

# House Republican Alliance Recommendation Sheet

For March 30, 2005 House Session

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.



## MARCH 30, 2005 REGULAR CALENDAR

### Notice of Reconsideration

**HB323FN** Relative to excluding social security numbers and other information from documents filed with registry of deeds. Pending motion ITL. **The house has demonstrated its position on this issue and the vote has been taken. Identity theft and individual privacy are huge issues that are scheduled to be addressed by more comprehensive legislation.**  
**Recommendation Oppose Motion to Reconsider.**

### LAID ON TABLE

**HB219** Relative to permitting audio and video recording on school buses.  
**House bill 219 was tabled after much debate. To protect the right to privacy, it is vital that this bill remain on the table. We urge that those who wish to kill the bill vote with us to keep the bill on the table. By giving the bill a slow death, it sends a much stronger message that the New Hampshire Legislature protects the right to personal conversations and privacy and places them in the highest regard.**

### CRIMINAL JUSTICE AND PUBLIC SAFETY

**HB 209-FN**, relative to unborn victims of violence. Committee Recommendation ITL Vote 12-3.  
**This bill recognizes the right to choose, for those women who choose life. It would provide a remedy in law for those women, for losses of unborn children, in violent circumstances where no such remedy currently exists. The party platform states, "Believing the unborn child has a fundamental right to life which cannot be infringed upon; supporting a human life amendment to the Constitution and endorsing legislation to make clear that the Fourteenth Amendment's protections apply to unborn children."**  
**Recommendation Oppose ITL and then Support OTP**

### EDUCATION

**HB 616-FN-LOCAL**, revising the calculation and distribution of adequate education grants. Committee recommendation OTP W/ Amendment **Vote 16-4.**

**This bill has many challenges.**

- 1.The amendment to HB616, changed the bill so drastically that there should have been a real public hearing on it.**
- 2.The bill continues the current practice of the tax dollar shell game.**
- 3.There is no accountability in how the money will be spent.**
- 4. The amendment takes money away from schools with good performance and gives more money to schools with poor performance. This is contradictory to NO Child Left Behind and current state law.**
- 5. This amendment has several gaps in the funding, including one for \$90 million dollars. Pressure for a new broad-based tax.**

**Government is supposed to be slow and deliberate. HB616 is fast and furious. This bill, as amended has too many issues to support.**

**Recommendation Oppose OTP/Amendment then Support ITL**

### HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

**HB 691-FN-L**, relative to the medicaid program. Committee recommendation OTP W/Amendment. **Vote 16-3.**

**This bill, as amended brings personal responsibility, while avoiding harmful retroactive law to those who have already set up trusts.**  
**Recommendation- OTP w/amendment**

## PUBLIC WORKS AND HIGHWAYS

HB 25-FN-A, Committee recommendation OTP W/ Amendment Vote 17-0.

No Recommendation

## REGULAR CALENDAR – PART II

### CHILDREN AND FAMILY LAW

HB 397, & HB 567, Committee recommendation OTP Vote 11-4.

No Recommendation

### COMMERCE

HB 177, Committee recommendation OTP W/Amendment Vote 18-2.

No Recommendation

HB 611-FN, relative to small group insurers. Committee recommendation OTP W/Amendment Vote 20-0. **This bill is a twin of the bill coming out of the senate. It creates an assessment on every small business that currently pays insurance for its employees. This tax is not controlled by the legislature and is estimated to raise 2.5 million dollars. It will be controlled by the insurance companies that are left and other special interest. The bill is guaranteed to drive away insurance providers that have come back to New Hampshire. This bill was designed to improve SB110. In reality, it makes every aspect of SB110 dramatically worse.**

Recommendation- Oppose OTPW/Amendment the Support ITL

### CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 197, Committee recommendation ITL Vote 13-2

No Recommendation

HB 208-FN, relative to criminal penalties for possession of a firearm in a safe school zone. Committee recommendation ITL Vote 7-6. **(6Republican 1Democrat to 3Republicans 3 Democrats)** **This bill blatantly violates both constitutions. It creates numerous areas throughout public domain where lawfully armed, law-abiding citizens would be in violation of the statute as proposed.**

Recommendation-Support ITL

HB 285, relative to carrying a concealed weapon without a license. Committee recommendation ITL Vote 12-5. **The New Hampshire Constitution–Article 2-a [The Bearing of Arms] allows us the right to bear arms. We need not seek permission from others to do so.**

Recommendation- Oppose ITL and then Support OTP.

### EDUCATION

CACR 14, relating to tax money and religious schools or institutions Committee recommendation ITL Vote 11 to 10 **(7 Democrats 4 Republicans to 10 Republicans)**

The party platform states: **"The so-called "Blaine Amendment" should be repealed so as to end discrimination against religious schools. CACR 14 will give voters the chance to repeal the Blaine Amendment and remove one of the hurdles to allow religious schools to provide educational services funded by tax dollars.**

Recommendation-Oppose ITL. Support OTP

CACR 17, relating to the encouragement of literature. Providing that the importance of education to a prosperous and democratic society be considered when allocating the resources of the state. Committee recommendation ITL Vote 12-10. **(8 Democrats 4 republicans to 10 republicans).**

The NHHRA takes the position that the flawed interpretation of the court in the Claremont decision does not constitute grounds for changing the words of the New Hampshire Constitution. The proper remedy is for the legislature to reassert its constitutional authority over education funding and to hold errant judges accountable through the constitutionally provided means of Impeachment or Bill of Address.

Recommendation Support ITL

HB 132, relative to grounds for dismissal of a teacher. Committee recommendation ITL Vote 12-10. **(8 Democrats 4 Republicans to 10 Republicans)**

Our platform states, **"Working to implement the nation's highest competency and accountability standards for our teachers and students."** This bill would allow a school board to dismiss incompetent teachers.

Recommendation- Oppose ITL and then Support OTP

HB 346-L, Committee recommendation ITL Vote 17-1.

No Recommendation

**HB 406**, revising certain provisions of the home education statutes. Committee recommendation OTP W/Amendment. Vote 12-9.(10 Republicans 2 democrats to 7Democrats 2Republicans)

**The platform states: "Only parents can be entrusted to control the education of their children." This bill reduces regulations for those who home school, while still maintaining accountability.**

**Recommendation- Support OTPW/Amendment**

**HB 564**, permitting the limited use of alcohol in high school culinary arts programs. Committee recommendation ITL Vote 12-5.(9Republicans 3Democrats to 3Democrats 2Republicans)

**Something illegal outside of school should not be legal in school. What message are we sending here?**

**Recommendation-Support ITL**

**HB 687-FN**, relative to tuition waivers for children and spouses of members of the armed forces who die while on active duty. Committee recommendation OTP W/Amendment Vote 13-2.

**No Recommendation**

**HB 721**, prohibiting the department of education and the state board of education from adopting a definition of an adequate education. Committee recommendation OTP / Amendment . Vote 13-2. **This bill reinforces what should be common knowledge, that it is the duty of Legislature to establish educational standards and not unaccountable bureaucrats.**

**Recommendation- Support OTP/W Amendment**

### ELECTION LAW

**CACR 20**, relating to election of the attorney general. Providing that the attorney general shall be elected by the house of representatives and the senate. Committee recommendation ITL. Vote 13-4. Because the AG is statutorily changed with enforcing and supporting laws passed by the legislature, they should be beholden to the legislature, the people's representatives. **Recommendation- Oppose ITL then Support OTP**

**HB 48, & HB 183, &HB 289-FN,** \_\_\_\_\_ **No Recommendation**

**HB 424-FN**, prohibiting gifts to elected officials. Committee recommendation OTP W/Amendment Vote 14-0. **Reinforces Part II Art.7 of our state constitution.**

**Recommendation-Support OTP W/Amendment**

**HB 458**, allowing towns to permit limited youth voting in municipal elections. Committee recommendation ITL Vote 10-4 **Are you kidding me?**

**Recommendation- Support ITL**

### ENVIRONMENT AND AGRICULTURE

**HB 255, HB 275,HB 432-FN, & HB 517** \_\_\_\_\_ **No Recommendation.**

**HB 677-FN**, establishing fees and reporting requirements for the storage of hazardous materials. Committee recommendation ITL Vote 14-4. **A tax is a tax!**

**Recommendation -Support ITL**

### EXECUTIVE DEPARTMENTS AND ADMINISTRATION

**HB 56**, relative to food safety in restaurants. Committee recommendation OTP W/ Amendment Vote 11-4. **Unnecessary mandates as explained in the minority blurb.**

**Recommendation Oppose OTP and then Support ITL**

**HB 307, HB 502-FN, HB 555, & HB594-FN** \_\_\_\_\_ **No Recommendation**

### FINANCE

**HB 401-FN-A**, making an appropriation to the Seacoast Shipyard Association. Committee recommendation OTP Vote 19-5. The shipyard is vital to New Hampshire's economy. \_\_\_\_\_ **Recommendation-Support OTP**

**HB 478-FN-A**, making an appropriation for "Newslines for the Blind." Committee recommendation OTP Vote 24-0. Vote your conscience \_\_\_\_\_ **No Recommendation**

**HB 539-FN-A-L**, relative to land and community heritage investment program administration. Committee recommendation OTP Vote 18-6. **Government subsidized non-profits should not be in the banking business. This allows yet another means of funding for administration that has yet to address serious questions about its past actions.** \_\_\_\_\_ **Recommendation-Oppose OTP and then Support ITL.**

## JUDICIARY

**CACR 12**, relating to judicial conduct. Providing that the people of New Hampshire, in a manner established by law, shall be responsible for investigating and evaluating the conduct of members of the judicial branch. Committee recommendation OTP Vote 15-5.(12 Republicans 3 Democrats to 4 Democrats 1 Republican)

**This CACR would give the people the right to have a Judicial Conduct Commission that is not the “foxes watching the henhouse.” We now have the Supreme Court-created Judicial Conduct Committee operating by rule only, which at present, is still judges judging judges.** Recommendation- Support OTP

**CACR 16**, relating to the definition and constitutionality of judicial and legislative acts. Providing that the supreme court shall determine the constitutionality of judicial acts and the legislature shall determine the constitutionality of legislative acts. Committee recommendation ITL Vote 13-8.(8 Democrats 5 Republicans to 8 Republicans)

**The majority of Republicans supported this CACR. Its purpose. is to end the ability of the Supreme Court to engage in policymaking disguised as constitutional adjudication. It would, stated simply, make the Legislature the final authority of the constitutionality of its own acts. A motion to retain the bill for further study failed 11-10. I want to have it recommitted.**

Recommendation-Oppose ITL then Support OTP and look for a motion to recommit.

**HB 463**, relative to evidence of admissions in medical injury actions. Committee recommendation ITL Vote 11-5. **This bill as written goes against Article 15[Right of accused] of the New Hampshire Constitution.**

Recommendation-Support ITL

**HB 496**, relative to limits on non-economic damages in medical injury actions. Committee recommendation ITL Vote 17-1. **This bill would put a cap on non-economic damages. It seems to me a clear violation of the right to complete legal remedies guaranteed by Part 1, Article 14.**

Recommendation-Support ITL

**HB 530**, relative to an informed jury. Committee recommendation OTP Vote 9-7.(8 Republicans 1 Democrat to 5 Democrats 2 Republicans) **This bill would require informing juries of the full range of their options in determining the outcome of a trial.**

Recommendation-Support OTP

**HB 584**, relative to evidence of admissions of liability in medical injury actions. Committee recommendation OTP Vote 8-7.(5 Democrats 3 Republicans to 7 Republicans) **The majority of the republicans voted ITL on this unnecessary bill. This issue is already covered by existing rules of evidence. .**

Recommendation-Oppose OTP then Support ITL

**HB 619-FN**, relative to skier safety and ski area responsibility. Committee recommendation OTP W/Amendment. Vote 11-8.(9 Republicans 2 Democrats to 6 Democrats 2 Republicans) **The overwhelming majority of republicans on this committee voted for this bill with amendment. This bill promotes personal responsibility and updates and modernizes the immunities from liability given to ski areas.**

Recommendation-Support OTP

**HB 702-FN**, relative to the screening of medical malpractice claims. Committee recommendation OTP W/Amendment. Vote 15-6. Listen to the debate.

No Recommendation

## LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

**HB 66**, regulating mandatory overtime for nurses. Committee recommendation OTP W/Amendment Vote 11-3. **The platform supports higher quality health care. This bill creates conflict between existing federal and state minimum staffing guidelines at private nursing care facilities and prevents facilities from requiring nurses to remain for anything other than an emergency.**

Recommendation-Oppose OTP then Support ITL and look for possible floor amendment

**HB 137-FN**, relative to unemployment benefit eligibility. OTP W/ Amendment Vote 11-5. (7 Democrats 4 Republicans to 5 Republicans) **This is a fiscally irresponsible bill. The wide range of cost estimates for the bill is staggering. The majority of republicans on this committee voted ITL.**

Recommendation-Oppose OTPW/Amendment then support ITL.

**HB 217**, relative to liability of third persons under workers' compensation. Committee recommendation ITL Vote 11-2. **This bill supports judicial activism in that it would go counter to accepted legal practice by awarding all costs and fees to one party instead of in-proportion to court award.** Recommendation- Support ITL

**HB 350**, relative to enforcement of the labor protection statutes. Committee recommendation OTP W/Amendment Vote 10-5. No Recommendation

**HB 665-FN-LOCAL**, relative to the applicable minimum wage for hourly employees. Committee recommendation OTP W/ Amendment Vote 11-2. **The republican party has long opposed forcing wage scale. The party platform promotes free market economics.**

Recommendation Oppose OTPW/Amendment then support ITL.

#### LEGISLATIVE ADMINISTRATION

**HB 392-FN & HCR 10,**

No Recommendation

#### MUNICIPAL AND COUNTY GOVERNMENT

**HB 90**, relative to private driving instruction and exhibition facilities. Committee recommendation ITL.. Vote 14-5. **This bill is anti-business and tries to reverse legislation passed last year.** Recommendation-Support ITL

**HB 233-FN-L,**

No Recommendation.

**HB 305**, relative to amended warrant articles on official ballots. Committee recommendation ITL Vote 10-7. **This bill guards free speech by protecting the right of those who bring an original warrant article to have that article show up on the ballot.** Recommendation Oppose ITL then Support OTP

**HB 417**, relative to petitions for municipal charter revisions. Committee recommendation ITL Vote 14-3

No Recommendation

#### PUBLIC WORKS AND HIGHWAYS

**HB 314-FN**, requiring public restrooms in the division of motor vehicles. Committee recommendation ITL Vote 10-7. (6 Republicans 4 Democrats to 6 Democrats 1 Republican). No Recommendation

#### RESOURCES, RECREATION AND DEVELOPMENT

**HB 69**, relative to property rights and large groundwater withdrawals. OTP W/ Amendment Vote 18-1.

**Open Government-Equal Rights**

Support OTPW/Amendment.

**HB 322-FN**, relative to the registration fees and requirements for snow traveling vehicles. Committee recommendation ITL Vote 14-4. No Recommendation

**HB 419**, relative to the Mount Sunapee ski area boundary and lease terms. Committee recommendation ITL Vote 12-9. No Recommendation

**HB 525**, establishing a committee to study the leasing of state-owned conservation land to private entities and relative to a temporary prohibition on the leasing of such lands. Committee recommendation ITL. Vote 19-0. No Recommendation

#### STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

**HB 333 & HB 520**

No Recommendation

#### TRANSPORTATION

**HB 513**, relative to motor vehicle inspection stations. Committee recommendation OTP W/Amendment Vote 9-0. OBDII. **The Department of Safety and the Department of Environmental Services have done a great disservice to the citizens of New Hampshire. OBDII testing will cost the taxpayers millions of dollars with no noticeable benefit to air quality. This bill is only the first step in the right direction of a very long journey to stand up to federal bureaucratic regulation and protect our citizens.**

Recommendation Support OTPW/Amendment

## SPECIAL ORDER

**HB 679-FN-LOCAL**, authorizing the electronic enforcement of traffic signal violations. Committee recommendation OTP Vote 14-0. **Forget becoming Massachusetts north, this bill will make us California East. This bill violates our constitutional rights-The ticket goes to the car owner, not the driver who committed the violation. The car owner will now be guilty unless they can prove themselves innocent, and will not be able to face their accuser. The law actually creates a provision for forced collaboration in that you will either take the ticket or tell who was operating the vehicle registered to you.**

**Recommendation- Oppose OTP and then vote ITL**

**HB 705**, relative to passenger restraints. Committee recommendation ITL . Vote 12-2.

**This is a personal responsibility issue.**

**Recommendation- Support ITL**

## WAYS AND MEANS

**HB 51**, establishing a committee to study the feasibility of imposing a luxury sales tax and an amusements tax. Committee recommendation OTP. Vote 10-8. (8Democrats 2 Republicans to 8Republicans)

**The party platform states “Republicans realize that low taxes are the result of low spending. We believe that controlling spending and minimizing taxes are the best ways to protect the economic and civic well being of New Hampshire residents and businesses.**

**Recommendation Oppose OTP then Support ITL.**

**HB 94-FN-A**, requiring a discount to wholesalers on cash purchases of tobacco tax stamps. Committee recommendation ITL Vote 10-6. **The tobacco retailers contract voluntarily with the state to sell tobacco products. Therefore, the state can establish conditions under which the agent performs.**

**Recommendation Support ITL**

**HB 453-FN,**

**No Recommendation**

## SPECIAL ORDER

**HB 601-FN**, allowing businesses to apply the investment tax credit to contributions made to scholarship funding organizations. Committee recommendation ITL Vote 15-0.

**No Recommendation**

**HB 613-FN**, exempting prepared take-out food items sold in supermarkets from the meals and rooms tax. Committee recommendation ITL Vote 15-0.

**No Recommendation**

**HB 671-FN-A-LOCAL**, relative to an exemption from the real estate transfer tax. Committee recommendation ITL Vote 12-6

**No Recommendation**

## Ronald Reagan- Words of Wisdom

*Taken from a speech to University of Southern California 1966*

“When the generation of which I'm a part leaves the stage, I think that history will record that seldom has any generation fought harder and paid a higher price for freedom. We have known three wars in our lifetime cataclysmic, worldwide depression--and these events toppled governments and reshaped the map. At the same time, as a result of this, perhaps just because of human frailty, we have downgraded our performance with an attitude sometimes apathetic--sometimes cynical--toward the conduct of public affairs.

We are confused and we have confused you with a double standard of morality. We try to keep alive a moral code for our individual conduct--"Don't cheat," "Promises are sacred." "Your word is your bond," "Serve your fellow men"--but at the same time, we accept double-dealing at government levels, and we've lost our capacity to get angry when decisions are not based on moral truth, but on political expediency. When small men are granted great rewards for political favors, we excuse it with the expression: "Well, that's politics."

**“TRUST BUT VERIFY”**

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