

## 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.



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**WEDNESDAY, MAY 20**

### **HOUSE CALENDAR**

**OPPOSE CONCUR; SUPPORT NON-CONCUR ON**

#### **GOVERNOR'S SAME GENDER AMENDMENT TO HB 73**

**The Governor has graciously provided us another opportunity to vote with the majority of our constituents and with good common sense against same gender marriage. He has said that he will veto the gay marriage bill unless yet another “fix” is tacked onto it. This latest amendment does not solve the need to protect people from lawsuits if they have religious scruples against participating in gay marriage ceremonies, but it does give us the opportunity to help the Governor reject gay marriage.**

**The Governor did not keep his word with the people of New Hampshire. Republicans will keep their faith with New Hampshire by rejecting same gender marriage.**

**WEDNESDAY, MAY 20**

### **REGULAR CALENDAR**

#### **COMMERCE AND CONSUMER AFFAIRS**

**SB 5**, prohibiting retailers from disclosing private customer information to foreign states in connection with the collection of certain sales and use taxes. **OUGHT TO PASS WITH AMENDMENT. Vote 14-0.**

**HRA Analysis:** The state party platform recognizes that we should promote “*lower taxes to attract business development and expand economic opportunities by . . . maintaining a locally controlled tax system . . .*” Section VII. Having made itself into a low-growth state by reason of its rapacious taxation of its citizens, Massachusetts has now begun to look north to a more dynamic New Hampshire as a source of tax revenue to satiate to their need for ever more money to spend on government. SB 5 seeks to protect NH businesses from this raid and deserves our support.

**HRA Recommendation. SUPPORT OTPA.**

**SB 80**, establishing a committee to study requiring insurance coverage for services provided by athletic trainers. **OUGHT TO PASS WITH AMENDMENT. Vote 13-6.**

**HRA Analysis:** Studies indicate that half of health care insurance premiums come from state mandated health care coverage. Having created a crisis of affordability of health care insurance through the mandates, the Democrats seek to solve it through a one-payer national health care system, thereby further eroding our liberty and giving themselves a solid basis to control every aspect of our lives. We should do what we can to block this trend by trying to find out how we can add even more mandates.

**HRA Recommendation. OPPOSE OTPA.**

## EXECUTIVE DEPARTMENTS AND ADMINISTRATION

**SB 131**, relative to state hiring of veterans. **OUGHT TO PASS WITH AMENDMENT. Vote 12-5.**

**HRA Analysis:** Section V of the state GOP platform states Republicans will respect New Hampshire's honored veterans by ensuring that they receive the benefits that they have rightfully earned and deserve, however preferences are not mandated. Members should vote their conscience on this issue.

**HRA Recommendation: No Recommendation**

**SB 132**, establishing a commission to develop implementation plans for merging state agencies and programs to enhance efficiency and lower costs. **INEXPEDIENT TO LEGISLATE. Vote 17-0.**

**HRA Analysis:** The Platform supports lower spending and more efficient government, but also confirms that our government is founded upon the people's consent and is instituted for the general good. Without consent, the government cannot function.

**HRA Recommendation: SUPPORT ITL**

**SB 173**, authorizing the commissioner of corrections to accept certain gifts. **OUGHT TO PASS. Vote 11-6.**

**HRA Analysis:** The Republican platform supports an ethical and open government. Notice and approval of the receipt of gifts promotes that goal.

**HRA Recommendation: OPPOSE OTP**

## JUDICIARY

**SB 19**, relative to government immunity from lawsuits for municipal dog parks. **MAJORITY: INEXPEDIENT TO LEGISLATE. MINORITY OUGHT TO PASS. Vote 11-6.**

**HRA Analysis:** “[F]rivolous lawsuits are burdensome to our legal system, a detriment to the New Hampshire economy, and an abuse of the judicial process.” NH GOP Platform, section X. SB 19 would help municipalities and others avoid such lawsuits and therefore should be supported.

**HRA Recommendation: OPPOSE ITL; SUPPORT OTP**

**SB 31-FN**, establishing the Candia District Court and the Manchester District Court as judicial branch family division sites. **OUGHT TO PASS WITH AMENDMENT. Vote 11-0.**

**HRA Analysis:** No platform or constitutional issue identified.

**HRA Recommendation: No Recommendation**

**SB 33**, allowing lobbyists and those connected with lobbyists to sit on committees established by the judicial branch. **OUGHT TO PASS WITH AMENDMENT. Vote 11-0.**

**HRA Analysis:** Underlying our party platform is an approach to government that promotes openness and citizen participation. Our courts have traveled far from being open and responsive institutions, but that does not provide reason to allow them to go further along in that journey. Letting lobbyists join in the operation of our courts is antithetical to the concept of a “*government of the people, by the people, for the*”

people.” It should be clear to all of us that Abraham Lincoln would never have substituted the word “lobbyist” when he described that ideal government in the Gettysburg Address and neither should we.

**HRA Recommendation: OPPOSE OTPA.**

**SB 51**, requiring confidentiality of jurors' addresses and the file in an involuntary admission proceeding. **OUGHT TO PASS WITH AMENDMENT. Vote 11-0.**

**HRA Analysis:** This bill balances the need for juror privacy with the right we all have to a fair trial judged by impartial jurors. It will assist in meeting the platform mandate that we promote “*a legal system that provides every citizen prompt and impartial justice.*” Party Platform, Section X.

**HRA Recommendation: SUPPORT OTPA.**

**SB 53**, establishing professional guardians and removing the oath requirement in annual reports of the guardian. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 11-6.**

**HRA Analysis:** In return for foregoing the inconvenience of guardians tracking down a notaries or justices of the peace when they report to courts on how they use their ward’s funds, we will lose both the reality of a perjury penalty and symbolization of the seriousness of the representations to the court by those guardians. No testimony was received in committee as to the necessity or desirability of this change; rather it was explained clerks’ office are tired of looking for and requiring these oaths. So, it seems, the system will lose some of its integrity because clerks need to do less work.

**HRA Recommendation: OPPOSE OTP**

**SB 70-FN**, authorizing the office of mediation and arbitration within the judicial branch to provide pre-suit alternative dispute resolution services. **OUGHT TO PASS. Vote 11-0.**

**HRA Analysis:** The need of low cost, pre-suit mediation does not appear to be addressed by commercial services, so its availability through the court system seems warranted. No platform issue was identified however.

**HRA Recommendation: No Recommendation**

**SB 87-L**, changing the timing of payment of fine revenue from district court clerks to municipalities. **OUGHT TO PASS. Vote 11-0.**

**HRA Analysis:** This bill appears to address a more convenient system of payment without denying or appreciable delaying any revenue to the municipalities. No platform issue was identified.

**HRA Recommendation: No Recommendation**

**SB 88**, relative to recommendations of marital masters. **OUGHT TO PASS. Vote 11-0.**

**HRA Analysis:** There is a lot of smoke of dissatisfaction, outrage and allegations of incompetence surrounding the subject of marital masters in New Hampshire. One can only assume that some day a conflagration will explode out of that smoke. In this context, allowing marital masters to issue court orders under any circumstances without judicial oversight (review and signing by a judge) is far from what our constituents need or deserve. Our party platform states that we will “[s]upport the reasonable and periodic oversight of judicial officers . . .” Party Platform, section X. Marital masters more than most judicial officers require such oversight.

**HRA Recommendation: OPPOSE OTP**

**SB 130**, prohibiting the advertising and conducting of certain live musical performances or productions. **OUGHT TO PASS. Vote 11-0.**

**HRA Analysis:** Federal trademark law protects the names of musical groups from use by others so long as the owners of those groups continue to use their names in commerce. This bill goes way beyond that by giving them and their descendants perpetual rights to a name even when it is no longer used by them to present musical performances or recordings. With this kind of law we could expect that Paul McCarthy V will appear some years hence and claim anyone using the name “Beatles” for their musical group owes him a royalty because the word was used by his great, great, great, Grandfather, Sir Paul McCarthy. This is hardly an appropriate way to address the confusion of a Senator who testified she needed the bill because she was halfway through a performance of Credence Clearwater Revisited before she realized she was not going to see John Fogarty.

**HRA Recommendation: OPPOSE OTP**

## **MUNICIPAL AND COUNTY GOVERNMENT**

**SB 29**, relative to review of developments of regional impact. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 12-2.**

**HRA Analysis:** More effort to centralize state government by specifying standards for local land use boards. Our platform supports local and not centralized control of government. Local towns and cities know what is best for their communities and do not need regional or state commissions to dictate to them

**HRA Recommendation: OPPOSE OTPA; SUPPORT ITL**

**SB 195**, relative to procedures for the trimming, cutting, or removal of trees by utilities. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 11-4.**

**HRA Recommendation:** The minority report very aptly expresses why this challenging to property rights should be rejected.

**HRA Recommendation: OPPOSE OTPA; SUPPORT ITL.**

## **TRANSPORTATION**

**SB 17**, relative to Selective Service registration upon driver's license application or renewal. **INEXPEDIENT TO LEGISLATE.. Vote 12-2.**

**HRA Analysis:** This bill seeks to change a 2002 law under which young men can now register for the Selective Service when applying for a drivers license. The bill changes the law from an opt-in to an opt-out choice. Individuals should not be forced to give up their 5th amendment right to avoid self-incrimination; however, this bill would require some individuals seeking a license to admit on paper an intent to opt-out of Selective Service, thereby giving evidence of a felony punishable with a fine and incarceration. This bill additionally violates our party platform by effectively requiring the DMV to be an agent the federal government. Although the bill did not have a fiscal note, the DMV indicated in committee funds will be spent to gather the information contacting individuals who don't respond with up to three letters.

**HRA recommendation: SUPPORT ITL**

## **WAYS AND MEANS**

**SB 22-FN**, relative to criminal mischief committed against natural geological formations which have been designated as natural landmarks. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 11-6.**

**HRA Analysis:** Contained within the New Hampshire Republican Party Platform is the assertion: "*The beauty of New Hampshire as a place in which to live and work depends upon a healthy environment. It is vital that our society commits itself to the preservation of our natural resources.*" Nothing looks worse or damages our fine natural rock faces and other geological landmarks in a more needless way than by spray paint or other forms of criminal "art." This legislation gives the current statute against this criminal behavior some teeth. As such, we should support this bill.

**HRA Recommendation: SUPPORT OTP**

**SB 182-FN-A**, establishing a committee to study business tax credits. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 18-1.**

**HRA Analysis:** While on its face this legislation appears to be a very good idea, during discussions concerns arose that it could be misused by the current legislative majority to reduce worthy business tax credits. That concern prevents a recommendation of the bill.

**HRA Recommendation: No Recommendation**

**"Elective government is . . . the best permanent corrective of the errors or abuses of those entrusted with power."**

**Thomas Jefferson, 1801**

**The Current HRA Scorecard Can Be Found Here: [http://www.nhhra.org/report\\_cards.htm](http://www.nhhra.org/report_cards.htm)**