



House Republican Alliance Recommendation Sheet

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 4 2009
REGULAR CALENDAR – PART I**

ENVIRONMENT AND AGRICULTURE

HB 345-FN, allowing physical therapists to practice on animals. **MAJORITY: OTPA Vote 11-5.**

HRA Analysis: The HRA has consistently opposed additional or expanded “professional” licensing. Such efforts to institute and expand a modern guild system are antithetical to freedom, increase consumer costs and are unnecessary to achieve skillful and competent services. Article VI of our party platform commits us to “[w]orking to prevent over-regulation of business.” Telling physical therapists who want to massage animals that they have to get special training and certifications is just such over-regulation. Animals will survive a bad massage; freedom might not survive such legislation as this.

HRA Recommendation: Oppose OTPA; Support ITL

HB 399-FN-A, relative to industrial hemp and establishing an industrial hemp special program fund. **ITL Vote 9-8.**

HRA Analysis: There is presently no law prohibiting the growing of hemp in New Hampshire, although it appears to be prohibited under Federal law. For that reason, no state statutory change is warranted, and efforts to achieve such a law will result in regulatory restrictions where none now exists. If proponents of legalization of hemp growing want change, they should lobby federal legislators to change in federal law.

HRA Recommendation: Vote your conscience

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 174-FN, establishing a performance measurement system for state agencies. **OTPA Vote 16-1.**

HRA Analysis: The platform, Section VI, states that a party goal is “[k]eeping state government lean to minimize its burden on taxpayers and businesses.” This bill will help the state agencies run more effectively and leaner. The amendment starts the performance measurement process in DHHS, which has already started on its own.

HRA Recommendation: Support OTPA

HB 420-FN, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system. **OTP Vote 14-2.**

HRA Analysis: This bill allows police and firemen who had early retirement due to a job-related disability to earn as much as they can in other jobs without reducing their pension, once they reach normal retirement age. Costs are minimal since there are only a few people involved. No party platform or constitutional issues identified, therefore, no HRA recommendation.

HB 590-FN, relative to the retirement age for group II members. **OTP Vote 15-4.**

HRA Analysis: The state GOP platform, Section VI, states that a party goal is “[k]eeping state government lean to minimize its burden on taxpayers and businesses.” This bill requires newly hired police and firefighters to work 25 years, rather than 20, before earning a normal pension. The change will save a lot of money for both municipalities and the state while still providing these government employees retirement terms more generous than those of most private citizens.

HRA Recommendation: Support OTP

HB 598-FN, relative to the regulation of auctioneers by the state board of auctioneers. **OTPA Vote 10-9.**

HRA Analysis: The state GOP platform, Section VI, states that a party goal is “[w]orking to prevent over-regulation of business, particularly with respect to small businesses.” This bill, in addition to some updating of the auctioneers' statutes, specifically exempts Internet sellers from regulation as auctioneers. In doing so, it avoids business regulation.

HRA Recommendation: Support OTPA

HB 651-FN, relative to regulation of private investigative agencies and security services. **OTPA Vote 11-0.**

HRA Analysis: The state GOP platform, Section VI, states that a party goal is “[w]orking to prevent over-regulation of business, particularly with respect to small businesses.” This bill updates and clarifies the regulations for investigators and security services. It expands the category of individuals who may act as private investigatory. While we prefer eliminating this licensing requirement, this bill is an improvement.

HRA Recommendation: Support OTPA

FISH AND GAME AND MARINE RESOURCES

HB 481-FN-A, establishing a recreational saltwater license for taking finfish in coastal and estuarine waters. **OTPA Vote 15-1.**

HRA Analysis: New Hampshire is a sovereign state (NH Constitution, Pt. I, **Art. 7**: “*The people of this state have the sole and exclusive right of governing themselves as a free, sovereign, and independent state*”). As a sovereign state, NH ought not to tax its citizens through a new fee enacted for the primary reason that NH is being threatened by the Federal government for having insufficient taxes. We would like to see this bill amended solely to establish a litigation fund to oppose the Federal government in its threats to federally tax NH citizens when citizens of other states do not have to pay such a tax for the sole reason that NH does not tax its citizens enough. Absent such an amendment, this bill should be defeated.

HRA Recommendation: Oppose OTPA; Support ITL

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 400-FN-A, relative to Medicaid reimbursement rates for personal care attendants and personal care services providers and making an appropriation therefor. **ITL Vote 14-6.** HB-400.

HRA Analysis: The increased spending mandated in this bill is certainly inappropriate in these times. “*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.*” (Article VII, NH GOP Platform) This legislation would reduce such protection and therefore the economic and civic well being of our constituents.

HRA Recommendation: Support ITL

HB 422-FN, relative to retail health clinics. **ITL Vote 17-1.**

HRA Analysis: Redundant licensing statutes certainly violate the prohibition of over regulation of business set forth in our party platform.

HRA Recommendation: Support ITL

HB 486-FN, prohibiting the department of health and human services from entering into a contract with Planned Parenthood Federation of America, Inc. or any organization that provides abortion services. **ITL Vote 14-4.**

HRA Analysis: Our party recognizes the fundamental right to life of the unborn and this right is repudiated by the Planned Parenthood Federation. (Article VIII, NH GOP Platform). Further, our state constitution guarantees free speech (Pt. I, Art. 22), and when taxes are taken for use to promote speech in favor of abortion, then each of us paying such taxes is being compelled to support speech in favor of abortion. This bill would remedy these violations of our state constitution and party platform.

HRA Recommendation: Oppose ITL; Support OTP.

HB 589-FN, relative to regulating the resomation of human remains. **WITHOUT RECOMMENDATION.** (Appears that Speaker will propose OTP)

HRA Analysis: No platform or constitutional issue identified, therefore no HRA recommendation.

JUDICIARY

HB 281-FN, increasing the maximum amount of debt or damages for small claims actions and requiring mediation for small claims actions exceeding \$5,000 and establishing a fee for the cost of such mediation. **OTP Vote 12-6.**

HRA Analysis: There are over 16,000 Small Claims suits a year. By expanded the jurisdiction for these suits, this bill would significantly increase the District Court volume and associated costs, at a time when the courts are without sufficient funds to run their current operations. Secondly, the increase would penalize citizens during a severe recession.

HRA Recommendation: Support the unanimous Committee Republican vote of ITL

HB 344-FN, establishing the number of associate justices of the superior court. **OTP Vote 12-8.**

HRA Analysis: This bill would increase the judiciary costs \$741,660 and enlarge the Judicial Branch. The number of Superior Court judges was reduced to allow for the Family Court, which assume part of the business of the Superior Court. The Family Court is now established and so we see a request being made to increase the number of Superior Court judges. Again, our party platform correctly observes, "*low taxes are the result of low spending.*" Allowing unsupportable increases in the size of government will lead to unnecessary additional taxation.

HRA Recommendation: Support ITL

HB 682-FN, relative to court security and court security officers. **OTP Vote 12-8.**

HRA Analysis: This is a \$10 million restructuring of court security that cannot be justified. It is possible through a modification of training standards that substantial improvements can be made with current personnel and security arrangements at little or no cost. Again, a proposed increase in judicial spending cannot be justified.

HRA Recommendation: Oppose OTP; Support ITL

LOCAL AND REGULATED REVENUES

HB 461-FN-A, establishing a state-owned casino to provide funds for public education. **ITL Vote 15-4.**

HRA Analysis: Article VIII of the NH GOP Platform states the following in unambiguous language: *“Oppose casino and video-lottery gambling because of the negative social consequences.”* In conformity with our party platform and to avoid those negative social consequences that have been often discussed in debates over gambling legislation, Republican legislators should oppose this bill.

HRA Recommendation: Support ITL

HB 593-FN-A, authorizing the licensing and construction of destination resorts with gaming facilities including table gaming and video lottery machines, and authorizing gaming facilities at existing pari-mutuel licensees, including table gaming and video machines. **OTP Vote 12-8.**

HRA Analysis: Article VIII of the NH GOP Platform states the following in unambiguous language: *“Oppose casino and video-lottery gambling because of the negative social consequences.”* In conformity with our party platform and to avoid those negative social consequences that have been often discussed in debates over gambling legislation, Republican legislators should oppose this bill.

HRA Recommendation: Oppose OTP; Support ITL

HB 666-FN, relative to unlawful gambling. **ITL Vote 17-3.**

HRA Analysis: Article VIII of the NH GOP Platform states the following in unambiguous language: *“Oppose casino and video-lottery gambling because of the negative social consequences.”* We are told that this bill extends the prohibition on gambling. Listen to the debate.

HRA Recommendation: None

PUBLIC WORKS AND HIGHWAYS

HB 125-FN-A, increasing the rate of the gas tax and dedicating the increased revenues to development and improvement of highway-related transit systems serving New Hampshire residents. **ITL Vote 16-1.**

The use of the funds proposed here violates the NH Constitution.

HRA Recommendation: Support ITL

HB 391, authorizing the department of transportation to convey a portion of interstate highways to the bureau of turnpikes, to redefine the eastern New Hampshire turnpike, and to increase the aggregate amount of bonds the state may issue. **OTP Vote 17-0.**

HRA Analysis: Republicans *“reject higher taxes and excessive government spending with the belief that taxes unfairly erode earnings, contribute to the growth of government and provide disincentives for economic growth.”* (NH GOP Platform, Art. VII) Establishing new and increased highway tolls is new taxation that is inefficient and unwarranted, especially when appropriate steps have not been taken to ensure that the highway fund will no longer be raided for non-highway purposes. This recommendation is not based on objections relative to the use of funds from the toll or highway funds.

HRA Recommendation: Oppose OTP; Support ITL

HB 644-FN-A-L, increasing the rate of the road toll, establishing the New Hampshire road and bridge account, and limiting the uses of road toll revenues. **OTPA Vote 14-3.**

HRA Analysis: Republicans *“reject higher taxes and excessive government spending with the belief that taxes unfairly erode earnings, contribute to the growth of government and provide disincentives for*

economic growth." (NH GOP Platform, Art. VII) Increasing gas taxes always should be avoided, but such an increase would be especially unwarranted in these recessionary times and while the highway fund continues to be raided for non-highway purposes.

HRA Recommendation: Oppose OTPA; Support ITL

HB 670-FN, relative to the discount rate used in the electronic toll collection for frequent users. **OTPA. Vote 10-7.**

HRA Analysis: Republicans "*reject higher taxes and excessive government spending with the belief that taxes unfairly erode earnings, contribute to the growth of government and provide disincentives for economic growth.*" (NH GOP Platform, Art. VII) Increasing highway tolls is new taxation that is inefficient and unwarranted, especially when appropriate steps have not been taken to ensure that the highway fund will no longer be raided for non-highway purposes. See HB 391 above for a bill that mounts one of the largest raids yet.

HRA Recommendation: Oppose OTPA; Support ITL

HB 671-FN, amending the motorist service signing program to allow the department of transportation to charge a fee for attraction signs. **OTPA Vote 15-2.**

HRA Analysis: This bill appears to allow the Department of Transportation to set a fee for signage. The exact fee is not specified in the bill, which is a concern.

HRA Recommendation: No recommendation

RESOURCES, RECREATION AND DEVELOPMENT

HB 205-FN-A, relative to certain boating fees. **OTPA Vote 15-2.**

HRA Analysis: The GOP Platform states, "*controlling spending and minimizing taxes are the best ways to protect the economic and civic well being of New Hampshire residents.*" This bill increases boat registration fees 100%. But that's only the beginning. The committee decided to increase the charges assessed for the Department of Environmental services to be used for lake restoration and weed control by 50%, which was 1.5 times greater than what was asked for in the original bill! The testimony showed that some increases might be warranted. However, in a time of economic stress, increasing taxes and fees should not be done lightly. To increase them more than the amount requested by the administration is astounding.

Recommendation: Oppose OTPA, then Support ITL

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 601-FN, relative to claims for compensation from the victims' assistance fund. **OTPA Vote 12-8.**

HRA Analysis: More spending and an inability to choose among worthy causes are the characteristics of this legislation. As our party platform states, "*low taxes are the result of low spending.*" Tripling the amount of compensation under this program, increasing the eligibility for reimbursement and authorizing the Attorney General to spend even more in awards, all reflect an activist government that operates without consideration of financial consequences. We certainly cannot afford such a luxury at the present time.

HRA Recommendation: Oppose OTPA, then Support ITL

**WEDNESDAY, FEBRUARY 18
REGULAR CALENDAR – PART II**

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 81, prohibiting smoking within 25 feet of playgrounds. **ITL Vote 12-7.**

HRA Analysis: This bill comes from a fine tradition of bills that would slowly rob us of our freedom in service of a nanny-state ideology of good intentions. It seeks to criminalize what would be, at worse, discourteous behavior and is more often behavior that would affect no one else.

HRA Recommendation: Support ITL

JUDICIARY

HB 171, establishing a commission to evaluate mental health courts and establish standards for the operation of mental health courts. **OTP Vote 11-8.**

HRA Analysis: This bill seeks to set up a new cluster of court bureaucrats and divert substantial court resources to achieve what courts should already be doing in dealing with mentally ill criminals: using judicial sentencing authority to bring community and correctional resources to bear to treat those illnesses. As such, it is a bill seeking to solve a problem for which there is a solution, unless of course the problem is one of founding a new judicial fiefdom.

Recommendation: Oppose OTPA, then Support ITL

LOCAL AND REGULATED REVENUES

HB 155, allowing municipalities to adopt a non-wartime veterans' property tax credit. **ITL Vote 16-3.**

HRA Analysis: We owe a sacred obligation, in the words of Abraham Lincoln, "*to care for him who shall have borne the battle for his widow and orphan.*" It is the horror of warfare and the incalculable benefits of freedom and safety that our warrior sons and daughters confer upon us in confronting armed and violent enemies in war that elevate our need to ensure their later comfort and well-being over the principle that taxes ought to be shared equally by all, so that all will control growth in government. As a community, we are grateful for others who serve us so honorably, including first responders, the police officer on the lonely midnight beat, caretakers of the infirmed, and non-wartime service personnel, but we reasonably draw a line between them and those who stood on the battlefield, as American soldiers, willing to give their lives for their country. This bill could substantially increase the burden on other taxpayers, many of whom have sacrificed for the community, as have non-wartime veterans. It would constitute an inappropriate shifting of the tax burden to them.

HRA Recommendation: Support ITL

HB 624-FN-A, establishing a waiver option for live-racing tracks. **ITL Vote 19-0.**

HRA Analysis: This bill would allow for expanded gambling, which our party platform opposes.

HRA Recommendation: Support ITL

PUBLIC WORKS AND HIGHWAYS

SB 76, naming a bridge in the town of Barrington the Sp. Jesse Scott Conger Memorial Bridge. **OTP Vote 16-0.**

SB 96, naming a bridge in Webster in honor of William Tracy. **OTPA Vote 16-0.**

HRA Analysis of SB 76 and SB 96: No platform or constitutional issue identified in SB 76 and SB

96, however, Republicans honor the service and sacrifice of Specialist Jesse Scott Conger and Sgt. William Tracy and support this effort to preserve the memory of their heroism. May a grateful state forever remember their gifts for our freedom.

HRA Recommendation: Support OTP on SB 76 and OTPA on SB 96.

RESOURCES, RECREATION AND DEVELOPMENT

HB 150-FN, relative to removing invasive aquatic growth. **ITL Vote 9-8.**

HRA Analysis: Article 31, Part 1 of the New Hampshire Constitution states that "[t]he Legislature shall assemble for the redress of public grievances." The bi-partisan minority believed that enough evidence was presented to raise the possibility of citizens being given the bureaucratic run-around. The minority also believed that justice would have been better served in having the committee retain the bill as a device to monitor the interactions of the citizens with the agencies involved as they try to resolve the issue. [there is no minority report; one was written with a recommendation of Retain in Committee and it was later ruled that Retain in Committee is not an allowable recommendation under House Rules.]

Recommendation: Oppose ITL, then Support Re-refer to Committee

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 1, urging congress to withdraw the United States from the Security and Prosperity Partnership of North America. **ITL Vote 13-5.**

HRA Analysis: This House Concurrent Resolution serves to protect our state's sovereignty.

HRA Recommendation: Oppose ITL

HCR 3, recommending a statement of principles on international trade. **ITL Vote 14-4.**

HRA Analysis: This House Concurrent Resolution assumes an incorrect division of responsibilities in our federal system. The federal government makes foreign treaties, not states.

HRA Recommendation: Support ITL

HCR 5, urging Congress to enact a system of voluntary public funding for all federal elections. **ITL Vote 17-1.**

HRA Analysis: This House Concurrent Resolution seeks public funds for elected officials. Not only is it a waste of tax dollars, it is designed to limit federal and state constitutional right of free speech through compelled speech. It states that they are looking for a "voluntary public funding," however it clearly is intended to do the opposite as seen by the its characterizing private supports of candidates as "special interests."

HRA Recommendation: Support ITL

HCR 6, affirming States' rights based on Jeffersonian principles. **ITL Vote 11-7.**

HRA Analysis: HCR 6 defends the expressions of sovereignty in the Constitution of the State of New Hampshire, our statement that the United States only has the powers expressly delegated to it in our ratification of the Constitution of the United States of America, the founders understanding of the ninth and tenth amendments and it expresses Article V of the GOP platform. HCR 6 is necessary to inform the United States government and our sister States that we will defend the rights of our citizens.

HRA Recommendation: Oppose ITL, then Support OTP

WAYS AND MEANS

HB 533-FN-A, reducing the rates of the business profits tax and the business enterprise tax. **ITL Vote 15-4.**

HRA Analysis: Article VII of our party platform commits us to, “*Support cutting or eliminating taxes which inhibit enterprise, earnings and savings and investment, such as the Interest and Dividends Tax and the Business Enterprise/Business Profits Tax.*” We welcome the opportunity that HB 533 provides for us to do so.

HRA Recommendation: Oppose ITL, then Support OTP

HB 679-FN-A, establishing an exemption from the interest and dividends tax for individuals who are 62 years of age or older. **ITL Vote 16-3.**

HRA Analysis: Another welcomed opportunity to support the reduction of taxes.

HRA Recommendation: Oppose ITL, then Support OTP

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 127, relative to the treatment of pregnant inmates. **WITHOUT RECOMMENDATION**

HRA Analysis: This bill seeks to establish standards for transporting and restraining pregnant inmates and requires no restraints during labor, delivery and recovery unless written findings are made by the commissioner of the department of corrections. No platform or constitutional issues were identified, therefore no HRA recommendation.

ELECTION LAW

HB 417, relative to Electoral College electors. **ITL. Vote 16-2.**

HRA Analysis: Passage of this bill seeking a popular vote presidential election would sacrifice the sovereignty of New Hampshire to the interests of larger states. It represents an ideology that elevates the tyranny of the temporary majority over the foundational freedom of a republican form of government.

HRA Recommendation: Support ITL

HB 439, requiring that the question relative to the necessity for a convention to revise the New Hampshire constitution be presented to the voters in the November 2010 general election. **OTP Vote 10-7.**

HRA Analysis: No platform or constitutional issues were identified, therefore no HRA recommendation.

HB 614, relative to domicile of students for voting purposes. **OTPA Vote 11-7.**

HRA Analysis: Republicans believe that citizens of other states ought to vote in their state’s elections and not pretend they are New Hampshire citizens for the sole purpose of voting in our elections. This bill is another of the Democrat bills that define away voter fraud so they can say there is no voter fraud. It has worked so well in the past that they are back at it again.

HRA Recommendation: Oppose OTPA, then Support ITL

HB 620, disqualifying certain persons from performing duties as an election official. **ITL Vote 13-3.**

HRA Analysis: Specifically, the bill would prohibit clerks, selectmen, inspector of elections, and supervisors of the checklist whose names appear on a ballot from serving as an election official. All are presently exempted from the general rule that anyone whose name appears on a ballot cannot be an election official in that election. It seems to be a reasonable restriction, but perhaps not workable or necessary for honest elections. No platform or constitutional issues were identified, therefore no HRA recommendation.

ENVIRONMENT AND AGRICULTURE

HB 148, relative to the sale and vaccination of animals. **OTPA Vote 15-2.**

HRA Analysis: The bill as passed out of committee does not appear to substantially increase regulations. There probably will be a floor amendment that increases the license fee from \$200 to \$250, and this increase will be based upon unsupported testimony of increased costs to the state.

HRA Recommendation: Support OTPA (with committee amendment); oppose any floor amendment with increased fee

Your Handy Guide for Thinking out of the Box

In a time of universal deceit, telling the truth becomes a revolutionary act.
— *George Orwell*