

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
HB 1130	State-Federal & Veterans	OTP/A 7-4	No Recommendation
HB 1184	Commerce	ITL 15-4	Oppose ITL
HB 1207	Commerce	ITL 14-5	Oppose ITL
HB 1298	Resources	OTP/A 17-0	Support OTP/A
HB 1368	Commerce	ITL 20-1	Support ITL
HB 1412	Science, Tech & Energy	ITL 15-5	Support ITL
HB 1416	ED&A	ITL 11-4	Support ITL
HB 1444	Commerce	ITL 11-7	Support ITL
HB 1524	Fish & Game	ITL 9-2	Oppose ITL
HB 1527	ED&A	OTP 13-3	No Recommendation
HB 1551	Education	OTP/A 16-2	Oppose OTP/A
HB 1553	Science, Tech & Energy	OTP 19-0	Support OTP
HB 1557	HHS	OTP/A 11-7	Support OTP/A
HB 1560	Judiciary	ITL 9-7	Oppose ITL
HB 1561	Education	Interim Study 14-3	Oppose ITL
HB 1563	Education	OTP 10-9	No Recommendation
HB 1564	Election Law	ITL 11-8	Support ITL
HB 1568	Public Works	OTP/A 15-0	Oppose OTP/A
HB 1590	Commerce	OTP/A 15-4	Oppose OTP/A
HB 1604	Education	OTP/A 19-2	No Recommendation
HB 1616	Transportation	OTP/A 16-2	Oppose OTP/A
HB 1619	HHS	Interim Study 18-0	No Recommendation
HB 1622	Science, Tech & Energy	ITL 13-6	Support ITL
HB 1627	Judiciary	ITL 9-7	Oppose ITL
HB 1630	Education	OTP/A 18-1	No Recommendation
HB 1638	Education	ITL 16-2	No Recommendation
HB 1641	Labor	ITL 10-6	Support ITL
HB 1644	Education	OTP 11-8	Oppose OTP
HB 1647	Commerce	OTP 10-9	Support OTP
HB 1673	Public Pensions	OTP/A 7-6	Oppose OTP/A

HB 1674	Environment & Agriculture	ITL 12-7	Support ITL
HB 1694	Criminal Justice	ITL 11-4	No Recommendation
HB 1695	HHS	OTP/A 18-0	Support OTP/A
HB 1696	HHS	OTP/A 17-1	Oppose OTP/A
HB 1699	ED&A	OTP/A 12-3	Oppose OTP/A
HB 668	Ways & Means	ITL 19-0	Oppose ITL

WEDNESDAY, FEBRUARY 10 REGULAR CALENDAR

EDUCATION

HB 1551, establishing the John and Molly Stark scholarship program. MAJ: OTP/A. MIN: OTP/A. Vote 16-2.

HRA Analysis: HB 1551 creates a scholarship program for NH high-school graduates who subsequently attend USNH and commit to work in NH for four years after graduation. The program is not funded, but can accept donations and might be funded in future budgets. The work requirement is impractical and probably unenforceable. It also would seem simpler to donate directly to USNH rather than set up this whole mechanism. Simply handling applications from the (hundreds? thousands?) of eligible students could be a full-time job. Our constitution in part 2 article 83 requires us to encourage both public and private educational institutions, not just one or the other.

HRA Recommendation: Oppose OPA and support ITL.

HB 1561, relative to freedom of expression on college campuses. INTERIM STUDY. Vote 14-3.

HRA Analysis: HB 1561 concerns free speech on USNH and community college campuses. It declares that outdoor areas are public forums and that if the colleges want to restrict their use, they must have a written viewpoint-neutral policy. The committee bought the argument that this extremely mild requirement would cost the colleges money. Actually, arbitrary actions are much more likely to cost them money in lawsuits than adopting and sticking to an evenhanded policy. As part 1, article 21 of the NH Constitution says, "Free speech and liberty of the press are essential to the security of freedom in a state: They ought, therefore, to be inviolably preserved."

HRA Recommendation: Oppose Interim Study and support OTP.

HB 1563, relative to funding for full-day kindergarten pupils. MAJ: OTP. MIN: ITL. Vote 10-9.

HRA Analysis: This bill changes the formula for calculating average daily membership in attendance (ADMA) thus affecting adequate education payments. Currently, kindergarten students are only counted as attending a half-day, even if their program is longer. This bill eliminates the restriction and counts all grades, including kindergarten, in the same way. The net effect is to raise adequate education payments by \$3.2M (about 0.3%). No platform or constitutional issues identified.

HRA Recommendation: No recommendation.

HB 1604, relative to exceptional student education programs and providing funding therefor. OTP/A. Vote 19-2.

HRA Analysis: The original bill promoted exceptional students by encouraging special programs for them and rewarding districts with extra funding based on the number of exceptional students they have. The amendment completely changes the bill to a very general mandate about advancing students when they are ready, rather than by age, and some other generalizations. These items are strangely put into the chapter about the statewide assessment program, which is mostly unrelated. It doesn't appear that this new language will have much, if any, effect on education.

HRA Recommendation: No recommendation.

HB 1630, relative to calculating the base cost of an adequate education. OTP/A. Vote 18-1.

HRA Analysis: This bill, as amended, jiggers the adequate education formula in several ways, one of which is significant. It identifies two sets of towns: those in the lower eighth of property value per student who are also below median family income, and those in the next-to-lowest eighth of property value per student who are also below median family income. It makes an additional per-student payment of \$2,000 for towns in the first group, and \$1,200 for towns in the second group. Plus, it keeps stabilization payments (payments for non-existent students based on an old formula)

from being phased out for these two sets of towns. The net result of all these changes is to spend about \$8M (or 1%) more annually on education than current law. Creating cliffs, separating towns into groups of have and have-nots, and paying for non-existent students is very questionable public policy. No platform or constitutional issues identified.

HRA Recommendation: No recommendation.

HB 1638, relative to the allocation of lottery revenues to schools. ITL. Vote 16-2.

HRA Analysis: This bill redirects lottery revenue from the education trust fund to be divided among all grade 1-12 schools (public and private) on an equal per-pupil basis. It raises two questions: should state aid be spent on all students (and if so, what about home school students?) or just public school students; and should aid be the same for every pupil, or different based on various characteristics. Our platform and constitution (part 2 article 83) strongly support both private and public schools. However, the bill as written blows a hole in the budget because in redirecting lottery money in this way it does not reduce existing aid to schools by a like amount. Also, one could argue that part 1 article 6-b of the constitution in using the term "school districts" intended lottery revenue to only be used for public schools.

HRA Recommendation: No recommendation.

HB 1644, screening and treatment for dyslexia and related disorders. MAJ: OTP. MIN: ITL. Vote 11-8.

HRA Analysis: HB 1644 requires all school children to be screened for dyslexia and related conditions, school districts to provide services for those affected and for the state education department to employ a \$100,000 per year specialist to support the districts. Strangely, the fiscal note only includes the cost of the specialist and says that there will be no other additional costs. This implies that the testing and services are already provided by school districts without the need for a specialist. Our platform tells us to "promote local control of education policy and funding." This is more state control.

HRA Recommendation: Oppose OTP, support ITL.

ELECTION LAW

HB 1564, establishing an independent redistricting commission. MAJ: ITL. MIN: INTERIM STUDY. Vote 11-8.

HRA Analysis: Rather than the having majority party redistrict after the census, the bill establishes a commission of 7 members, including minority leaders of House and Senate, the Speaker and Senate president, and remaining members by majority vote of the first four. The bill includes fines and criminal charges on political advocacy that exceed certain terms and conditions, and creates a new position in the AG's office on election integrity. As confirmed by the US Supreme Court in the Citizens United decision, the First Amendment guarantees free speech on political matters. The bill is unconstitutional, unwieldy and unnecessary.

HRA Recommendation: Support ITL.

ENVIRONMENT AND AGRICULTURE

HB 1674, requiring the labeling of genetically engineered foods. MAJ: ITL. MIN: OTP. Vote 12-7.

HRA Analysis: This bill requires special labeling and permits penalties of up to \$1,000/day for violations. Natural mutations occur constantly in the food chain, resulting in more desirable varieties, and modern biology is able to speed up the process. This bill adds more bureaucracy to enforce a perceived threat that has no basis in science. The Platform states: "Minimize business regulations, permits, licenses and paperwork."

HRA Recommendation: Support ITL.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB 1416-FN, relative to funding for state criminal background checks. ITL. Vote 11-4.

HRA Analysis: This bill requires funding for a new position and allows a "reasonable fee" to be charged. As the Federal government provides an instant background check at no charge, it seems this position is redundant. The Platform states: "...oppose any taxation..." regarding firearms.

HRA Recommendation: Support ITL.

HB 1527, authorizing additional part-time positions in administrative services. OTP. Vote 13-3.

HRA Analysis: No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation.

HB 1699, establishing a licensed alcohol and drug counselor in the bureau of emergency medical services to develop a training program for fire and emergency medical services. OTP/A. Vote 12-3.

HRA Analysis: While it may be true that first responders have an opportunity to encourage drug abusers to seek treatment, there is no need for license or even advanced training. An addict on a ambulance ride to a hospital with fire/EMT oversight is essentially never in a position or state of mind to make a life altering decision that will last. And if on the isolated occasion the patient is receptive to rehabilitation, all they need to hear is "are you ready to turn your life around? If you are, I can provide you with information and contacts to receive some help. Would you like that information and assistance?" Local EMTs already can and do refer people to drug counselors. The Platform warns us to "Justify expenditures against measurable benefits" and this proposal has no apparent benefits to justify the costs.

HRA Recommendation: Oppose OTP/A.

FISH AND GAME AND MARINE RESOURCES

HB 1524, repealing fish and game authority to establish fees by rulemaking. MAJ: ITL. MIN: OTP/A. Vote 9-2.

HRA Analysis: The Platform states: "Maintain local control of spending and taxes designed to support local services." Executive agencies such as Fish and Game should enforce the laws, and fee setting belongs in the Legislative branch, directly accountable to the public.

HRA Recommendation: Oppose ITL.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 1557, relative to alcohol and drug treatment programs. MAJ: OTP/A. MIN: ITL. Vote 11-7.

HRA Analysis: As amended, this bill requires the LBA to do a feasibility study on determining the cost effectiveness of state programs. If feasible, these studies support the Platform "Justify expenditures against measurable benefits."

HRA Recommendation: Support OTP/A.

HB 1619, relative to the use of narcan. INTERIM STUDY. Vote 18-0.

HRA Analysis: This bill, as written, is specific to Hillsborough County. Having recovery coaches or other addiction treatment experts available after an overdose makes sense, though, and this might be appropriate state- wide. On the other hand, the health care system might be taking care of this themselves and the bill is unnecessary. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation.

HB 1695, establishing an office of health services planning and review. OTP/A. Vote 18-0.

HRA Analysis: This bill, as amended, creates a health care database, with information on cost and quality of care. The Platform: "Improve access to the information necessary to make informed health care decisions, including information about the quality and cost of services provided by physicians, hospitals and insurers."

HRA Recommendation: Support OTP/A.

HB 1696, modifying the New Hampshire health protection program. MAJ: OTP/A. MIN: ITL. Vote 17-1.

HRA Analysis: As amended, this bill continues the expanded Medicaid program for another two years, funding the state's share with "voluntary" contributions from the hospitals and insurance companies, and a tax on the insurance plans sold to cover these people. This diverts insurance taxes from the general fund to the Medicaid fund; prioritizes health care of these childless, able bodied adults over that of the disabled; relies on "contributions" from the businesses that benefit from this extension to cover the cost (showing just how good a deal it is for the hospitals and insurance companies); and opposes the Platform: "Allow free market driven health care plans and "ala carte" insurance plans free from government mandates."

HRA Recommendation: Oppose OTP/A, support ITL.

JUDICIARY

HB 1560, relative to abortion procedures. MAJ: ITL. MIN: OTP. Vote 9-7.

HRA Analysis: This bill criminalizes the most common method of second trimester abortions. The Platform: "Support the pre-born child's fundamental right to life."

HRA Recommendation: Oppose ITL.

HB 1627, relative to the protection of infants born alive. MAJ: ITL. MIN: OTP. Vote 9-7.

HRA Analysis: This bill requires additional protections for infants born alive after an abortion. The Platform: "Support the pre-born child's fundamental right to life."

HRA Recommendation: Oppose ITL.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

HB 1641, requiring prevailing wages on state-funded public works projects. MAJ: ITL. MIN: OTP. Vote 10-6.

HRA Analysis: This bill requires any business bidding on a state funded project pay a "prevailing" wage and benefit. This would require additional book keeping for the businesses and the State. The Department of Administrative Services estimated they would need 6 new employees to administer the program, and that construction projects would be 15% more expensive to the state. Total estimated costs per year are approximately 2.6 million dollars. The added costs and bureaucratic requirements would discourage small businesses from bidding on State projects. The platform: "Keep state government lean."

HRA Recommendation: Support ITL.

PUBLIC WORKS AND HIGHWAYS

HB 1568, relative to prepaid road tolls for certain alternative energy vehicles. OTP/A. Vote 15-0.

HRA Analysis: Roads and bridges are funded by user fees, namely the gas tax. Electric cars use no gas and consequently pay no user fee. This bill charges a fee equal to twice the annual registration, estimated to average \$86.40. The Platform states: "Strongly oppose new taxes and fees."

HRA Recommendation: Oppose OTP/A.

RESOURCES, RECREATION AND DEVELOPMENT

HB 1298, relative to damage to private property. OTP/A. Vote 17-0.

HRA Analysis: This bill creates a cause of action that gives landowners who allow the public onto their property the ability to sue and collect up to triple damages from any who damage, litter, or pollute the land. The Platform says we must: "Encourage landowners to keep their property open and accessible to responsible recreation." By allowing recovery of damages from the irresponsible, more landowners will keep their property open.

HRA Recommendation: Support OTP/A.

SCIENCE, TECHNOLOGY AND ENERGY

HB 1412, relative to duties of the public utilities commission. MAJ: ITL. MIN: OTP/A. Vote 15-5.

HRA Analysis: This bill, as written, would require the PUC to perform more analyses before approving new energy projects, estimated as requiring 25-30 more staff, approximately \$3 million/year to be paid by the energy suppliers. This would undoubtedly increase energy rates, in violation of the Platform's "Work to reduce energy costs." The minority amendment removes all costs from the bill, thereby ensures that nothing changes.

HRA Recommendation: Support ITL.

HB 1553, transferring the administration of the telecommunications accounting unit. OTP. Vote 19-0.

HRA Analysis: This bill moves telecommunications accounting for state government from Safety to Information Technology, a more appropriate choice given current technology. Even considering transition costs, there is a small saving in the first year, with more expected each year to follow. The Platform: "Keep state government lean."

HRA Recommendation: Support OTP.

HB 1622, establishing a nuclear waste storage fee. MAJ: ITL. MIN: OTP/A. Vote 13-6.

HRA Analysis: This bill creates a new bureaucracy to review any plans for storing nuclear waste in New Hampshire, funded (maybe) by fees from the federal government. Also, the Seabrook nuclear plant will pay a "fee" of \$7 million/year for the spent fuel they store. This might increase our electric rates; more likely, the owners of the plant might decide they can't make a profit operating it and close it down, removing a major source of low cost, reliable, zero-emissions electricity. The Platform: "Keep state government lean and work to reduce energy costs."

HRA Recommendation: Support ITL.

SPECIAL COMMITTEE ON PUBLIC EMPLOYEE PENSION PLANS

HB 1673, establishing a cash balance plan. **MAJ: OTP/A. MIN: INTERIM STUDY. Vote 7-6.**

HRA Analysis: This bill creates a new version of the state pension plan for new hires, based on Nebraska's, that maintains individual accounts and has both employees and the employer/taxpayer liable for some of the investment risk. However, it is only a baby step to a true defined contribution plan, and would likely make it more difficult to move to one in the future. The Platform: "Ensure that public employee benefits are similar to and do not exceed those of the private sector" and that means a true defined contribution plan.

HRA Recommendation: Oppose OTP/A.

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

HB 1130, permitting memorials for those who died in military service. **MAJ: OTP/A. MIN: ITL. Vote 7-4.**

HRA Analysis: This bill mandates that all school districts permit a memorial for any graduates who have died in service, at no cost to the district. While it supports the platform plank "Respect New Hampshire's honored veterans" it violates "Promote local control of education policy." You decide.

HRA Recommendation: No Recommendation.

WAYS & MEANS

HB 668, relative to expense deductions under the business profits tax. **ITL. Vote 19-0.**

HRA Analysis: This bill increases the limit for immediate deductions of equipment purchases from \$25K to \$100K. This provides businesses, especially small businesses, with more cash up front by lumping this deduction in one year, rather than spreading it out. The Platform: "encourage small businesses."

HRA Recommendation: Oppose ITL, support OTP.

TRANSPORTATION

HB 1616, relative to drivers' licenses and identification cards that comply with federal law. **OTP/A. Vote 16-2.**

HRA Analysis: This bill authorizes the DMV to issue, on request and payment of an additional fee, federally compliant drivers' licenses, identification cards, and "enhanced" ID cards and licenses that are good for non-air entry into the country. It requires that, when queried about an enhanced license, information about that individual is provided to the federal agency, but not the complete database. The Platform warns us to "Protect the privacy of individuals from government agencies" and New Hampshire has prohibited following REAL ID to prevent its use as an internal passport or travel document.

HRA Recommendation: Oppose OTP/A.

COMMERCE AND CONSUMER AFFAIRS

HB 1184, relative to license fees for domestic wine manufacturers. **ITL. Vote 15-4.**

HRA Analysis: This bill increases the limit to qualify for the lowest licensing fee from 1,000 to 10,000 cases per year, and decreases the fee for larger manufacturers from \$1,140 to \$1,100. The Platform: "encourage small businesses."

HRA Recommendation: Oppose ITL.

HB 1207, exempting wine sample fees from the meals and rooms tax. **MAJ: ITL. MIN: OTP. Vote 14-5.**

HRA Analysis: This bill exempts wine samples from the R&M tax, but not the alcohol tax. It's not a lot of money, but it is a record keeping hassle for wine manufacturers (who do not collect the R&M tax on their other products.) The Platform: "Minimize business regulations, permits, licenses and paperwork."

HRA Recommendation: Oppose ITL.

HB 1368, requiring firearms owners to have liability insurance. **ITL. Vote 20-1.**

HRA Analysis: This bill requires gun owners, sellers, and buyers to have a type of liability insurance that is not currently available in New Hampshire. Since this requirement predominately affects poorer people, it violates the Constitutional provision: "All persons have the right to keep and bear arms."

HRA Recommendation: Support ITL.

HB 1444, relative to the rate of the insurance premium tax. MAJ: ITL. MIN: INTERIM STUDY. Vote 11-7.

HRA Analysis: This bill increases the insurance tax from 1.25% to 2%. Due to the “retaliation tax” it will only affect insurers based in states with a tax of less than 2%, such as New Hampshire. The platform: “cut or eliminate taxes which inhibit enterprise.”

HRA Recommendation: Support ITL.

HB 1590, relative to the regulation and taxation of short-term rental businesses. OTP/A. Vote 15-4.

HRA Analysis: As amended, this bill requires *all* ads for short term rentals to display the R&M tax number of the operator. Whether a person renting a room in their house for a short term is actually operating a “hotel” depends on your interpretation of RSA 78-A:3; there are no exemptions there for homeowners, as in the federal tax code, which exempts one week/year or less. The Platform: “Strongly oppose new taxes and fees.”

HRA Recommendation: Oppose OTP/A.

HB 1647, repealing laws regulating hawkers and peddlers. MAJ: OTP. MIN: ITL. Vote 10-9.

HRA Analysis: This bill repeals the state-level licensing of hawkers and peddlers, but not the local licensing, if a municipality has chosen to require one. Every previous discussion of these licenses has revealed a deep confusion between the state licenses and local ones, so having only one license will make it easier to enforce and more under local control. The Platform: “Minimize business regulations, permits, licenses and paperwork.”

HRA Recommendation: Support OTP.

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 1694, relative to the legalization and regulation of marijuana. MAJ: ITL. MIN: OTP/A. Vote 11-4.

HRA Analysis: This bill, as amended, is a comprehensive plan to legalize and tax marijuana, on much the same basis as alcohol. On one hand, it's a new tax; on the other, it supports the individual responsibility planks of the Platform. Relying on the federal criminalization of marijuana violates the Constitution's state sovereignty statement. You decide.

HRA Recommendation: No Recommendation.