

HOUSE REPUBLICAN ALLIANCE RECOMMENDATION SHEET



**"TRUST BUT
VERIFY"**

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.

Bill Number	Committee	Committee Vote	HRA recommends
SB 210	Executive Dept & Admin	13-5	Oppose OTPA Support Interim Study
SB 334	Science, Tech & Energy	No Recommend	No Recommendation
SB 356	Transportation	OTP 16-0	Support OTP
SB 358	Transportation	OTPA 12-2	Support OTPA
SB 368	Public Works & Highways	OTP 8-7	Oppose OTP
SB 386	Science, Tech & Energy	OTP 12-6	Support OTP
SB 388	Executive Dept & Admin	OTP 15-2	No Recommendation
SB 409	Labor	OTP 15-1	Support Committee Amend.
SB 433	Transportation	OTP 10-4	No Recommendation
SB 444	Ways and Means	OTP 20-0	Support OTP
SB 480	Legislative Admin	OTPA 8-0	No Recommendation
SB 489	Science, Tech & Energy	OTPA 14-4	No Recommendation
SB 492	Science, Tech & Energy	OTP 12-5	Oppose OTP
SB 500	Commerce	OTP 16-4	No Recommendation
SB 503	Education	ITL 16-4	Support ITL
SB 509	Election Law	OTPA 10-7	Support Ohm/Bates FLAM
SB 510	Transportation	OTP 14-3	No Recommendation
SB 515	Children and Family Law	OTPA 11-3	Support Ferreira/Itsa FLAM
SB 521	Resources, Rec & Develop	OTPA 17-2	No Recommendation
SB 533	Health and Human Services	OTPA 18-0	Oppose OTPA
SB 546	Election Law	ITL 10-7	Support ITL
SB 481 - Consent	Health and Human Services	OTPA 16-0	Support FLAM 1458 Oppose OTPA

Wednesday, April 20 REGULAR CALENDAR – PART I

CHILDREN AND FAMILY LAW

SB 515-FN, relative to child neglect and other changes to the child protection act. **MAJ:OTPA MIN:ITL Vote 11-3**

HRA Analysis: This bill states that evidence of custodial parent's opioid abuse constitutes child health impairment, triggering various consequences, intended and otherwise. The committee amendment improves due process by "rebuttable presumption". A floor amendment offers additional due process protections by "reasonable cause to investigate". The NH constitution states under Part 1, Art. 15: "Every subject shall have a right to produce all proofs that may be favorable to himself"

HRA Recommendation: Support the committee amendment and the Ferreira floor amendment -1414h. Support OPTA only if both amendments pass. (note HRA score will be on the floor amendment only)

COMMERCE AND CONSUMER AFFAIRS

SB 500-FN, relative to student health insurance plans. **OTP, vote 16-4**

HRA Analysis: This bill would place self-funded student health insurance plans under Insurance Dept oversight. The platform states: "Justify expenditures against measurable benefits". The fiscal note indicates administrative costs are minimal, and several years ago NH faced serious issues with lack of oversight on a state insurance operation. You decide.

HRA Recommendation: No Recommendation

EDUCATION

SB 503-FN-A, relative to pre-kindergarten education using "pay for success" financing. **MAJ:ITL MIN:OTP 16-4**
HRA Analysis: This bill creates a commission to solicit proposals and recommend a contract for pre-kindergarten education. NH would be liable for approximately \$10 million if the program has not improved third grade reading skills. The platform states: "Promote local control of education policy and funding" If an expanded educational program is desired, the local communities should make that decision.
HRA Recommendation: Support ITL

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 210-FN, relative to regulation of septic system evaluators. **MAJ:OTPA Min: Interim Study Vote 13-5**
HRA Analysis: This bill establishes an oversight Board and licensing requirement for septic system evaluators. The platform states: "Mimize business regulations, permits licenses and paperwork. A system deemed "failed" requires concurrence of the town, so it's unclear if additional consumer protection is needed.
HRA Recommendation: Oppose OTPA, support Interim Study

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

SB 533, relative to supplemental funds recommended by the Governor's commission on alcohol and drug abuse
OTPA Vote 18-0
HRA Analysis: This bill continues the 24 person alcohol and drug commission for an indefinite period, and makes some changes to the required reports. It also appropriates \$3 million for the commission's use and \$2 million for housing. Money is supposed to come from "excess appropriations" from the current budget. However, this bill also explicitly exempts these transfers – which can come from *any* department, agency, or fund – from the usual oversight by the governor and council and the legislative fiscal committee. This is a very unusual delegation of the legislature's authority over state spending to the executive branch. The budget, which is proposed by the governor but adjusted by the legislature and agreed to by the legislature and the governor, is the mutually agreed upon priorities for spending. This bill grants the governor unilateral authority to take money appropriated for one purpose and use it for a different purpose, with no oversight. The constitution, Part 1, Article 37: "In the government of this state, the three essential powers thereof, to wit, the legislative, executive, and judicial, ought to be kept as separate from, and independent of, each other, as the nature of a free government will admit."
HRS Recommendation: Oppose OTPA

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES

SB 409-FN, relative to first responder's critical injury benefit. **OTPA Vote 15-1**
HRA Analysis: The Senate continues the injury benefit into perpetuity. The committee amendment extends it one year to July 1, 2017 and requires that a committee be set up by the Senate study the issue. The platform states: "Sun-set programs and regulations to force periodic reevaluation".
HRA Recommendation: Support the committee amendment

LEGISTRATIVE ADMINISTRATION

SB 480-FN-A, relative to the state house visitor's center revolving fund. **OTPA Vote 8-0**
HRA Analysis: The bill consolidates various preservation funds and directs any annual excess above \$50,000 in the Visitor's Center fund to to the new preservation fund, instead of the General Fund. No platform or constitutional issue
HRA Recommendation: No Recommendation

PUBLIC WORKS AND HIGHWAYS

SB 368-FN-A, making a capital appropriation to DES. **OTP Vote 8-7**
HRA Analysis: Just because funds become available from an unrelated program is not cause to spend the money for other purposes. The platform states: "Prioritize programs to ensure effective spending". Excess funds should be returned to the General Fund, with spending priorities determined in the budgeting process.
HRA Recommendation: Oppose OTP

RESOURCES, RECREATION AND DEVELOPMENT

SB 521-FN, increasing off-road user fees, but exempting non-profit club members from the increase. **OTPA 17-2**
HRA Analysis: Non-profit clubs participate in trail maintenance programs, and this bill would exempt them from a \$30 increase for other users. While the platform states: "Strongly oppose new taxes and fees", it's also appropriate to

listen to users who want increased services and are willing to pay for them. But Part 1, Art. 10 of the NH constitution cautions against "not for the private interests...of any class of men", which argues against a discount for club members. There are conflicting principles.

HRA Recommendation: No Recommendation

SCIENCE, TECHNOLOGY AND ENERGY

SB 492-FN, eliminating the ratepayer rebate of RGGI funds **MAJ:OTP MIN:ITL Vote 12-5**

HRA Analysis: This bill rolls back the reforms passed in 2011-12 by taking away the RGGI consumer rebate and instead gives the funds to a narrow group of favored recipients for energy efficiency projects. The platform states: "Work to reduce energy costs and NH from the Regional Greenhouse Gas Initiative" The bill raises consumer energy costs and adds a new constituency to support RGGI expansion

HRA Recommendation: Oppose OTP

TRANSPORTATION

SB 510-FN, limiting free parking with state park plates. **MAJ:OTP MIN:ITL Vote 14-3**

HRA Analysis: While special state park plates provide free admission, the vehicle is still subject to parking meter fees. The bill gives free metered parking for those tourists off peak, but restricts metered parking to a maximum of six hours during peak times. No platform or constitutional guidance.

HRA Recommendation: No Recommendation

WAYS AND MEANS

SB 444-FN, increasing lottery retailer incentive awards. **OTP Vote 20-0**

HRA Analysis: NH has a smaller sales incentive for Lottery jackpots than neighboring states, and this bill would increase the incentive to a maximum of \$75,000. The maximum incentive is a rare occurrence and the Director feels it would increase sales. The platform states: "Justify expenditures against measurable benefits." The Lottery provides monthly revenue to measure results.

HRA Recommendation: Support OTP

REGULAR CALENDAR PART II

ELECTION LAW

SB 509-FN, relative to voter registration forms and relative to voter ID verification. **MAJ:OTPA MIN:ITL 10-7**

HRA Analysis: The Secretary of State is required to forward a list of voters with no ID and failed verification to the AG's office for investigation. A large number remain from the 2012 election, and the AG has yet to issue a report. The bill attempts to speed up the process by requiring the Secretary of State to work with local officials to eliminate legal voters from the list. The platform states: "Prosecute violations of election law and ensure that voting is done by NH residents only..."

HRA Recommendation: Support Ohm/Bates FLAM and OTPA

SB 546-FN, relative to petitions for verification of checklists. **MAJ:ITL MIN:Interim Study Vote 10-7**

HRA Analysis: Regarding checklist problems, the bill would require additional steps of providing the Secretary of State "sufficient evidence", and a finding of "probable cause" in order to petition the ballot law commission for an investigation. Then the ballot law commission would then require "clear and convincing evidence" before even conducting an investigation. The platform states: "Prosecute violations of election law and ensure that voting is done by NH residents only..." There is no need for additional delays in cleaning up the checklists.

HRA Recommendation: Support ITL

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SB 388 requiring a public hearing on proposed changes to the state retiree group insurance plan. **OTP. Vote 15-2.**

HRA Analysis: Funds for these programs are determined in the budgeting process, which has public hearings. A second public hearing before the fiscal committee is redundant. No platform or constitution issues identified.

HRA Recommendation: No Recommendation

SCIENCE, TECHNOLOGY AND ENERGY

SB 334, establishing a commission to study the planning functions of the office of energy and planning. **WITHOUT RECOMMENDATION**

HRA Analysis: The Executive Branch seems better suited to determine the appropriate functions of their various agencies. No platform of constitution issues

HRA Recommendation: No Recommendation

SB 386, adding biodiesel to electric renewable energy sources. **MAJ:OTP MIN: Interim Study Vote 12-6**

HRA Analysis: Additional sources of supply serve to increase competition and lower prices. The platform states: "Support cost-effective means to protect, develop and market agricultural, forest and high value natural resource products" and "Work to reduce energy costs..."

HRA Recommendation: Support OTP

SB 489, requiring a demo project using a Stirling engine system. **OTPA Vote 14-4**

HRA Analysis: The bill requires a State building or facility be used to test an alternate technology of electricity and/or heat, at no incremental cost to NH. The platform says: "...encourage small business" "Foster an attitude of assistance..." However, by mandating use of certain technology, NH is placing other competitors at a disadvantage, in conflict with: "We believe in...free markets and free enterprise".

HRA Recommendation: No Recommendation

TRANSPORTATION

SB 356-FN, allowing commercial fishing operators agricultural plates. **OTP Vote 16-0**

HRA Analysis: The bill gives fishermen similar privileges as other farmers in moving product from source to storage. This is consistent with Part 1, Art 10 of the NH constitution: "not for the private interest or emolument of any...class of men".

HRA Recommendation: Support OTP

SB 358, exempting navigation devices from the "hands free law" **OTPA Vote 12-2**

HRA Analysis: The platform states: "We believe...unimpeded by intrusive government regulation and control". This bill eliminates an unintended consequence of a controversial law.

HRA Recommendation: Support OTPA

SB 433, relative to allowing overweight septic trucks. **OTP Vote 10-4**

HRA Analysis: Along with heating fuel, milk and maple syrup trucks, DOT can approve septic trucks from seasonal highway weight regulations. No platform or constitutional issues.

HRA Recommendation: No Recommendation

OFF CONSENT

HHS

SB 481-FN, (New Title) relative to a special health care service license and establishing a fund. **OTPA 16-0**

HRA Analysis: This bill creates a new licensing regime for "special health care services." The only description given is a non-exhaustive list of three random items: cardiac catheterization laboratory services, open hearth surgery and megavoltage radiation therapy. Licensees would be subject to HHS regulations on how many employees they must have, what equipment they must use, how many patients they can see, how they operate, etc. The bill effectively will discourage any new medical facilities in the state with its competition-free zones, its requirements to provide services without pay, have 24-hour care, etc. Not only does our constitution have very strong anti-monopoly provisions in part 2 article 83 and part 1 article 10, but our platform also states that we should "increase the use of market forces to improve health care and lower costs." SB 481 does the exact opposite.

HRA Recommendation: Support limiting amendments like 1458h, but Oppose OTPA