

# NHHRA

## RECOMMENDATION SHEET

The purpose of the NHHRA caucus 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"

**Thursday, February 15, 2018**

### Regular Calendar

<b>PART ONE</b>	HB1328 Oppose ITL Support OTP	HB1778 No Recommendation
HB1293 No Recommendation	HB1557 Vote Your Conscience	
<b>PART THREE</b>	HB1213 Support ITL	HB 1437 No Recommendation
HB1511 Opp Interim Study Support Minority Amend Support OTPA	HB1566 Support ITL (Roll Call)	HCR13 Oppose OTP Support ITL
HB1386 Support OTP	HB1223 Support ITL	HB1649 No Recommendation
HB1630 Support ITL	HB1278 No Recommendation	HB1581 No Recommendation
HB1628 No Recommendation	HB1355 Support ITL	HB1548 No Recommendation
HB1679 Support ITL	HB1681 Support ITL	HB1710 Support ITL
HB1821 Vote Your Conscience		

# Part One

## Transportation

**HB1328, relative to motor vehicle inspections. Maj: ITL Vote: 11-4**

**HRA Analysis:** The bill would change vehicle inspection requirement from annual to biannual, while increasing the fee from \$3.25 to \$6.50. The committee felt that the Biannual inspection could increase safety issue failure on vehicles while simply doubling the inspection fees. Platform: Minimize business regulations, permits, licenses and paperwork and Privatize programs and functions that can be handled more effectively by the private sector

**HRA Recommendation: Oppose ITL - Support OTP**

**HB1778, relative to registration of commercial motor vehicles and operator's/drivers' licenses. Maj: ITL Vote: 13-1**

**HRA Analysis:** This bill would cancel the requirement for a non-commercial drivers license. And cancel the requirement to register non-commercial vehicles, for the stated reason that requiring such action is unconstitutional. The sponsors of the bill failed to show the committee how registration or licensing prohibited people enjoying the 'right to travel.' No Constitutional or platform issue.

**HRA Recommendation: No recommendation.**

## Children and Family Law

**HB1293-FN, establishing the complex divorce court within the judicial branch family division. Maj: ITL Vote: 13-0 (from Consent)**

**HRA Analysis:** The bill information sent to the clerk was incorrect, the motion should have been Interim Study.

**HRA Recommendation: No recommendation.**

## Legislative Administration

**HB1557-FN, requiring meetings and sessions of committees of the house of representatives to be recorded and made available on the Internet. Maj: ITL Vote: 10-0 (from Consent)**

**HRA Analysis:** This bill attempts to provide the public with more transparency by having all committee meetings live streamed, recorded and posted to the general court website and preserved by the House Clerk. The start up costs plus the hiring of a new employee is approx \$300,000- there is not any funding--plus about \$200,000 a year after start up. The work of all committees is fully transparent and open to the public. Platform: Justify expenditures against measurable results. Art 8 of the NH Constitution speaks to transparency of Government. Thus with conflicting planks:

**HRA Recommendation: Vote Your Conscience**

## Part Three

### **Criminal Justice and Public Safety**

**HB1213, removing the exception for married minors from the definition of sexual assault. ITL Vote: 12-8**

**HRA Analysis:** This removes the exception for married minors from the definition of sexual assault. It makes little sense to allow our young children to get married with judicial and/or parental consent and then prosecute them for consummating their marriage. Our Platform states: "Recognize marriage as the legal and sacred union between one man and one woman as ordained by God, encouraged by the State, and traditional to humankind, and the core of the Family."

**HRA Recommendation: Support ITL**

**HB 1437, relative to tattoos on state law enforcement officers. ITL Vote 20-0 (from Consent)**

**HRA Analysis:** This bill attempts to list and classify the types of tattoos not allowed on State law enforcement personnel. Visible tattoos are not allowed per State Police policies. No Constitutional or platform issue.

**HRA Recommendation: No Recommendation**

**HB1511, relative to the death of a fetus for the purpose of certain homicide charges. Maj: Int. study Min: OTPA Vote: 13-7**

**HRA Analysis:** The majority of Republicans found this bill, with amendment, to mirror current legislation with one difference: it lowers the age of legal protection from 20 to eight weeks, the generally accepted age for definition of fetus. The Republican Platform states; "Support a Life at Conception Act guaranteeing the protections of Life and Personhood to the pre-born under the Fourteenth Amendment of the US Constitution."

**HRA Recommendation: Oppose Int Study - Support Minority Amendment - Support OTPA**

**HB1566, prohibiting open carry of a firearm in certain public places. ITL Vote: 12-8**

**HRA Analysis:** It is against the constitution to tell private bars, doctor's offices, and churches that open carrying of a firearm is prohibited. Those businesses and churches have the right to ban open carrying of a firearm if they wish. For many years New Hampshire citizens have had the right to carry a firearm in public unconcealed. This bill is not needed. The Platform states: "Protect the rights of law-abiding individuals to own and carry firearms to defend themselves, their families and their property; oppose any taxation, licensing restrictions, or registration of firearms; ..."

**HRA Recommendation: Support ITL (Roll Call)**

**HCR13, condemning hate crimes and any other form of racism in New Hampshire. Maj. OTP Min: ITL Vote: 13-7**

**HRA Analysis:** The Republicans on the Criminal Justice committee find hate crimes and racism in New Hampshire unacceptable. The Republican platform states: "in the founding principle that all people are created equal, endowed by our Creator with the right to life, liberty and the pursuit of

happiness, unimpeded by intrusive government regulation and control.” This resolution is “intrusive” and inappropriate.

**HRA Recommendation: Oppose OTP - Support ITL**

## **Labor, Industrial and Rehabilitative Services**

**HB1386, establishing a joint committee on employee relations. Maj. OTP Vote: 8-5**

**HRA Analysis:** The committee referenced in this bill was repealed in 2009 but reestablished in 2015. The 2015 version had the same representation, but with seats filled by appointment. This bill restores the language from before 2009, where the members are set in statute. In the new version, there is a delay every two years in getting all the appointments made, which slows the filling of this committee and hampers its effectiveness. The platform asks that we make government efficient, and having committees ready in time to do their business supports that end.

**HRA Recommendation: Support OTP**

## **Legislative Administration**

**HB1223, establishing a commission to study legislator compensation. ITL Vote: 8-3**

**HRA Analysis:** This bill establishes a commission to look at compensation for the General Court and compare it to other states. We know the answers to those questions. A recommendation from the Commission might call for higher compensation, a constitutional change and higher taxes or fees. Platform issue: “...government has a moral obligation to the people to be as cost effective as possible, to always limit spending and growth of government”

**HRA Recommendation: Support ITL**

**HB1649, relative to the determination of mileage for legislators and legislative officers.**

**ITL Vote: 8-0 (from Consent)**

**HRA Analysis:** The bill would take the responsibility for determining mileage for legislators from the Committee on Legislative Administration to the Joint Committee on Legislative Facilities. No reasons to justify this change. No platform issue.

**HRA Recommendation: No Recommendation**

## **Municipal and County Government**

**HB1630, relative to unfunded property tax exemptions or credits. Maj. ITL Vote: 14-1**

**HRA Analysis:** This bill would prohibit the state from establishing a new property tax exemption or credit unless the amount of local property tax revenue shifted to other taxpayers unless funded by the state. It is redundant as our Constitution already states in Art 28-a “The state shall not mandate or assign any new, expanded or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures by the political subdivision unless such programs or responsibilities are fully funded by the state...”

**HRA Recommendation: Support ITL**

## **Public Works and Highways**

**HB1278, naming the rest area in Colebrook after Frederick W. King, Sr. OTP Vote: 19-0**

**HRA Analysis:** No Constitutional or platform issue.

**HRA Recommendation: No Recommendation**

## **Transportation**

**HB1581, relative to commencement of an administrative license suspension.**

**OTP/A Vote: 11-4**

**HRA Analysis:** The bill would have made it so the licence suspense would have occurred no sooner than the day after a hearing. The amendment changes the time so that the suspension after a hearing is no sooner than 11:59 pm of the day of suspension. This allows the person time to legally drive home before his license is suspended.

**HRA Recommendation: No Recommendation**

**HB1628, relative to number plates for motor vehicles. ITL Vote: 11-4**

**HRA Analysis:** The Bill would have allowed a passenger vehicle with an active account EZ pass account to only be required to display one plate on the rear of the vehicle. The majority found there would not be any cost saving on plates since two plates would still need to be issued for all vehicles. DOS testified that a rear plate plus the front plate doubles the chances of ID'ing a stolen vehicle or a vehicle fleeing from a hit and run. No constitutional or platform issue.

**HRA Recommendation: No recommendation.**

## **Ways and Means**

**HB1355, establishing a commission to study adaptation of the tax structure of the state to economic and demographic change. Maj. ITL Vote: 13-10**

**HRA Analysis:** The bill establishes a commission to study adaptation of the tax structure of the state to economic and demographic change. The commission would only be allowed to address our current taxes and there are no compelling arguments that our current taxes are impeding economic growth and demographic change. Platform says: We believe that economies flourish when all people retain as much of their hard earned income as possible, to spend and invest as they see fit. We believe that low taxes are the result of low spending; that government has a moral obligation to the people to be as cost effective as possible, to always limit spending and growth of government, and to cut spending and cost of government at every possible turn. The commission is not needed.

**HRA Recommendation: Support ITL**

**HB1548, relative to meals and rooms taxes applicable to room remarketers. Maj. ITL Vote: 14-9**

**HRA Analysis:** Bill clarifies existing law with respect to fees charged by room remarketers specifying that those remarketer fees are taxable not only the amount paid to the property owner. The matter is currently in litigation in the NH Supreme Court. Additionally, the bill requires real estate agents to collect and pay the tax, a function now the responsibility of the property owner.

**HRA Recommendation: No Recommendation**

**HB1679, relative to the real estate transfer tax to be paid on certain acquisitions of business entities. Maj. ITL Vote: 13-10**

**HRA Analysis:** This legislation provides for the tax on transfers of real property to apply certain acquisitions of over 50% of the common stock of a business entity by another business entity. Neither DRA nor the PUC, the potentially affected departments, identified any determinable gain to the state. The change reduces economic freedom with no demonstrable revenue gain. Party platform: Strongly oppose new taxes and fees

**HRA Recommendation: Support ITL**

**HB1681, establishing an early childhood development tax credit against business taxes administered by the community development finance authority. Maj. ITL Vote: 14-9**

**HRA Analysis:** This bill establishes an early childhood development tax credit against the business taxes administered by the Community Development Finance Authority (CDFA). The bill allows businesses to contribute to CDFA for the purpose and to receive in exchange a tax credit equal to 75% of the contribution. The concern is for the source of funding to support the program. The legislation would insure funding for this potentially large spending program without it going through the budget process. Funds would be used for investing or lending for renovation or infrastructure needs of non-profit childcare centers but we should not be picking winners and losers. PLATFORM: "Maintain local control of spending and taxes designed to support local services"

**HRA Recommendation: Support ITL**

**HB1710, relative to the provision allowing operators to retain a portion of meals and rooms taxes collected and the appropriation of meals and rooms tax revenues to school building aid. ITL Vote: 20-3**

**HRA Analysis:** HB1710 provides a provision allowing operators to retain a portion of meals and rentals tax collected and the appropriation of the meals and rentals tax to school building aid. A well developed system to compensate business owners for their efforts as tax collection agents of the state is in place and this bill limits that compensation. The bill penalizes the businesses for the operations they are required to undertake by law. Platform issue: Foster an attitude of assistance and cooperation with business.

**HRA Recommendation: Support ITL**

**HB1821, repealing Keno. Maj. ITL Vote: 15-8**

**HRA Analysis:** The bill removes the source of funding from full day kindergarten. The expected cost to the state is about \$8.9 million. Platform: Reject expanded gambling as a means to balance the budget or increase spending. However, Accepting or Rejecting Keno is also a local control issue, as communities must vote to allow it themselves. Platform: "Promote local control of education policy and funding in order to create the best-managed school systems"

**HRA Recommendation: Vote Your Conscience**