

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.

“TRUST BUT VERIFY”

Bill Number	Committee	Committee Vote	HRA recommends
CACR 15	Judiciary	ITL 16-0	Oppose ITL
HB 1127	Judiciary	OTP 10-8	Support OTP
HB 1212	Public Works	OTP 14-0	No Recommendation
HB 1214	Municipal & County	ITL 10-6	Support ITL
HB 1221	Municipal & County	ITL 12-4	No Recommendation
HB 1272	Education	OTP 11-8	Support OTP
HB 1350	Judiciary	ITL 16-1	Support ITL
HB 1402	Municipal & County	ITL 11-4	No Recommendation
HB 1430	Transportation	OTP/A 16-0	Support OTP/A
HB 1446	Transportation	ITL 15-3	Oppose ITL
HB 1576	Municipal & County	ITL 12-3	No Recommendation
HB 1697	Transportation	OTP/A 14-2	No Recommendation

Thursday, February 4 REGULAR CALENDAR

EDUCATION

HB 1272, relative to bus transportation for chartered public school students. OTP. Vote 11-8.

HRA Analysis: This bill simply gives students in a local public charter school the same transportation services as those in other local public schools. The Platform: “Support expanded education choices, including...charter schools.”

HRA Recommendation: Support OTP.

JUDICIARY

HCACR 15, Providing that judges be elected for specific terms. ITL. Vote 16-0.

HRA Analysis: This constitutional amendment would require elected, rather than appointed, judges. The Platform: “Implement reasonable and periodic oversight of judicial officers, including term limitations.”

HRA Recommendation: Oppose ITL.

HB 1127, relative to qualifications of referees in the courts. MAJ: OTP. MIN: ITL. Vote 10-8.

HRA Analysis: This bill requires judicial referees to become justices of the peace, thereby authorizing executive or legislative oversight. A Justice of the Peace is a court officer that passes a background check, is approved by the Executive Council, and serves a 5 year term. A JP requirement for judicial referees is consistent with the Platform: “Implement reasonable and periodic oversight of judicial officers.”

HRA Recommendation: Support OTP.

HB 1350, relative to allodial rights and violations of the oath of office. ITL. Vote 16-1.

HRA Analysis: This bill defines all of New Hampshire land as being held in "allodial" (non-feudal) title. It's not clear that this characterization is upheld by the Constitution; it *is* clear that, from its founding, New Hampshire authorized property taxes, which are not applicable to allodial titled lands. Part 1, Article 18 of the NH Constitution states: "All penalties ought to be proportional to the nature of the offense," and the penalties in this bill seem unduly severe.

HRA Recommendation: Support ITL.

MUNICIPAL AND COUNTY GOVERNMENT

HB 1214, allowing towns and cities to authorize an additional surcharge on hotel occupancy. ITL. Vote 10-6.

HRA Analysis: On one hand, this is a new tax; on the other, it must be approved by the voters in any town or city that wishes to implement this surcharge, and the Platform states we should: "Maintain local control of spending and taxes designed to support local services." While one can argue this is a local control decision, raising hotel taxes in selected districts creates a negative impression for visitors to NH.

HRA Recommendation: Support ITL.

HB 1221, excluding certain one-time expenditures from the default budget. MAJ: ITL. MIN: OTP. Vote 12-4.

HRA Analysis: This bill expands the definition of "one time expenses" to include purchases of items that are planned to be paid for in three years or less, which has been an issue in the sponsors' town. However, it's not clear that all towns have that particular issue, and this might exacerbate some other issues with default budgets. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation.

HB 1402, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available commercially. MAJ: ITL. MIN: OTP. Vote 11-4.

HRA Analysis: Over the last decade, there has been a significant increase in the amount of "Surplus" equipment that is being made available by the US military. In that period of time, millions of dollars worth of equipment has been donated to the state, and now the state, as well as the political subdivisions, must maintain this equipment. This unnecessary equipment is not designed for US streets and urban/suburban environments and is very costly to maintain. The NH Constitution warn us against creating standing armies and this equipment, designed for the battle field, should not be permitted into our local police forces. However, this bill as written has serious flaws, including an incomplete forfeiture clause and no exceptions for defensive or medical gear.

HRA Recommendation: Support a motion to table.

HB 1576, repealing the licensure of dogs. MAJ: ITL. MIN: OTP/A. Vote 12-3.

HRA Analysis: The Platform states: "Sunset programs and regulations for force periodic reevaluation. Indeed, many licensing programs can be considered only attempts to raise funds for a specious need. However, the committee argued that licensed animals save government the time and expense of ruling out a rabies carrier. Bite victims can be spared painful treatments. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation.

PUBLIC WORKS AND HIGHWAYS

HB 1212, naming welcome center at exit 44 on Interstate 93 in honor of Raymond S. Burton. OTP. Vote 14-0.

HRA Analysis: Naming a welcome center after a deceased Executive Councilor. The founding fathers felt strongly about a citizen legislature, motivated just to serve their constituents for a limited period of time and then return to private life. Recognition in the form of posthumous modest monuments has been a long standing tradition for exceptional service. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation.

TRANSPORTATION

HB 1430, relative to registration of compact utility tractors. OTP/A. Vote 16-0.

HRA Analysis: This bill corrects a problem introduced last session by SB 231 which changed the definitions and other laws regarding agricultural/industrial utility vehicles. Homeowner-sized small vehicles like backhoes were forced to get

an expensive commercial registration instead of the nominal registration fee they had originally. HB 1430 as amended would reduce these fees from the \$100 range to \$10. Our platform says we “strongly oppose new taxes and fees ...”

HRA Recommendation: Support OTP/A with the floor amendment, which fixes a drafting error.

HB 1446, enforcement of the prohibition on the use of electronic devices while driving. ITL. Vote 15-3.

HRA Analysis: This bill makes the prohibition on using handheld mobile devices a “secondary” offense, meaning that it can only be enforced (ticketed) in conjunction with another offense such as speeding, distracted driving, etc. Many states enforce their seat-belt laws this way. When the handheld device ban first came before the House almost two years ago, we opposed it, saying: “This is an extreme and unwarranted attack on our freedoms to travel and go about our business, unhindered by the state.”

HRA Recommendation: Oppose ITL and Support OTP.

HB 1697, operation and insurance of transportation network companies. MAJ: OTP/A. MIN: ITL. Vote 14-2.

HRA Analysis: HB 1697 adds a new chapter to the RSAs regulating transportation companies such as Uber and Lyft. It requires companies to register and prove financial responsibility; drivers to have \$1M in liability insurance; and other provisions. Currently these kinds of services are individually regulated by municipalities, creating a crazy-quilt environment that discourages business. On the other hand, this bill was written by Uber, for Uber, and the fee structure (\$5000/year) is designed to eliminate competition from start-ups. It also creates a new level of state regulations that doesn't include limos, taxis, airporters, and other possible transportation options. The idea is fine, but this bill is not ready for prime time.

HRA Recommendation: Support possible floor amendment on fee structure, then vote to table.