

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, MARCH 17 SPECIAL ORDER WAYS AND MEANS

HB 1661-FN-A, making distributions from limited liability companies, partnerships, and associations subject to the interest and dividends tax only if they have transferable shares. **MAJORITY: INTERIM STUDY. MINORITY: OTP. Vote 11-7.**

HRA Analysis: This bill presents the opportunity to blunt some of the current majority’s attacks on the New Hampshire Advantage and, specifically, New Hampshire’s small businesses. The 50+ new and increased taxes and fees this majority has imposed on our state have violated our party’s goal of avoiding high taxes and excessive spending, which we know are disincentive for economic growth. [Platform, Art. VII.]

HRA Recommendation: Oppose Interim Study; Support OTP.

LOCAL AND REGULATED REVENUES

HB 1147, excluding value attributed to unexercised approvals in determining the market value of land for property tax purposes.

MAJORITY: ITL. MINORITY: OTP. Vote 14-3.

HRA Analysis: The Platform Section VII, states seeks to avoid property assessments based on subjective factors; however, this bill would reduce local control.

HRA Recommendation: No recommendation.

MUNICIPAL AND COUNTY GOVERNMENT

HB 1126, relative to the Hooksett police commission. **MAJORITY: ITL. MINORITY: OTP. Vote 11-6.**

HRA Analysis: Republicans believe in local control. Government is best when it operates at a local level where individual voters can more easily control it. Hooksett voters, and not the State, should decide the ideal size of the Hooksett police commission.

HRA Recommendation: Support OTP

HB 1461, relative to the municipal regulation of the sale of martial arts weapons. **OTP/A. Vote 17-0.**

HRA Analysis: Our party recognizes that freedom and the resulting prosperity are founded on avoiding “over-regulation of business, particularly small business.” [Platform, Art. VI.] We also know that “self-control and personal responsibility [are] the primary means to reduce crime. [Platform, Art. IX]. Laws exists that control the sale of weapons to children. We do not need individual municipalities enacting a patchwork system of laws to protect children from making these purchases.

HRA Recommendation: Support Rep. Cunningham Amendment; Oppose OTP/A.

HB 1485, granting zoning and planning powers to Hampton Beach village district. **MAJORITY: ITL. MINORITY: OTP. Vote 14-4.**

HRA Analysis: Long ago zoning regulations departed from their original purposes of separating noxious uses of land from other uses. Rather, they have come to be a means to over-regulated and unnecessarily restrict land development and business competition. They are anti-liberty. Government should regulate only to increase competition and not to limit it. Granting subsets of municipalities this regulatory authority would be leading us in the wrong direction.

HRA Recommendation: Support ITL.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 1343, establishing a joint committee on the constitutionality of acts, orders, laws, statutes, regulations, and rules of the government of the United States of America in order to protect state sovereignty. **MAJORITY: ITL. MINORITY: OTP. Vote 10-7.**

HRA Analysis: Republicans recognize and strongly support our federal system. We know that our central government however is not a national government, but rather a federal government vested only with limited powers and denied any implied powers. The powers not delegated “by the [federal] Constitution, nor prohibited to it by the States, are reserved to the States respectively, or to the people.” [Platform, Art. V, quoting the Tenth Amendment to federal constitution.] The current politics of the majority party have departed from this basic understanding. We should study how far we have departed from this American ideal and what it takes to come back.

HRA Recommendation: Oppose ITL; Support OTP.

TRANSPORTATION

HB 1620-FN-A, establishing state park number plates. **MAJORITY: ITL. MINORITY: OTP. Vote 10-4.**

HRA Analysis: This bill would allow voluntary contributions to support our park system. Republicans are the original conservationists. We should support voluntary efforts to maintain our state parks.

HRA Recommendation: Oppose ITL; Support OTP.

CHILDREN AND FAMILY LAW

HB 1216, relative to the amount of the self-support reserve in child support cases. **MAJORITY: ITL. MINORITY: OTP. Vote 9-7.**

HRA Analysis: This bill promotes equity in the divorce courts by ensuring that the obligor (the person paying child support) has enough money to support himself or herself. The amount is increased from a federal guideline (poverty) to an amount specific to New Hampshire (115% of Federal poverty guideline) based upon a study commissioned by the State.

HRA Recommendation: Oppose ITL, Support OTP.

COMMERCE AND CONSUMER AFFAIRS

HB 1234, relative to disclosure of property rights and responsibilities in the sale of shorefront property. **INTERIM STUDY. Vote 13-3.**

HRA Analysis: The Platform, Section X, states we “Affirm that private property rights are fundamental”, but the Shoreline Protection requirements affect what one can do with one's property if it happens to have water frontage. Letting property buyers know what they are getting in for before buying seems appropriate.

HRA Recommendation: Support Interim Study.

HB 1252, relative to the duration of medical payments coverage under motor vehicle liability policies. **MAJORITY: OTP.**

MINORITY: ITL. Vote 9-7.

HRA Analysis: Yet another insurance mandate, opposed by the Platform Section VI.

HRA Recommendation: Oppose OTP/A, support ITL.

EDUCATION

HB 1580, relative to home schooling. **MAJORITY: ITL. MINORITY: OTP. Vote 12-7.**

HRA Analysis: It is the fundamental right of parents to determine and direct the education of their children. This bill enables home educators to educate their children without adversarial government regulation. Passage of this bill will allow home educators to focus their energy on their children's education rather than fighting continual legislative assaults on home schooling.

HRA Recommendation: Oppose ITL, SUPPORT OTP.

WEDNESDAY, MARCH 17

REGULAR CALENDAR

CHILDREN AND FAMILY LAW

HB 1420, relative to the calculation of child support. **OTP/A. Vote 15-0.**

HRA Analysis: New Hampshire Republicans strongly support legislation that strengthens families, which includes not just enabling parents to raise their children without undue governmental oversight and restrictions, but requiring them to meet their obligations to their children. HB 1420 reflects an attempt to ensure those obligations are met.

HRA Recommendation: Support OTP/A.

HB 1510, relative to grounds for divorce for persons with minor children. **MAJORITY: ITL. MINORITY: REFER FOR INTERIM STUDY. Vote 15-3.**

HRA Analysis: With freedom comes a responsibility. With the freedom to marry comes the responsibility to the children resulting from that marriage. Republicans “*place our highest priority on promoting and preserving the family as the most important institution of human development . . .*” [Platform, Art. VIII.] In this age of self-actualization and self-promotion seemingly trumping all other considerations, we have gone quite far in permitting divorce without cause or consideration of others. Minor children, however, are always harmed by the divorce of their parents. We, as Republicans, if we truly care about promoting families as the foundation of our society and don’t want to limit ourselves to merely mouthing platitudes about promoting and preserving families, should recognize that divorces are a physical, emotional and social disaster for the young children of divorcing parents. We should require that adults fulfill their family responsibility by foregoing “no-fault” divorces while they have minor children.

HRA Recommendation: Oppose ITL; Support OTP.

COMMERCE AND CONSUMER AFFAIRS

HB 1248, prohibiting the state from doing business with any banking institution that requires fingerprints or bodily fluids from any person in order to complete a banking transaction. **MAJORITY: ITL. MINORITY: OTP/A. Vote 11-6**

HRA Analysis: The Platform, Section VI opposes over-regulation of businesses, and this bill interferes with banks' anti-fraud procedures.

HRA Recommendation: Support ITL

HB 1253, removing the exemption to the consumer protection act for insurance trade and commerce. **ITL. Vote 10-3.**

HRA Analysis: The Platform, Section VI, opposes over-regulation of businesses, and this bill would subject insurance companies to two sets of regulations.

HRA Recommendation: Support ITL.

HB 1366, making certain technical corrections in the insurance laws. **OTP. Vote 17-0.**

HRA Analysis: No Platform or Constitutional issues.

HRA Recommendation: No recommendation.

HB 1409, banning biometrics for state or privately issued identification cards and as a condition of doing business. **ITL. Vote 11-6.**

HRA Analysis: The Platform Section V, states that “*New Hampshire's government and its elected officials must, above all else, preserve and protect individual liberty.*”, and this bill would ensure that the state or businesses would not infringe on it's citizen's privacy. On the other hand, not even the proponents could figure out a way to make this ban feasible even for the state.

HRA Recommendation: Support ITL.

HB 1429, establishing a committee to study the inclusion of universal design requirements in the state building code. **OTP/A. Vote 9-8.**

HRA Analysis: The Platform, Section V, states that “*New Hampshire's government and its elected officials must, above all else, preserve and protect individual liberty.*” The building code is bad enough, but it does ensure structural integrity and functionality of our houses. The committee this bill would establish is looking at design features that should be a matter of individual choice.

HRA Recommendation: Oppose OTP/A, Support ITL.

HB 1475, relative to indoor smoking. **MAJORITY: ITL. MINORITY: OTP/A. Vote 12-7.**

HRA Analysis: The Platform, Section VI, opposes over-regulation of businesses, and supports personal freedom. “15 – 20% of the workers in New Hampshire are exposed to second-hand smoke in the workplace” probably correlates very well with the 18% or so of adults who smoke!

HRA Recommendation: Support ITL.

HB 1545-FN, relative to group size for premiums charged by health insurance carriers when issuing small employer health coverage. **ITL. Vote 11-4.**

HRA Analysis: Yet another insurance mandate, opposed by the Platform Section VI.

HRA Recommendation: Support ITL.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1433, relative to lawful commerce in firearms, including manufacture and sale, in New Hampshire.

ITL. Vote 16-4.

HRA Analysis: The regulation of intrastate commerce is vested in the states under the 9th and 10th amendments to the United States constitution. This is a State Rights issue.

HRA Recommendation: Oppose ITL, Support OTP

HB 1635-FN, prohibiting the open carrying of a firearm in a public building. **ITL. Vote 13-2.**

HRA Analysis: This bill violates the Second Amendment to the United States constitution reserving to the people the right to keep and bear arms, as well as Article 2a of the New Hampshire Bill of Rights.

HRA Recommendation: Support ITL; Oppose Non-germane Amendment if ITL fails; Support motions to avoid OTP

HB 1667-FN, relative to possession of controlled substances obtained by valid prescription. **OTP. Vote 14-3.**

HRA Analysis: This legislation would repeal a law that is an unenforceable and misguided attempt to control personal behavior by requiring prescription drugs be kept in their original containers.

HRA Recommendation: Support OTP.

EDUCATION

HB 1453, relative to notice to legal guardians of students. **MAJORITY: ITL. MINORITY: OTP. Vote 15-5.**

HRA Analysis: This bill requires school districts to give five days notice to legal guardians of students before addressing the sensitive subjects of health and sex education, sexual orientation, gender identity and political activism. It would disallow such activities without such notice. It supports parents as being the final decision makers as to their children's education.

HRA Recommendation: Oppose ITL, then Support OTP.

HB 1479-FN, requiring that body mass index be assessed in all pupils in grades one, 4, 7 and

10. **MAJORITY: ITL. MINORITY: OTP/A. Vote 16-4.**

HRA Analysis: Just one more "It takes a village to raise a child" attempt of the state to abridge the parental rights of parents to raise their children as they see fit.

HRA Recommendation: Support ITL.

ELECTION LAW

HB 1360, permitting persons 17 years of age to register to vote. **MAJORITY: ITL. MINORITY: OTP. Vote 13-4.**

HRA Analysis: Currently, 17 year olds can register to vote if they will be turning 18 by the date of the next election. To allow 17 year olds, who cannot vote to register in the next election serves no purpose.

HRA Recommendation: Support ITL.

ENVIRONMENT AND AGRICULTURE

HB 1206, adopting apple cider as the New Hampshire state beverage. **WITHOUT RECOMMENDATION.**

HRA Analysis: No Platform or Constitutional issues.

HRA Recommendation: No Recommendation

JUDICIARY

HB 1290, relative to unincorporated religious societies. **MAJORITY: ITL. MINORITY: OTP. Vote 11-8.**

HRA Analysis: This would bring unincorporated churches into compliance with the law. These small churches currently can only bring in \$5,000.00 per year this raises that to \$500,000.00. A church that was over that threshold would incorporate or, in today's legal environment, register as a non-profit. Small churches should be able to avoid governmental oversight and control. The constitution says that government will not interfere with the free exercise of religion. The way our law is now does. This would correct that.

HRA Recommendation: Oppose ITL and Support OTP.

HB 1356, relative to certain nonprofit corporations subject to the right-to-know law. **MAJORITY: OTP/A. MINORITY: ITL. Vote 10-8.**

HRA Analysis: This bill, as amended, would define a nonprofit corporation as a public agency subject to the right-to-know law if it receives more than 50% of its funding from state or local government and its annual total revenue is over \$100,000. As a public

agency it would be subject to the RSA 91-A open records requirements but not the open meetings requirement. Many of the nonprofits are in reality government agencies and should be accountable to the public as to what they are doing with government funds. Section II of the Platform call for government that is “fully accountable.”

HRA Recommendation: Support OTP/A.

HB 1362, extending the right-to-know oversight commission. **ITL. Vote 13-4.**

HRA Analysis: This bill indefinitely extends the commission established in 2005 which is due to expire in November. This commission has accomplished its mission and to extend it adds unnecessary expense to the State.

HRA Recommendation: Support ITL.

HB 1413, relative to the deposit of weekly rental payments by a tenant during an eviction proceeding. **MAJORITY: REFER FOR INTERIM STUDY. MINORITY: OTP. Vote 11-8.**

HRA Analysis: This bill is a common sense measure that calls for rental payment to be deposited with the court in the case of a contested eviction. In Section X of the Platform it says that, “*the first priority of our judiciary is to serve the people’s needs by expediting justice and ensuring fairness.*” It is only fair that landlords receive rent for the time that a tenant occupies an apartment.

HRA Recommendation: Oppose Refer for Interim Study and Support OTP.

HB 1423, requiring a performance audit of the judicial branch family division. **MAJORITY: ITL. MINORITY: OTP. Vote 10-8.**

HRA Analysis: This bill would audit the judicial branch family division. Section II of the Platform call for government that is “fully accountable.” This makes the family division accountable.

HRA Recommendation: Oppose ITL and Support OTP.

HB 1691, relative to the treatment of cable television as a protected utility service. **MAJORITY: ITL. MINORITY: OTP. Vote 11-8**

HRA Analysis: This bill removes cable television from the list of utilities that is protected from being shut off during an eviction. Cable television is not a necessity for life and should not be exempt. It is not reasonable or fair for a landlord who may be receiving no rent be required to pay for a tenants cable TV. In Section X of the Platform it says that, “*the first priority of our judiciary is to serve the people’s needs by expediting justice and ensuring fairness.*”

HRA Recommendation: Oppose ITL and Support OTP.

LOCAL AND REGULATED REVENUES

HB 1297-FN, requiring the racing and charitable gaming commission to establish fees for licensees conducting live racing to generate revenue that approximates the direct costs of administration. **MAJORITY: ITL. MINORITY: OTP. Vote 17-1.**

HRA Analysis: This bill raises a fee, but only to the extent necessary for the regulated business to pay for a service provided to it by the State.

HRA Recommendation: Support OTP.

HB 1335, establishing a local option for lowering the interest rate on late and delinquent property tax payments and subsequent payments. **MAJORITY: OTP/A. MINORITY: ITL. Vote 9-8**

HRA Analysis: This bill would give local control to communities to lower the late payment interest rate on delinquent tax bills. Republicans are for “[m]aintaining a locally controlled tax system.” [Platform, Art. VII.] This bill supports that principle.

HRA Recommendation: Support OTP/A.

HB 1354, relative to dog racing. **ITL. Vote 14-3.**

HRA Analysis: This bill would end dog racing in the state. It goes against the party platform by prohibiting a legitimate business in the state.

HRA Recommendation: Support ITL.

MUNICIPAL AND COUNTY GOVERNMENT

HB 1554, allowing municipalities to establish energy efficiency and clean energy districts. **MAJORITY: OTP/A. MINORITY: REFER FOR INTERIM STUDY. Vote 11-6.**

HRA Analysis: This bill would establish new taxing entities at a local level in order to promote social engineering goals. It would increase local taxes. New Hampshire Republicans stand in opposition to new taxes.

HRA Recommendation: Oppose OTP/A. Support Interim Study or, better yet, ITL.

SCIENCE, TECHNOLOGY AND ENERGY

HB 1242, relative to broadband infrastructure. **REFER FOR INTERIM STUDY. Vote 14-1.**

HRA Analysis: This bill would lead to increase in the extent and expense of government in order to achieve a government-funded and a government-directed solution to a problem that can be addressed through free market initiatives. Republicans recognize the need for a smaller government and not a government that is being inexorably expanded by taxes. We should seek regulations that promote competition, rather than substituting government initiatives for competition.

HRA Recommendation: Support Interim Study or, better yet, ITL.

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 21, urging all members of Congress who vote in favor of a government run health insurance option to enroll in that option and forgo their right to participate in the Federal Employees Health Benefits Program. **MAJORITY: ITL. MINORITY: OTP. Vote 11-6.**

HRA Analysis: NH Republicans “[p]romot[e] a limited government that is open, responsive and fully accountable to and in touch with its citizens....” [Platform, Art. II.] Congressional representation can hardly meet that ideal when our representatives decline to live under the laws they enact. HCR 21 would tell them to do join the people in assuming the burdens that will come with the federalization of personal health care financing.

HRA Recommendation: Oppose ITL; Support OTP.

HCR 28, rescinding all requests by the New Hampshire legislature for a federal constitutional convention and urging other states to withdraw similar requests. **MAJORITY: OTP/A. MINORITY: ITL. Vote 11-4.**

HRA Analysis: The NH Republican platform recognizes the benefits of a federal system and that our central government has been unlawfully extending its reach beyond its limited powers. Inviting a national constitutional convention will only serve to further erode the protections of a federal system.

HRA Recommendation: Support OTP/A.

HCR 29, requiring the Congress of the United States of America to reaffirm its adherence to the Constitution of the United States regarding international agreements and treaties. **OTP/A. Vote 17-0.**

HRA Analysis: Just as New Hampshire is a sovereign state, so to is the United States a sovereign country. The internationalists of the left have forgotten these principles and need to be reminded.

HRA Recommendation: Oppose Committee Amendment; Support Representative Vita’s Amendment; Support OTP/A.

TRANSPORTATION

HB 1561-FN, relative to off highway recreational vehicle registrations. **OTP. Vote 14-0.**

HRA Analysis: NH Republicans promote a government that is responsive to its people. Allowing longer lasting RV registrations will promote this responsiveness.

HRA Recommendation: Support OTP.

WAYS AND MEANS

HB 1291-FN, relative to the fuel oil importation fee. **MAJORITY: OTP/A. MINORITY: OTP. Vote 15-2.**

HRA Analysis: Yet another fee increase. This bill extends a “temporary” fee increase indefinitely. The committee amendment keeps the increase temporary, and requires the fund to report its progress in following the law to the Ways & Means Committee. The Platform, Section IV, emphasizes that low taxes are a result of low spending.

HRA Recommendation: Support Committee Amendment; Oppose OTP; OTP/A.

“Liberty means responsibility. That is why most men dread it.”

- George Bernard Shaw