

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, the NH and Federal Constitutions.



REGULAR CALENDAR WEDNESDAY, JANUARY 18, 2012

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS

HB 228-FN, prohibiting the department of health and human services from entering into a contract with Planned Parenthood Federation of America, Inc. or any organization that provides abortion services and prohibiting the use of public funds or insurance for abortion services. **ITL 12-5**

HRA Analysis: Section VIII. of the Republican Platform seeks to "bar the use of public resources to fund or promote abortion." To the extent this legislation prevents DHHS from contracting with abortion providers it ought to be supported.

HRA Recommendation: Oppose ITL, support the Groen floor amendment and support OTP

JUDICIARY

HB 514, relative to entry on private land. **OTPA 12-4**

HRA Analysis: Both the NH constitution and the Republican platform strongly support property rights. This bill enhances those rights by forbidding data gathering on someone else's property without their permission. It has a few common-sense exceptions, such as for utility workers in the course of their normal duties. The floor amendment adds some language on tax assessors, thereby making the bill more palatable to town officials.

HRA Recommendation: No recommendation on the floor amendment, support OTPA

SPECIAL COMMITTEE ON REDISTRICTING

HB 592, apportioning state representative districts, congressional districts, executive council districts, and county commissioner districts. **MAJ: OTPA MIN: ITL 12-5**

HRA Analysis: Redistricting is a complex issue that involves both federal and state constitutional requirements, as well as practical and political issues. The plan must give all voters proportional representation within a reasonable deviation, plus it must give individual towns and wards their own representation where possible. The committee's final plan, which is complete with a few tweaks in the Mirski-0245h floor amendment, is a very good one that meets constitutional muster. The minority's plan, in Pierce-0215h, rests on a silly alternative voting system for floterials where each town's totals are multiplied by a different fraction before being added to other totals. In other words some votes count up to ten times as much as others. It is completely counter to "one man-one vote." Most of the other floor amendments deal with the details of the Hillsborough County plan. Doherty-0218h is simply unworkable with unacceptable deviation. Two of the others, Parison-0241h and Cohn-0248h (and the identical Weber-0225h) rely on a controversial method of creating floterials, known as the Parison method, that may not pass court scrutiny. Cohn-0246h does not use the Parison method, and is an acceptable alternative to the committee's plan. Leishman-0243h is a very minor change from the committee's plan, just moving the tiny town of Sharon into a district with Peterborough instead of one with New Ipswich and Temple.

HRA Recommendation:

SUPPORT the majority's amendment, Vaillancourt-0157h and the Mirski-0245h floor amendment.

No Recommendation: Weber-0225h, Parison-0241h, Leishman-0243h, Cohn-0246h, Cohn-0248h.

OPPOSE: Vaillancourt-0156h, Pierce-0215h, Doherty-0218h.

SUPPORT OTPA.

WAYS AND MEANS

CACR 13, relating to prohibiting any new tax on personal income. Providing that no new tax on personal income shall be levied by the state of New Hampshire. **OTP 15-5**

HR Analysis: The Platform, Section VII, states "our strong opposition to any broad-based taxes, including an income, sales or capital gains tax ". Clearly establishing this position in the Constitution will inhibit those looking to increase government spending and fund it somehow, anyhow.

HRA Recommendation: Support OTP

BILLS REMOVED FROM THE CONSENT CALENDAR

COMMERCE AND CONSUMER AFFAIRS

HB 445-FN, relative to the regulation of electronic tracking devices. **INTERIM STUDY 14-0**

HRA Analysis: This bill, with the Kurk floor amendment, bans the use of electronic tracking devices such as RFID cards and GPS locators, with some exceptions. The platform, Section V, affirms “New Hampshire’s government and its elected officials must, above all else, preserve and protect individual liberty,” so we support the intent of this bill.

HRA Recommendation: Oppose Interim Study, support the Kurk floor amendment and support OTPA

CRIMINAL JUSTICE AND PUBLIC SAFETY

HB 138-FN, relative to the cold case homicide unit. **OTP 16-1**

HRA Analysis: This bill removes the sunset provisions of the State Police’s Cold Case Unit, and allows the department to seek grants or other funds to try to continue the program which costs roughly \$350,000 annually. While punishing murderers is surely one of the core functions of government, the committee apparently thinks so little of the performance of the Cold Case Unit that they are only willing to fund it with other people’s money. Several different platform principles seem to be in conflict here. For example, on the one hand “we support increased efforts to enforce penalties against those who commit crimes” and on the other we want government that is “effective and efficient.”

HRA Recommendation: No recommendation

JUDICIARY

HB 574, relative to the taking of private property during a state of emergency. **OTP 16-0**

HRA Analysis: This bill repeals RSA 4:46 which gives the state the ability to seize property in declared emergencies. That section was hastily adopted in the wake of 9/11. The problem is that so-called “emergency” powers end up becoming normal operating procedure. For example, the federal government declared 729 disasters in 2011, including three in New Hampshire. If the government can arbitrarily take property during an emergency, what incentive do people have to prepare for those emergencies? The platform supports property rights: “The Republican Party recognizes that private ownership of property is fundamental to a free and well ordered society.”

HRA Recommendation: Support OTP

MUNICIPAL AND COUNTY GOVERNMENT

HB 121, establishing a committee to study eligibility for property tax exemptions for the permanently and totally disabled.

OTPA 16-0

HRA Analysis: Note that the title would be completely replaced by the committee’s amendment. This bill allows a property tax exemption that currently applies to disabled social security recipients to also apply to those disabled who happen not to be part of the social security system. As our platform clearly states, we “support initiatives that lower property taxes for those in need.”

HRA Recommendation: Support OTPA

SPECIAL COMMITTEE ON EDUCATION FUNDING REFORM

HCR 26, declaring that the Claremont case’s mandates that the legislative and executive branches define an adequate education, determine its cost, fund its entire cost with state taxes, and ensure its delivery through accountability, are not binding on the legislative and executive branches. **INTERIM STUDY 14-1**

HRA Analysis: At the risk of sounding grandiose, HCR 26 is akin to the Declaration of Independence. There, the king had usurped the rights of the states and the people, and the Declaration was written to say, 'No more, we will no longer allow a tyrant to trample our rights'. Though the Declaration, in and of itself, had no legal standing, it became an educational tool and the rallying cry for all colonial patriots, and the rest is history. HCR 26 is the legislature’s declaration that the judicial branch of our state government has, through their Claremont education funding decisions, usurped the constitutional authority of the other two branches to enact law, set education policy, and funding. HCR 26 specifies several grievances where the judiciary overstepped its constitutional bounds and legislated from the bench. Our party platform strongly supports educational control by localities and the people’s elected representatives rather than the courts.

HRA Recommendation: Oppose Interim Study and Support OTP

STATE FEDERAL RELATIONS AND VETERANS AFFAIRS

HCR 2, in support of the Arizona immigration law. **OTPA 10-0**

HRA Analysis: Our platform advocates “strengthening national border security, enforcing immigration laws, and opposing any form of amnesty for illegal aliens” and these things are the subject of the Arizona law.

HRA Recommendation: Support OTPA