 11-9.**

**HRA Analysis:** This bill, as amended, would add a tiny requirement to insurance solicitations, that would have the effect of varying from the national standards of most insurance regulations and therefore make New Hampshire a less desirable place to sell insurance. In addition, it maintains an incredibly patronizing attitude towards New Hampshire's seniors, that they are incapable of recognizing a marketing piece when they get one. The Platform, Part I, reminds us to "minimize business regulations."

**HRA Recommendation: Oppose OTP/A, support ITL.**

**SB 169**, relative to non-covered services under dental insurance plans. **MAJ:ITL. MIN: OTP/A. Vote 12-8.**

**HRA Analysis:** This bill would allow dental insurance companies to mandate prices, at contracting dentists' offices only, for some procedures that are not covered by the insurance. No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

### CRIMINAL JUSTICE AND PUBLIC SAFETY

**HB 217**, imposing an extended term of imprisonment for assault against a health care provider. **ITL. Vote 12-6.**

**HRA Analysis:** The Constitution, Part 1, Art. 18. "All penalties ought to be proportioned to the nature of the offense." and this bill makes some cases of assault eligible for more severe penalties than other assaults.

**HRA Recommendation: Support ITL**

**HB 336-FN**, prohibiting the retail sale of certain fireworks devices. **ITL. Vote 16-0.**

**HRA Analysis:** This bill would ban certain fireworks and criminalize not providing the official fireworks safety brochure. The Platform reiterates that "We believe in free people, free markets and free enterprise." Let's trust our free people to enjoy fireworks and not hamper our businesses.

**HRA Recommendation: Support ITL**

**HB 496-FN**, relative to driving privileges for certain first-time DWI offenders. **OTP/A. Vote 16-1.**

**HRA Analysis:** This bill would allow some DWI offenders to have a limited driver's license allowing them to go to work, and a few other approved locations, with an ignition interlock device. For many people, losing their license means losing their job, so making the punishment proportional to the offense should allow them to petition the court for this option. The "enhanced technology" ignition interlock devices required by the bill have serious privacy issues, particularly for other, innocent people who may well drive the car; please support the Warden floor amendment which deletes the words "advanced technology."

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

**HB 645-FN**, relative to an extended term of imprisonment for persons with 2 prior convictions. **INTERIM STUDY. Vote 16-2.**

**HRA Analysis:** This bill would clarify the requirements for an extended sentence. No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

### EDUCATION

**HB 533**, relative to the mathematics requirement for high school graduation. **MAJ: OTP/A. MIN: ITL. Vote 15-3.**

**HRA Analysis:** This bill, as amended, changes the math requirement from three years to four, one of which may be "embedded." Some local schools may not have qualified teachers or these courses available, so it's a violation of Part 1, 28-a of the Constitution.

**HRA Recommendation: Oppose OTP/A, support ITL.**

### ELECTION LAW

**HB 151**, relative to duties of inspectors of election. **INTERIM STUDY. Vote 15-2.**

**HRA Analysis:** This bill would coordinate the statutory references to these duties. No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

**HB 600-FN**, relative to voter registration. **INTERIM STUDY. Vote 10-7.**

**HRA Analysis:** This bill would clarify statutory references to domicile and residency, and modify the affidavit forms. The Platform, part VI, requires we “ensure voting is done by New Hampshire resident citizens only”, and this bill, as written, would water down some safeguards currently in place.

**HRA Recommendation: Support Interim Study or ITL, oppose OTP.**

## **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 421**, regulation of real estate brokerage and sales by the real estate commission. **MAJ: OTP/A. MIN: ITL. Vote 11-7.**

**HRA Analysis:** This bill, as amended, increases the authority of the commission over unlicensed real estate sellers, and also increases the continuing education requirement by 33%. The Platform, Part I, urges us to “minimize business regulations, permits, licenses, and paperwork.” The Warden floor amendment addresses the CEU issue, and should be supported.

**HRA Recommendation: Oppose OTP/A, support ITL.**

**HB 658-FN**, relative to registration for medical technicians. **MAJ: OTP/A. MIN: ITL. Vote 13-5.**

**HRA Analysis:** This bill, as amended, requires registration for all unlicensed/unregistered workers in health care settings “with access to drugs and to patients.” This is a very broad brush approach to preventing drug diversion in hospitals, and has little likelihood of success. The Platform, Part I, urges us to “minimize business regulations, permits, licenses, and paperwork.”

**HRA Recommendation: Oppose OTP/A, support ITL.**

## **FINANCE**

**HB 341-FN**, relative to costs of fiscal analysis of legislation affecting the retirement system. **MAJ: ITL. MIN: OTP/A. Vote 17-4.**

**HRA Analysis:** When financial legislation is proposed, affected departments provide analysis and data to the Legislative Budget Assistant so that fiscal notes can be prepared. These costs are absorbed into the departments' budgets. This bill excepts the retirement system, since Part I, article 36-A of the NH Constitution: “All of the assets ... of the New Hampshire retirement system ... 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.” On the other hand, the retirement system has a fiduciary duty to perform these analyses, as part of their cost projection to set contribution rates, and protecting the system assets from well intentioned but actuarially unsound legislation is a valid purpose of the fund.

**HRA Recommendation: Vote your conscience.**

**HB 657-FN**, requiring state agencies to submit efficiency expenditure requests as part of the budget process. **OTP/A. Vote 21-0.**

**HRA Analysis:** This bill reforms the executive branch's phase of the budget process. Currently departments spend a considerable effort to create several budgets with different targets. This bill allows the Governor to set budget targets for each department, and then the departments create one budget to meet those targets. The platform says that we must “justify expenditures against measurable benefits.” As most of the current budget work product is not used by the legislature to create the final budget, the process needs to be streamlined, and HB 657 is a step in the right direction.

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

## **JUDICIARY**

**HB 685**, relative to state agency communications under the right-to-know law. **MAJ: OTP/A. MIN:ITL. Vote 14-2.**

**HRA Analysis:** This bill, as amended, would clarify the authority of the Legislative Budget Assistant to review confidential and privileged information as part of its audit duties, and create a commission to study the right to know law. No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

## **LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES**

**HB 169**, establishing an employers' private right of action to enforce workers' comp. **MAJ: ITL. MIN:OTP. Vote 18-1.**

**HRA Analysis:**This bill allows a third party to file suit against an employer who allegedly has not paid their workers' compensation premiums. This is the job of the Department of Labor. The Platform, Part I, calls for initiatives to “foster an attitude of assistance and cooperation with business.” Giving to third party entities the power of the state and allowing them to sue other businesses is very much contrary to our platform.

**HRA Recommendation: Support ITL.**

## **MUNICIPAL AND COUNTY GOVERNMENT**

**HB 114**, relative to abutter access over subdivided land. **OTP/A. Vote 14-1.**

**HRA Analysis:** This bill, as amended, would require deeded access across a new subdivision for parcels that have no legal access except through the subdivision, if the planning board requires it. The Platform, Part VIII, requires us to “recognize that private property owners ... have a fundamental right to freely use and enjoy their property,” and this act balances the rights of the developer and the landlocked parcel owner. If it is the **right** balance is a matter of conscience.

**HRA Recommendation: Vote your conscience.**

**HB 532**, relative to energy efficiency and clean energy districts. **MAJ:OTP/A. MIN: ITL. Vote 9-6.**

**HRA Analysis:** This bill, as amended, would allow towns or village districts to create special districts and borrow money to fund energy efficiency improvements in private property – primarily commercial property - in these areas. The Platform, Part II, urges us to “privatize programs and functions that can be handled more effectively by the private sector” and New Hampshire has a vibrant financial services sector that loans money to businesses for such activities.

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

## **PUBLIC WORKS AND HIGHWAYS**

**SB 15**, naming a portion of route 101 after the 101st Airborne Division Screaming Eagles. **OTP. Vote 11-4.**

**HRA Analysis:** No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

**SB 29**, relative to the motorist service signing program. **INTERIM STUDY. Vote 13-2.**

**HRA Analysis:** No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

## **RESOURCES, RECREATION AND DEVELOPMENT**

**HB 292-FN-A**, requiring milfoil decals on private vessels on the inland waters of NH. **MAJ: OTP/A. MIN: ITL. Vote 13-5.**

**HRA Analysis:** The bill as submitted would have required non-New Hampshire registered boats that use our lakes and waterways to contribute, as New Hampshire registered boats do, to the efforts at eradicating milfoil and other invasive species. The committee amendment completely changed the bill into a 27% fee increase, on NH boaters only, in the portion of the registration fee allocated for weed control. The Platform, Part II, speaks of reducing the cost of government. This increase runs counter to that tenet.

**Recommendation: Oppose OTP/A and Support ITL**

**HB 523-FN**, relative to voluntary certification for road salt applicators. **ITL. Vote 15-2.**

**HRA Analysis:** The content of this bill was incorporated into HB2 and passed last year.

**HRA Recommendation: No Recommendation.**

**HB 663-FN**, relative to appeals within the department of environmental services. **INTERIM STUDY. Vote 10-8.**

**HRA Analysis:** No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

## **SCIENCE, TECHNOLOGY AND ENERGY**

**HB 284-FN**, providing for collection of the E-911 surcharge from certain prepaid cellular telephones. **ITL. Vote 17-1.**

**HRA Analysis:** This bill would collect this tax on prepaid cell phones, somehow. The Platform always reminds us to oppose new taxes and fees, especially ones that are difficult or expensive to collect.

**HRA Recommendation: Support ITL.**

**HB 286**, relative to broadband infrastructure. **OTP/A. Vote 13-5.**

**HRA Analysis:** This bill, as amended, allows towns to issue bonds to build broadband infrastructure. The Platform, Part II, urges us to “privatize programs and functions that can be handled more effectively by the private sector.”

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

**HB 586**, establishing a one-year moratorium on applications for certificates for electric transmission facilities. **ITL. Vote 15-4.**

**HRA Analysis:** No Platform or Constitutional issues identified.

**HRA Recommendation: No Recommendation.**

## **STATE FEDERAL RELATIONS AND VETERANS AFFAIRS**

**HB 493-FN**, relative to emergency compacts. **MAJ: ITL. MIN: OTP. Vote 10-1.**

**HRA Analysis:** This bill would withdraw New Hampshire from the Northeastern American/Canadian Emergency Management Assistance Compact. It is worthy of note that this international/interstate/interprovincial agreement has actually been ratified by the Federal Senate, as required by the constitution, and all actions are voluntary. How that balances the constitutional arguments raised by the minority of the committee is for each member to decide.

**HRA Recommendation: Vote your conscience.**