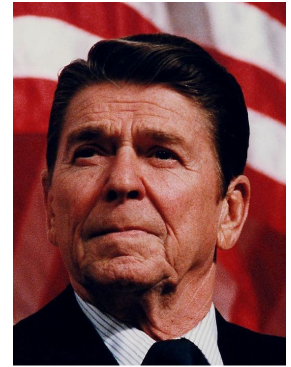


House Republican Alliance Recommendation Sheet



"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.

Wednesday, June 5, 2019

Commerce and Consumer Affairs

SB58, relative to reimbursement rates for low-dose mammography coverage. **OTP/A Vote: 14-6**

HRA Analysis: This bill, as amended, adds a new insurance mandate for payment of 3D mammograms. Platform: "Allow free market driven health care plans and "ala carte" insurance plans free from government mandates."

HRA Recommendation: Oppose OTP/A

SB98, clarifying the New Hampshire trust code. **Maj. OTP/A; Min. OTP/A Vote: 12-8**

HRA Analysis: This bill reinforces this state's tradition of protecting settlor intent, and it facilitates the efficient administration of trusts. No platform or constitutional issues identified.

HRA Recommendation: No recommendation

SB110, relative to the investigations by the state fire marshal. **OTP/A Vote: 18-2**

HRA Analysis: This bill, as amended, grants the fire marshal the same access to insurance information in case of building collapse and carbon monoxide incidents (which the marshal is already required to investigate) as it has in case of fires. The amendment better protects private information while allowing appropriate access in case of criminal or civil suits. No constitutional or platform issues identified.

HRA Recommendation: No recommendation

SB192, relative to self-service storage facility liens. **OTP/A Vote: 16-4**

HRA Analysis: This is a comprehensive re-write of the statute on storage units. Much like residential leases, this code put restrictions on what would otherwise be simple contracts. Particularly troubling is the need for a total rewrite of the senate version of the bill. Platform; minimize business regulations, permits, licenses and paperwork.

HRA Recommendation: Oppose OTP/A

SB194, relative to the insurance data security law. **Maj. OTP/A; Min. ITL Vote: 11-9**

HRA Analysis: This model legislation regulates extended warranties issued by cell phone companies and car dealerships as insurance and, therefore, everyone now has a whole new set of requirements and responsibilities to the Insurance Commissioner. Platform; minimize business regulations, permits, licenses and paperwork.

HRA Recommendation: Oppose OTP/A

SB226, relative to registration of pharmacy benefit managers, and reestablishing the commission to study greater transparency in pharmaceutical costs and drug rebate programs. **Maj. OTP/A; Min. ITL Vote: 12-8**

HRA Analysis: This bill creates a registration requirement for Pharmacy Benefit Managers (PBMs) operating in the State of New Hampshire and reestablishes the prescription drug transparency commission. This bill adds regulatory burdens with little chance of achieving any benefit. Platform; foster an attitude of assistance and cooperation with business and increase responsiveness.

HRA Recommendation: Oppose OTP/A

Wednesday, June 5, 2019

SB228, relative to multiple-employer welfare arrangements. **Maj. OTP/A; Min. ITL Vote: 12-8**

HRA Analysis: This bill provides legislative authorization for initiatives to improve the health coverage available through this state's individual and small employer markets. This bill also has a waiver request which can be addressed, like all other waiver requests have been addressed using a process in current law, with the Health Care Reform Oversight Committee. Platform; we believe in free people, free markets and free enterprise.

HRA Recommendation: Oppose OTP/A

SB272, relative to mental health parity under the insurance laws. **Maj. OTP/A; Min. OTP Vote: 14-5**

HRA Analysis: The amendment to this bill holds mental health hostage to a 'germane' but unrelated amendment. The majority amendment should be opposed as our platform states: we believe in free people, free markets and free enterprise.

HRA Recommendation: Oppose majority amendment, oppose OTP/A

SB279, relative to access to fertility care. **Maj. OTP/A; Min. OTP/A Vote: 12-8**

HRA Analysis: This bill, as amended, adds a new insurance mandate for payment of infertility services. Platform: "Allow free market driven health care plans and "ala carte" insurance plans free from government mandates." The minority amendment converts the bill to create a study committee on the cost of such a mandate, and thus unobjectionable.

HRA Recommendation: Oppose majority amendment, support minority amendment, oppose passage unless minority amendment passes.

Criminal Justice and Public Safety

SB250, relative to forgery of a certificate of insurance. **OTP/A Vote: 19-0**

HRA Analysis: This bill, as amended, makes such forgery a class A misdemeanor with a two year statute of limitations. No platform or constitutional issues identified.

HRA Recommendation: No recommendation

Election Law

SB66, relative to political contributions by candidates for certain offices. **Maj. ITL; Min. OTP Vote: 12-8**

HRA Analysis: This bill prohibits candidates for treasurer or secretary of state from making contributions to candidates for the House or Senate, or to political parties or committees. In politics, money is speech, therefore this restricts the free speech of these candidates, as prohibited by the state and federal constitutions.

HRA Recommendation: Support ITL

SB156, relative to political contributions made by limited liability companies. **Maj. OTP; Min. ITL Vote: 12-8**

HRA Analysis: This bill requires limited liability companies, when making political contributions, to disclose the names of all members and allocate the contribution to them. Since membership of LLCs is not otherwise public information, this is a blatant violation of their privacy. Platform: "Protect the privacy of individuals from government agencies and employees who abuse their power and position."

HRA Recommendation: Oppose OTP

Executive Departments and Administration

SB232, adopting the model psychology interjurisdictional compact. **Maj. OTP; Min. ITL Vote: 12-6**

HRA Analysis: This bill adopts a multistate agreement to allow psychologists to practice in multiple states and share disciplinary actions. Most of it is reasonable and some is quite good; but it grants unrestricted rulemaking authority to the commission. This violates the Constitution, "Nor are the inhabitants of this State controllable by any other laws than those to which they, or their representative body, have given their consent."

HRA Recommendation: Oppose OTP

Finance

SB2, relative to funding for job training programs in the department of business and economic affairs. **Maj. OTP; Min. ITL Vote: 11-9**

HRA Analysis: This bill proposes to fund workers training programs with an additional \$4 million, tripling the current budget. It does so for "free" by a portion diverting employers' uninsured workers premium at a time when the uninsured workers' trust fund is exceptionally healthy. Eventually, this money will have to be paid and, when it does, the costs may even exceed the benefits. At best, this obscures the cost of transferring money from its intended purpose of aiding the unemployed to benefit a particular subset of employers and workers. This is the opposite of what the platform says: "Expand openness and transparency to employment, expenditures and all recipients of taxpayers' funds."

HRA Recommendation: Oppose OTP

SB82, relative to school food and nutrition programs. **OTP/A Vote: 22-0**

HRA Analysis: This bill increases the subsidy for school breakfast from 3 cents to 30 cents further encouraging irresponsible parenting. Platform: Promote personal responsibility and consequences for one's actions.

HRA Recommendation: Oppose OTP/A

SB125, relative to parental reimbursement for voluntary services provided under the child in need of services (CHINS) program. **OTP Vote: 21-0**

HRA Analysis: This bill removes means testing for 'voluntary' (extra) services delivered through Children in Need of Services, with no concern that parents might be able to pay for them. Platform: We believe the government has a duty to cut spending and cost of government at every opportunity.

HRA Recommendation: Oppose OTP

SB185, (New Title) relative to development of the New Hampshire state rail trails plan by the department of transportation and making an appropriation therefor. **OTP Vote: 22-0**

HRA Analysis: This bill mandates that the department of transportation update the trails plan to include rail trails, forms a commission to help, and appropriates \$200K for consultants. Platform: Prioritize programs to ensure effective spending.

HRA Recommendation: Oppose OTP

SB289, relative to health and human services. **Maj. OTP/A; Min. ITL Vote: 12-9**

HRA Analysis: This bill updates a large number of statutes relating to HHS, mostly in minor ways. It does add a new licensing requirement for laboratory sample collection stations not run by laboratories, for example in a doctor's office, which are not currently licensed. Platform: "Minimize business regulations, permits, licenses and paperwork."

HRA Recommendation: Oppose OTP/A

SB290, relative to the New Hampshire granite advantage health care program. **Maj. OTP/A; Min. ITL Vote: 13-9**

HRA Analysis: This bill minimizes the work requirements for expanded Medicaid. Platform: "Support the repeal of Obamacare and oppose its implementation in New Hampshire."

HRA Recommendation: Oppose OTP/A

Health, Human Services and Elderly Affairs

SB111, relative to the collection of health care data. **Maj. OTP; Min. OTP/A Vote: 13-7**

HRA Analysis: This bill clarifies the requirements for collection of health data, and allows sharing with the appropriate privacy protections. The minority amendment includes in the collected data statistics on abortion. Platform: "Improve access to the information necessary to make informed health care decisions."

HRA Recommendation: Support minority amendment; support OTP/A or OTP

SB115, establishing a commission to study the business environment for mental health providers in New Hampshire. **Maj. OTP/A; Min. ITL Vote: 17-4**

HRA Analysis: It's a study commission. No platform or constitutional issues identified.

HRA Recommendation: No recommendation

SB252, relative to the detection and prevention of financial exploitation of vulnerable adults. **Maj. OTP; Min. OTP/A Vote: 15-6**

HRA Analysis: This bill allows financial professionals to delay spending the assets of older or vulnerable adults if they suspect financial exploitation. The minority amendment requires them to do so. No platform or constitutional issues identified.

HRA Recommendation: No recommendation

Judiciary

SB262, (New Title) relative to the property interest in abandoned personal materials. **Maj. ITL; Min. OTP/A Vote: 12-6**

HRA Analysis: This bill claims to protect citizens' right to privacy in abandoned personal materials. By the time you get through the exceptions there is nothing of substance left being protected. Perhaps our platform needs to explicitly state 'oppose unnecessary legislation'; lacking that, no constitutional or platform issue identified.

HRA Recommendation: No recommendation

SB263, relative to anti-discrimination protection for students in public schools. **Maj. OTP; Min. OTP/A Vote: 13-6**

HRA Analysis: This bill clearly has a number of problems that were identified in the judiciary committee; and a number of amendments were offered to address said problems. As no agreement could be reached to solve the deficiencies of the bill, the majority chose to ignore them. Constitution Part I, Art 10: Government being instituted for the common benefit, protection, and security, of the whole community, and not for the private interest or emolument of any one man, family, or class of men.

HRA Recommendation: Oppose OTP

Labor, Industrial and Rehabilitative Services

SB10, establishing the state minimum hourly rate based on whether an employer offers paid sick days to an employee. **Maj. OTP/A; Min. ITL Vote: 12-8**

HRA Analysis: As amended, this bill sets the NH minimum wage higher than the Federal Minimum and raises it until reaching \$12.00 per hour and raises the tipped minimum wage. This is an attempt to supplant decisions between employers and employees with government mandates. Most work in NH pays well above the Federal minimum, and this bill ignores reasons why any particular position pays less than \$12/hr. A wage floor may eliminate those positions, hurting rather than helping the very people who most need an income. The platform asks us to trust free markets over government intervention.

HRA Recommendation: Oppose OTP/A

Legislative Administration

SB235, relative to sexual harassment complaints in the general court and authorizing an independent human resources professional. **Maj. OTP/A; Min. ITL Vote: 8-4**

HRA Analysis: As amended, this bill creates an administrative office to oversee sexual harassment claims in the legislature. Platform: "always limit spending and growth of government."

HRA Recommendation: Oppose OTP/A

Municipal and County Government

SB53, relative to maintenance of roads and highways to summer cottages. **Maj. OTP; Min. ITL Vote: 16-2**

HRA Analysis: This bill allows towns to defer maintenance and opening roads to summer cottages by up to six weeks longer than authorized by current law. This change must be approved by local voters. No platform or constitutional issues identified.

HRA Recommendation: No recommendation

SB101, relative to procedures for county audits and recodifying provisions for performance and forensic audits. **OTP Vote: 12-2**

HRA Analysis: This bill makes changes to the handling of county audits. It should be noted that it removes RSA 24:26 from the county convention, placing it instead into chapter 28 (county commissioners). This is akin to having a fox guard your hen house. Further, new sections 28:3-b and 28:3-c do not involve the county commissioners in the process. No platform or constitutional issues identified.

HRA Recommendation: No recommendation

SB121, relative to acquisition rights and easements at Weeks Crossing Dam in the town of Warren by the department of environmental services. **Maj. OTP; Min. ITL Vote: 13-2**

HRA Analysis: The committee report states that future maintenance will be done by the town yet the bill makes no such reference. No constitutional or platform issues identified.

HRA Recommendation: No recommendation

SB204, (New Title) relative to encouraging the development of electrical energy storage by both private market participants and regulated electric utility companies. **Maj. OTP; Min. ITL Vote: 8-7**

HRA Analysis: Energy storage at a massive scale is necessary to effectively use intermittent energy sources, such as solar or wind, without major expenditures for reserve power generation. Current battery technology is too expensive to use at utility levels. This bill requires utilities to set up pilot projects in energy storage, and the PUC to remove bureaucratic obstacles to private energy storage projects. This bill puts forward lofty promises but leaves ratepayers at risk. Platform: We believe in free people, free markets and free enterprise.

HRA Recommendation: Oppose OTP

SB307, relative to outdoor lighting. **Maj. OTP; Min. ITL Vote: 12-3**

HRA Analysis: This bill supports the state's Dark Sky Initiative to prevent light pollution, specifies a specific color temperature for outdoor lighting when funded by state agencies, and would allow state agencies to own street lights in areas under their jurisdiction. No platform or constitutional issues identified.

HRA Recommendation: No recommendation

Public Works and Highways

SB39, relative to the repair of roads not maintained by a municipality. **OTP/A Vote: 14-6**

HRA Analysis: As amended, this bill codifies the common law on shared roads and easements. It retains the responsibility of landowners to repair any damage they cause and to share in the cost of maintenance. No platform or constitutional issue identified.

HRA Recommendation: No recommendation

SB241, relative to funding for the project development phase of the capitol corridor rail project. **Maj. OTP; Min. ITL Vote: 12-8**

HRA Analysis: This bill funds design and analysis of a passenger rail line to Concord. Previous studies have already shown that this project would require major capital appropriations to build, and continuing operating subsidies, to benefit a very, very few commuters. No passenger rail system in the United States operates without enormous subsidies, and building a nineteenth century transportation system in the twenty first century is foolish. Platform: "Justify expenditures against measurable benefits." and what few benefits a rail system would provide are swamped by the expense.

HRA Recommendation: Oppose OTP

Science, Technology and Energy

SB168, relative to class 2 obligations under the electric renewable portfolio standards. **Maj. OTP/A; Min. ITL Vote: 12-7**

HRA Analysis: This bill increases the amount of new solar energy required to meet the renewable portfolio standard to nine times the current minimum over the next six years. This will increase electricity costs by at least \$30 million per year. Platform: "Work to reduce energy costs."

HRA Recommendation: Oppose OTP/A

SB206, excluding the cost of lobbying and political activity from the rates of public utilities. **Maj. OTP; Min. ITL Vote: 10-9**

HRA Analysis: This bill puts into statute the existing restriction against including lobbying in utility rates. No platform or constitutional issue identified.

HRA Recommendation: No recommendation

Transportation

SB200, relative to wildlife corridors. **OTP Vote: 9-5**

HRA Analysis: This bill defines "wildlife corridors" and sets them as worthy of LCHIP funding and DOT deference. Platform: Recognize that private property owners are the most effective land stewards and have a fundamental right to freely use and enjoy their property. This is also part of U.N. sustainable development initiatives opposed by our platform.

HRA Recommendation: Oppose OTP

SB218, relative to duties of the commissioner of transportation regarding air navigation facilities. **without recommendation Vote:**

HRA Analysis: This bill concerns 'small unmanned aircraft'; i.e.: drones. The bill gives the definition of 'small unmanned aircraft', gives rulemaking authority to the DOT and enables NH law enforcement agencies to enforce Federal regulations. The bill has errors in definitions that do not match federal code definitions. Federal regulations supersede state laws concerning drones. No constitutional or platform issues.

HRA Recommendation: Support motion to table; no recommendation on bill

Ways and Means

SB41, relative to historical racing. **Maj. OTP/A; Min. ITL Vote: 14-6**

HRA Analysis: This bill authorizes charitable gaming establishments to use slot machine-like "historic racing" machines. No platform or constitutional issues identified.

HRA Recommendation: No recommendation

SB74, (New Title) relative to register of deeds fees used to support the land and community heritage investment program (LCHIP), and establishing a committee to study the economic impact of land conservation. **Maj. OTP/A; Min. ITL Vote: 11-9**

HRA Analysis: This is a 40% increase to one of the most regressive taxes in all of state government. Please note that this tax is a surcharge, an additional tax imposed on users of the registry who already pay fees for the cost of the service of recording their documents. The NHGOP platform states "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. We believe as the New Hampshire Constitution states, that acquiring, possessing and protecting property is a natural, essential and inherent right." The platform asks we "Strongly oppose new taxes and fees."

HRA Recommendation: Oppose OTP/A

SB187, (Second New Title) relative to OHRV dealer and rental agency registration fees and snowmobile registration fees. **OTP Vote: 20-0**

HRA Analysis: The bill would raise registration fees for OHRV and snowmobiles and establishes a snowmobile program advisory commission. Higher fees will fund grant in aid for snowmobile clubs to purchase equipment to maintain snowmobile trails and grooming of trails. OHRV fees are increased, however, the grant in aid is to be used solely for snowmobile clubs and not for OHRV trails. There were not any business plans submitted showing how the increased fees would fully fund trail grooming and maintenance by the snowmobile clubs. Platform; justify expenditures against measurable results; strongly oppose new taxes and fees.

HRA Recommendation: Oppose OTP

SB190, relative to apportionment of sales under the business profits tax. **OTP/A Vote: 19-0**

HRA Analysis: This bill, as amended, aligns the New Hampshire definitions of what business is taxable to which state with the "market-based" definition used by most states, including all our neighbors. It doesn't change rates nor what income is taxable, it simply ensures that income is taxed (once only) by the appropriate state. No platform or constitutional issues identified.

HRA Recommendation: No recommendation

SB242, requiring notice and approval of certain actions to commence audits of collection liabilities arising under certain sales and use tax statutes and prohibiting New Hampshire remote sellers from disclosing private customer information to foreign taxing authorities in connection with the collection of certain sales and use taxes. **OTP/A Vote: 19-0**

HRA Analysis: The committee amendment completely replaces the bill, and addresses the concerns raised by the Supreme Court Wayfair decision, which canceled the "physical presence" rule for collecting sales taxes, and the reaction of many states to launch into collecting these taxes from remote sellers, even retroactively. It does not provide a roadmap for other states to start to collect sales taxes, and emphasizes the protection of our small businesses from the complexities of complying with the tax laws of about 10,000 jurisdictions. The attorney general's office is involved because at least one court case is expected to resolve the many issues Wayfair left hanging. Platform: "encourage small businesses."

HRA Recommendation: Support OTP/A

SB246, relative to licensing of child daycare, residential care, and child-placing agencies. **OTP Vote: 20-0**

HRA Analysis: While this bill may keep inappropriate people from working in child-care, it may also inhibit qualified people from seeking such positions. Further reducing the available workforce will drive up costs for daycare. The bill also necessitates the addition of two employees. Platform: Minimize business regulations, permits, licenses and paperwork.

HRA Recommendation: Oppose OTP

SB270, establishing a tax credit against the business profits tax for donations to career and technical education centers. **Maj. OTP/A; Min. ITL Vote: 18-2**

HRA Analysis: This bill, as amended, creates a new, limited tax credit for businesses that establish CTE programs. These programs are worthwhile for both businesses and participants, and in fact businesses already participate without needed to be bribed with a tax credit. Platform: "Prioritize programs to ensure effective spending."

HRA Recommendation: Oppose OTP/A