

HOUSE REPUBLICAN ALLIANCE RECOMMENDATION SHEET



freedom

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.

“TRUST BUT VERIFY”

Bill Number	Committee	Committee Vote	HRA recommends
CACR 1	Ways & Means	ITL 18-1	Oppose ITL
CACR 4	Election Law	ITL 10-7	Support ITL
CACR 9	Judiciary	ITL 14-1	Oppose ITL
HA 1	Education	ITL 14-5	Support ITL
HB 116	Education	ITL 14-7	Support ITL
HB 136	HHS	OTP 14-0	Oppose OTP
HB 142	Education	OTP/A 16-4	Support OTP/A
HB 151	Judiciary	OTP 9-7	Oppose OTP
HB 185	Election Law	ITL 16-2	Support ITL
HB 191	Municipal & County	OTP 10-5	Support OTP
HB 192	Municipal & County	OTP 11-4	No Recommendation
HB 196	Transportation	OTP/A 17-1	No Recommendation
HB 203	Judiciary	OTP/A 7-6	Support OTP/A
HB 206	Education	OTP/A 17-4	Support OTP
HB 213	Science Tech & Energy	ITL 15-3	Support ITL
HB 283	Education	ITL 16-4	Oppose ITL
HB 290	Judiciary	OTP 13-4	Support OTP
HB 315	Judiciary	OTP/A 11-7	Support OTP/A
HB 316	Science Tech & Energy	ITL 11-7	Support ITL
HB 350	Ways & Means	ITL 13-6	Support ITL
HB 379	Science Tech & Energy	ITL 10-9	Support ITL
HB 382	Science Tech & Energy	OTP 10-9	No Recommendation
HB 389	HHS	ITL 9-5	Support OTP/A
HB 390	Commerce	ITL 11-8	Support ITL
HB 404	Election Law	ITL 14-2	Oppose ITL
HB 409	Science Tech & Energy	ITL 17-1	No Recommendation
HB 416	Municipal & County	ITL 11-7	No Recommendation
HB 463	Finance	OTP 19-5	Support OTP
HB 467	Transportation	OTP/A 14-0	Support OTP/A
HB 476	HHS	OTP/A 10-3	No Recommendation
HB 526	Municipal & County	OTP/A 10-8	No Recommendation

HB 539	Finance	ITL 14-9	Support ITL
HB 540	Judiciary	ITL 16-2	No Recommendation
HB 543	Science Tech & Energy	ITL 17-2	Oppose ITL
HB 559	Transportation	OTP 15-0	No Recommendation
HB 621	Transportation	OTP 14-1	No Recommendation
HB 631	Finance	ITL 21-3	No Recommendation
HB 638	Finance	ITL 14-10	Support ITL
HB 689	Municipal & County	OTP/A 10-6	Support OTP/A

WEDNESDAY, MARCH 4 REGULAR CALENDAR

WAYS AND MEANS

CACR 1, Relating to taxation. Providing that a 3/5 vote is required to pass legislation imposing new or increased taxes or license fees, or to authorize the issuance of state bonds and providing that the general court shall appropriate funds for payment of interest and principal of all state bonds. MAJ: ITL. MIN: OTP. Vote 18-1.

HRA Analysis: Other states require supermajorities to raise or increase taxes or fees. The platform states "Require super-majorities to raise taxes."

HRA Analysis: Oppose ITL

HB 350, establishing a commission to study the impacts of the property tax on New Hampshire's residents, businesses, municipalities, and the economy. MAJ: ITL. MIN: OTP. Vote 13-6.

HRA Analysis: The pros and cons of property taxes are well known. Any mitigation, other than cutting spending, would require new taxes to make up for the missing revenue. The platform states "Strongly oppose new taxes and fees, including an income, sales and capital gains tax"

HRA Analysis: Support ITL

COMMERCE AND CONSUMER AFFAIRS

HB 390-FN, relative to stop loss insurance. MAJ: ITL. MIN: OTP. Vote 11-8.

HRA Analysis: This bill increases the size of insurance reserves for self-insured employers under Obamacare. The platform states "Support the repeal of Obamacare and oppose its implementation in NH."

HRA Analysis: Support ITL

EDUCATION

HA 1, for the removal of certain state officials in the department of education. ITL. Vote 14-5.

HRA Analysis: This looks to remove Virginia Barry and Paul Leather from their posts at the Dept. Of Education for exceeding their Constitutional Authority but the HA lacks any specific allegations that would lead to Impeachment. Appointments to these positions is controlled by the Executive Council and The Governor .

HRA Recommendation: Support ITL

HB 116, relative to the renomination of teachers. MAJ: ITL. MIN: OTP. Vote 14-7.

HRA Analysis: This bill would reduce the time for renomination of teachers from 5 years back to 3. The Majority of the Committee felt 3 years was not sufficient time to assess a teacher and the 5 year time frame was a fair balance for teachers and schools. The Republican Platform States "Eliminate tenure and institute merit pay." Though not truly tenure, reducing the time requirement is a step in the wrong direction.

HRA Recommendation: support ITL

HB 142, relative to student social media policies by education institutions. OTP/A. Vote 16-4.

HRA Analysis: This bill, as amended, forbids schools from demanding information about students' social media accounts on their private computers. The Platform, Part II, requires us to "protect the privacy of individuals from

government snooping, also “Do not interfere with parents' right to control the education of their children.”

HRA Recommendation: Support OTP/A

HB 206, non-academic surveys or questionnaires given to students. MAJ: OTP/A. MIN: ITL. Vote 17-4.

HRA Analysis: This bill requires school districts to adopt a policy regarding student participation in non-academic surveys or questionnaires, but does not dictate what the policy allows. The committee amendment changes it from an opt-in to an opt-out process, when schools districts have been careless about informing parents about what's coming up in the future. The Platform states: “Do not interfere with parents' right to control the education of their children.”

HRA Recommendation: Oppose committee amendment, Support OTP

HB 283, requiring schools to establish a policy permitting a pupil's parent to observe classes. ITL. Vote 16-4.

HRA Analysis: This bill requires a policy regarding parent observation of classes, but does not dictate what the policy allows. The Platform: “Do not interfere with parents' right to control the education of their children.”

HRA Recommendation: Oppose ITL.

ELECTION LAW

CACR 4, Relating to the right to vote. Providing that 17-year olds who will be eligible to vote in the general election be permitted to vote in the election's primary election. MAJ: ITL. MIN: OTP. Vote 10-7.

HRA Analysis: Part 1, Art 11 of NH Constitution reduced the voting age to 18 in 1976. No evidence was presented that long term voter turnout had increased in the 13 other states that made further age reductions.

HRA Analysis: Support ITL

HB 185, authorizing straight ticket voting. MAJ: ITL. MIN: OTP. Vote 16-2.

HRA Analysis: Straight ticket voting was repealed in 2007 after election officials reported voter confusion and difficulty to determine intent during recounts. The Platform supports "Integrity of the ballot box"

HRA Analysis: Support ITL

HB 404-FN, relative to showing a ballot. MAJ: ITL. MIN: OTP. Vote 14-2.

HRA Analysis: This bill repeals the changes passed in 2012, prohibiting posting a picture of a ballot on social media. The First Amendment of the US Constitution states "Congress shall make no law...abridging the freedom of speech"

HRA Analysis: Oppose ITL

FINANCE

HB 463, relative to state agency communications. MAJ: OTP. MIN: OTP/A. Vote 19-5.

HRA Analysis: The Legislative Budget Assistant (LBA) is the arm of the legislature that prepares budgets and fiscal notes, and performs audits. Sometimes agencies refuse to share information with auditors by claiming attorney-client confidentiality or doctor-patient confidentiality. This bill allows the LBA auditors to get such information, but not to share it with others. The minority is specifically concerned with doctor-patient confidentiality and have proposed two different amendments, one in committee and the other on the floor. The floor amendment states that disclosures “shall not contain the name or address of the individual unless the personal health information does not include a unique identifying record number.” One of the purposes of an audit is to root out corruption. Without names and addresses, it would be impossible for an auditor to determine whether an agency was directing spending to relatives, neighbors, etc. Even though Finance Republicans joined the majority, there are competing platform issues here: “Protect the privacy of individuals from government agencies and employees who abuse their power and position” and “it is our responsibility to hold government accountable”. In the end, the Platform states "Expand openness and transparency to employment, expenditures and all recipients of taxpayers' funds"

HRA Recommendation: Oppose amendment. Support OTP without amendment.

HB 539-FN, establishing an early learning incentive fund in the department of education. ITL. Vote 14-9.

HRA Analysis: This bill creates a new, but as yet unfunded, dedicated fund for “early learning”, i.e. nursery school or pre-school. The platform tells us to “limit spending and growth of government”.

HRA Recommendation: Support ITL

HB 631, appropriating \$1 to the state house bicentennial education and commemoration fund. ITL. Vote 21-3.

HRA Analysis: This bill puts \$1 into an existing dedicated fund for the 2019 bicentennial. No platform or constitutional issues identified.

HRA Analysis: No recommendation

HB 638, reestablishing the catastrophic illness program. MAJ: ITL. MIN: OTP. Vote 14-10.

HRA Analysis: This bill restores the catastrophic illness program which was eliminated four years ago. It paid for some uncovered expenses for those with one of six specific severe medical conditions. HHS was given wide latitude on what expenses were covered, to what extent, qualifications, how the program was administered, etc. In its last two years the program spent roughly \$100,000 per year, but requires a \$70,000 employee to direct that spending. The platform states that "government has a moral obligation to the people to be as cost effective as possible."

HRA Recommendation: Support ITL

HEALTH, HUMAN SERVICES & ELDERLY AFFAIRS

HB 136, prohibiting tanning facilities from tanning persons under 18 years of age. OTP. Vote 14-0.

HRA Analysis: Currently children under 14 need a doctor's prescription to use indoor tanning; those under 18 need either that or their parent's permission. The Platform reminds us of "the fundamental role and responsibility of both parents in the care, upbringing and discipline of their children."

HRA Recommendation: Oppose OTP.

HB 389-FN, repealing the certificate of need moratorium. ITL. Vote 9-5.

HRA Analysis: This well-intentioned bill ends the moratorium on certificates of need for new nursing home beds; however the entire CON process ends in 2016. It is not clear that allowing release of these certificates for a year before ending this complex bureaucratic process is an advantage. A floor amendment simply repeals the entire CON board and its red tape. The Platform urges us to "Increase the use of market forces to improve health care and lower costs."

HRA Recommendation: Oppose ITL, support OTP/A

HB 476-FN, amending "qualifying medical condition" in the therapeutic cannabis law. OTP/A. Vote 10-3.

HRA Analysis: This bill, as amended, allows medical marijuana to be prescribed for a few more conditions, all quite tightly defined and not subject to abuse as, say, "back pain" might be. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation

JUDICIARY

CACR 9, Relating to judgment on impeachment. Providing that persons impeached by the senate forfeit their state pensions and state-funded insurance. MAJ: ITL. MIN: OTP. Vote 14-1.

HRA Analysis: Pension and health benefits are now part of an employees compensation, and have been added to the compensation package effective in 1784. Part 2, Art. 39 of the NH Constitution disqualifies an impeached and convicted individual from "profit" as the proponents noted. As the retirement benefits remain in the retirement system, they are not "encumbered for, or diverted to, any other purposes." The bill is constitutional.

HRA Recommendation: Oppose ITL

HB 151, establishing a committee to study end-of-life decisions. MAJ: OTP. MIN: ITL. Vote 9-7.

HRA Analysis: This topic has been well studied in many jurisdictions and there is little to be gained by another study. The Platform states "Oppose euthanasia and physician assisted suicide," which these studies seem to promote.

HRA Recommendation: Oppose OTP

HB 203, relative to the unauthorized practice of law. OTP/A. Vote 7-6.

HRA Analysis: The platform states that "Economics flourish when all people retain as much of their hard earned income as possible, to spend and invest as they see fit." Individuals who control a property through a trust should be allowed to represent themselves in court, as they can while holding it directly, without the added expense of a lawyer.

HRA Recommendation: Support OTP/A

HB 290, relative to the acceptance of risk in outdoor recreational activities. OTP. Vote 13-4.

HRA Analysis: The platform states that "Economics flourish when all people retain as much of their hard earned income as possible, to spend and invest as they see fit." Easing concerns of landowners from others using their property

for recreation supports the local economy and the development of tourism.

HRA Recommendation: Support OTP

HB 315, relative to termination of tenancy. MAJ: OTP/A. MIN: ITL. Vote 11-7.

HRA Analysis: The bill stipulates that expedited eviction can be sought for unauthorized tenants, animals, or failure to pay utilities. The platform supports landlords' property rights, urging us to 'encourage small businesses.'

HRA Recommendation: Support OTP/A.

HB 540-FN, relative to access to court records in parenting cases. ITL. Vote 16-2.

HRA Analysis: The platform states "Maintain the fundamental role and responsibility of both parents in the care, upbringing and discipline of their children." No guidance is provided when disputes arise.

HRA Recommendation: No Recommendation

MUNICIPAL AND COUNTY GOVERNMENT

HB 191, relative to privately financed projects in energy efficiency and clean energy districts. OTP. Vote 10-5.

HRA Analysis: This bill clarifies existing law that projects with private financing will not be subject to caps intended to protect municipalities. The Platform says to "Minimize business regulation."

HRA Recommendation: Support OTP

HB 192, relative to the valuation of utility property. MAJ: OTP. MIN: ITL. Vote 11-4.

HRA Analysis: This bill prevents utilities from fighting their local assessments by claiming the DRA's (lower) assessment, which applies for a totally separate tax. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation

HB 416, relative to compensation for members of the Coos county convention. MAJ: ITL. MIN: OTP. Vote 11-7.

HRA Analysis: This bill looked to increase the per diem payment for the COOS County Delegation for attendance at meetings, due to the long distance they must travel. While our Platform states to keep government lean, We also like to give local governments control over their affairs.

HRA Recommendation: No Recommendation

HB 526, relative to transfers of appropriations in Carroll county. MAJ: OTP/A. MIN: ITL. Vote 10-8.

HRA Analysis: This aims to set an limit on the amount a line item transfer can be and a procedure that Carroll County Commissioners must follow when doing a line item transfer. This is a local issue that effects only Carroll County.

HRA Recommendation: No Recommendation

HB 689, relative to adoption of a default budget. MAJ: OTP/A. MIN: ITL. Vote 10-6.

HRA Analysis: This is enabling legislation that would allow municipalities to vote on whether or not they want to vote on the proposed budget and also the default budget. If both budgets failed there would be a traditional Town Meeting held to set the budget. The Platform states "Maintain local control of spending and taxes."

HRA Recommendation: Support OTP/A

SCIENCE, TECHNOLOGY AND ENERGY

HB 213, establishing an energy awareness commission. ITL. Vote 15-3.

HRA Analysis: The platform states "Justify expenditures against measurable benefits." It's hard to imagine that energy requires more awareness.

HRA Recommendation: Support ITL

HB 316, establishing a committee to study offshore wind energy production. MAJ: ITL. MIN: OTP. Vote 11-7.

HRA Analysis: New Hampshire has a very limited coastline relative to neighboring states, who are studying the topic. The platform states "Justify expenditures against measurable benefits." There is no need for a redundant study.

HRA Recommendation: Support ITL

HB 379, establishing a commission to study the effects of ocean acidification. MAJ: ITL. MIN: OTP. Vote 10-9.

HRA Analysis: New Hampshire has a very limited coastline relative to neighboring states, who are studying the topic.

DES is participating with the neighboring states. The platform states "Justify expenditures against measurable benefits." There is no need for a redundant study.

HRA Recommendation: Support ITL

HB 382, committee on facilitating private investment in energy efficiency and renewable energy. OTP. Vote 10-9.

HRA Analysis: Private investment has significant capital to invest in profitable energy projects, and will not invest in unprofitable energy projects. While the platform states "Minimize business regulations, permits, licenses and paperwork", it's unlikely that is the problem preventing new investment.

HRA Recommendation: No Recommendation

HB 409, banning corn-based ethanol as an additive to gasoline. MAJ: ITL. MIN: OTP. Vote 17-1.

HRA Analysis: Corn-based ethanol would not be added to gasoline without federal mandates and subsidies to farm states. Gasoline blended with ethanol can't be shipped by pipeline, must be blended at the point of distribution, and causes water accumulation and rust if left for extended periods. The Platform states "We believe in free people, free markets and free enterprise." The market should decide if gasoline blended with ethanol is desired. However, a special non-corn-ethanol blend is not readily available, and as a small market NH could not ensure that it would be available. This mandate would also increase gasoline prices.

HRA Recommendation: No Recommendation

HB 543, repealing the electric renewable portfolio standard. MAJ: ITL. MIN: OTP. Vote 17-2.

HRA Analysis: The Platform states "Work to reduce energy costs and remove NH from the Regional Greenhouse Gas Initiative." If the renewable portfolios were economic, they would exist on their own. But they are not, and require mandates and subsidies to keep them going. Repealing the renewable portfolio mandates would lower energy costs.

HRA Recommendation: Oppose ITL

TRANSPORTATION

HB 196, requiring removal of identifying features from former ambulances. MAJ: OTP/A. MIN: ITL. Vote 17-1.

HRA Analysis: This bill requires used ambulances to be stripped of ambulance features. Despite the minority report, there is no mandate that the buyer, rather than the seller, is obliged to do this. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation

HB 467-FN, relative to 14-month OHRV registrations. OTP/A. Vote 14-0.

HRA Analysis: This bill, as amended, provides an optional 14 month registration for OHRVs and simplifies the registration process for Fish & Game. The Platform states we believe "that government has a moral obligation to the people to be as cost effective as possible."

HRA Recommendation: Support OTP/A.

HB 559-FN, relative to vehicle registration by entities doing business in New Hampshire. OTP. Vote 15-0.

HRA Analysis: This bill requires non-resident businesses that establish a place of business in the state and keep vehicles there must register those vehicles in New Hampshire. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation

HB 621-FN, establishing fines for violations of the "wide berth" laws. OTP. Vote 14-1.

HRA Analysis: This bill sets fines for violations of these laws in statute, rather than leaving them to the discretion of the judges. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation