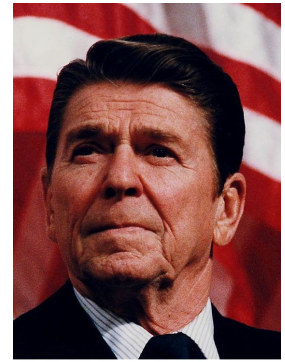


# House Republican Alliance Recommendation Sheet



"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.

**Thursday, March 5, 2020**  
**Regular Calendar**

## **Criminal Justice and Public Safety**

**HB1112**, requiring programs for female parolees. **OTP/A Vote: 19-1**

**HRA Analysis:** This bill as amended creates a study committee regarding women parolees. We support equality, if study is needed it should include women and men.

**HRA Recommendation:** Support amendment, Oppose OTP/A

**HB1130**, relative to assault against an elderly person. **ITL Vote: 17-3**

**HRA Analysis:** This bill changes the mens rea standards for assault against people over the age of 60. The constitution provides that all people are equal, age does not create a special protection.

**HRA Recommendation:** Support ITL

## **Executive Departments and Administration**

**HB1292**, revising certain benefit provisions in the city of Manchester employees contributory retirement system. **OTP/A Vote: 19-1**

**HRA Analysis:** This bill revises the Manchester employee pension plan to correct the reduction in pension for early retirees; require final earnings be a 5 year average rather than 3; increase the normal retirement age from 60 to 62; and increase employee contributions by 2% of pay. Platform: Ensure that public employee benefits are similar to and do not exceed those of the private sector.

**HRA Recommendation:** Support OTP/A

**HB1447**, relative to penalties for retired members of the retirement system exceeding part-time hourly limit. **ITL Vote: 19-1**

**HRA Analysis:** This bill allows retirees to work part-time, for as long as they want, with only a penalty that is vague, would be difficult to implement, and probably would violate federal laws. Platform: ensure that public employee benefits do not exceed those of the private sector.

**HRA Recommendation:** Support ITL

## **Finance**

**HB677**, relative to discipline of students, addressing students' behavioral needs, and making an appropriation therefor. **OTP/A Vote: 19-1**

**HRA Analysis:** This bill makes an appropriation of \$1. No platform or constitutional issue identified.

**HRA Recommendation:** No recommendation

**HB705**, (New Title) relative to the rights of victims of crime, increasing the cap on assistance for victims of crime, and establishing a commission to study the needs of crime victims and enforcement of statutes governing crime victims' rights. **OTP/A Vote: 21-0**

**HRA Analysis:** This bill increases the amount limit for claims against the Victim's Assistance Fund. As the fund is currently flush with money, perhaps a reduction on penalty assessments might be in order? [Art.] 18. [Penalties to be Proportioned to Offenses; True Design of Punishment.] All penalties ought to be proportioned to the nature of the offense.

**HRA Recommendation:** Oppose OTP/A

**HB1224**, making an appropriation to the lakeshore redevelopment planning commission. **OTP/A Vote: 21-0**

**HRA Analysis:** This bill funds (via matching grants) efforts to get the Laconia State School grounds off the State's books. It currently costs about \$400k/yr just to maintain the property. No platform or constitutional issue identified.

**HRA Recommendation:** No recommendation

**HB1234**, making an appropriation for the purposes of heating state-owned buildings. **OTP/A Vote: 21-0**

**HRA Analysis:** The Concord Steam replacement project wasn't completed by the end of the last fiscal year (6.30.19) and the funding lapsed. There was funding remaining to complete the project and this bill restores the previously allocated funding so the project can be completed. No platform or constitutional issue identified.

**HRA Recommendation:** No recommendation

**SB7**, establishing the secure modern accurate registration act (SMART ACT). **OTP/A Vote: 13-7**

**HRA Analysis:** This is essentially a motor-voter bill, and a very expensive attempt to fix that which is not broken. Platform: Justify expenditures against measurable benefits.

**HRA Recommendation:** Oppose OTP/A

## Judiciary

**CACR14**, relating to reproductive medical decisions. Providing that the state shall not infringe or unduly inconvenience the right of reproductive medical decisions. **Maj. ITL; Min. OTP Vote: 18-2**

**HRA Analysis:** This CACR was intended to affirm a right to abortion. The language being less than clear, it found little support. Platform: Support the pre-born child's fundamental right to life and personhood under the Fourteenth Amendment, and implement all Constitutional and legal protections.

**HRA Recommendation:** Support ITL

**CACR15**, relating to regulation of searches and seizures. Providing that certain information in a legally enforceable contract shall be secure from unreasonable searches and seizures. **ITL Vote: 19-1**

**HRA Analysis:** This CACR seeks to build on the Constitutional Amendment passed in 2018. While the goal is worthy, it would be better placed as a statute, adding detailed guidance to the constitutional provision. No constitutional or platform issue identified.

**HRA Recommendation:** No recommendation

**HB1353**, relative to the writ of quo warranto. **ITL Vote: 17-2**

**HRA Analysis:** The writ of quo warranto long predates our founding and is an element of the common law. It serves to challenge a person improperly holding office. Constitution: Part II [Art.] 90. [Existing Laws Continued if Not Repugnant.] All the laws which have heretofore been adopted, used, and approved, in the province, colony, or state of New Hampshire, and usually practiced on in the courts of law, shall remain and be in full force, until altered and repealed by the legislature.

**HRA Recommendation:** Oppose ITL

## Labor, Industrial and Rehabilitative Services

**HB1181**, allowing the New Hampshire public employer labor relations board to award pain and suffering damages. **Maj. ITL; Min. OTP/A Vote: 16-3**

**HRA Analysis:** This bill would move the awarding of tort "damages" out of the courts and into the jurisdiction of the PELRB. This would add a complex and time-consuming role to the PELRB, making it more difficult to do the work they tasked to do. The platform warns us of the dangers of growing government.

**HRA Recommendation:** Support ITL

**HB1221**, relative to privacy for an employee's personal financial and credit information. **Maj. OTP/A; Min. ITL Vote: 11-6**

**HRA Analysis:** This bill is identical to HB 293, vetoed by the Governor last year. The bill would restrict NH employers from making their own assessments of business risk by prohibiting one tool for that purpose. Credit reports are often not material to hiring decisions, but business owners must decide, themselves, on those cases where they are. Platform: Minimize business regulations.

**HRA Recommendation:** Oppose OTP/A

**HB1290**, relative to public employee labor relations and collective bargaining. **Maj. OTP/A; Min. ITL Vote: 12-7**

**HRA Analysis:** With the amendment, this bill allows a union to convert any election to a mail-in ballot. The platform supports the “right to join or avoid labor unions without coercion or intimidation,”

**HRA Recommendation:** Oppose OTP/A

**HB1322**, prohibiting university system funds from being spent to oppose the formation of unions and collective bargaining units. **Maj. OTP; Min. ITL Vote: 11-6**

**HRA Analysis:** This bill reacts to an expenditure of university system funds on consultants during a union organizing drive. As written, it suggests any activity that isn't pro-unionization could be prohibited within the universities. This is an unnecessary level of micromanagement of university operations. This could include challenging unfair labor practices undertaken by a union. The platform supports the “right to join or avoid labor unions without coercion or intimidation.”

**HRA Recommendation:** Oppose OTP

**HB1399**, relative to the establishment of public employee bargaining units. **Maj. OTP/A; Min. ITL Vote: 11-8**

**HRA Analysis:** This bill would re-institute “Card Check,” allowing unions to establish bargaining units without the required election. A process where the unions themselves collect signatures can be perceived as open to coercion and intimidation (which the platform opposes). Secret ballot elections help ensure process integrity.

**HRA Recommendation:** Oppose OTP/A

**HB1554**, relative to elections in collective bargaining. **Maj. ITL; Min. Int. study Vote: 11-6**

**HRA Analysis:** This bill addresses the issue that, for many unions, less than half the workers under the contract have ever had the opportunity to vote for their representation. While a procedure exists, it can be difficult to meet the hurdles without an active organization drive like those run by a union. As written, the bill has some technical issues but there was bi-partisan interest in creating a version of this bill that was workable and fair. The platform protects the right to avoid labor unions without coercion or intimidation, and this concept would give all workers the chance to participate.

**HRA Recommendation:** Oppose ITL

## **Municipal and County Government**

**HB1125**, enabling municipalities to adopt an exemption from property taxes for volunteer firefighters and volunteer emergency medical personnel. **Maj. ITL; Min. OTP Vote: 17-3**

**HRA Analysis:** This bill allows a town to exempt "volunteer" firefighters (as defined by the town) a tax exemption up to the total value of their home, as determined by the town. This grants a benefit to a special class of citizens, which burdens all other taxpayers in the municipality and violates the constitutional prohibitions on special benefits for specific classes of people.

**HRA Recommendation:** Support ITL

**HB1155**, relative to exemptions from timber taxes for certain residential cutting. **ITL Vote: 19-0**

**HRA Analysis:** This bill expands the existing exemption from timber taxes for limited cuts, and exempts from the tax the first 10,000 board feet of any cut. Without cutting expenses, this shifts the tax burden from those cutting timber this year to all other taxpayers. This violates the constitutional provision against creating special classes.

**HRA Recommendation:** Support ITL.

**HB1158**, relative to the adoption of bylaws and ordinances by municipalities. **Maj. ITL; Min. OTP Vote: 17-2**

**HRA Analysis:** This bill requires local ordinances cite the enabling RSA. On one hand, it's a mandate to municipalities; on the other it encourages transparency and makes it easier for ordinances to reflect changing laws.

**HRA Recommendation:** Vote your conscience.

**HB1197**, exempting disabled veterans from the payment of property taxes. **Maj. ITL; Min. OTP Vote: 17-3**

**HRA Analysis:** This bill completely exempts disabled veterans from all property taxes, with no regard to the value of the homestead in question. This grants a benefit to a special class of citizens, which burdens all other taxpayers in the municipality; while supporting the platform requirement to honor our veterans, it violates the constitution on special benefits.

**HRA Recommendation:** Vote your conscience.

**HB1210**, establishing a property tax exemption for energy storage systems. **Maj. ITL; Min. OTP Vote: 19-1**

**HRA Analysis:** This bill mandates a property tax exemption for energy storage system, rather than making it a local option. While generally objecting to such special cases which burden other taxpayers, we believe a local option is generally preferable to a state-wide mandate. No constitutional or platform issue identified.

**HRA Recommendation:** No recommendation

**HB1276**, relative to ex-officio members of budget committees and planning boards. **Maj. ITL; Min. OTP Vote: 10-8**

**HRA Analysis:** This bill prevents ex-officio members of budget committees and planning boards from voting. In the case of budget committees, this grants those members extra recommendations, as both a member and a selectman/school board member. No platform or constitutional issues identified.

**HRA Recommendation:** No recommendation

**HB1277**, requiring notice to owners of dogs that have failed to license their dog or renew their dog license. **Maj. ITL; Min. OTP Vote: 17-1**

**HRA Analysis:** This bill requires town clerks to annually notify residents that they have not registered all known dogs, not only imposing a new and potentially costly mandates on towns but also creating excuses for those who don't bother to register the dogs. This violates the constitutional ban on unfunded mandates.

**HRA Recommendation:** Support ITL

**HB1372**, relative to the election of Carroll county commissioners. **Maj. OTP; Min. ITL Vote: 10-8**

**HRA Analysis:** This bill changes commissioner elections so that they are elected by district, rather than at large. No constitutional or platform issue identified.

**HRA Recommendation:** No recommendation

**HB1441**, relative to the perambulation of town lines. **ITL Vote: 16-1**

**HRA Analysis:** Changes perambulation from 'once every 7 years forever' to 'as often as the selectmen determine is necessary'. It also allows for satellite imagery. No platform or constitutional issues identified.

**HRA Recommendation:** No recommendation

**HB1546**, relative to meeting minutes of county delegations. **Maj. ITL; Min. OTP Vote: 12-7**

**HRA Analysis:** This bill would allow county delegation to meet for the sole purpose of approving minutes and not require minutes for that meeting. More bureaucracy to eliminate bureaucracy? Platform: Justify expenditures against measurable benefits.

**HRA Recommendation:** Support ITL

**HB1629**, relative to training and procedures for zoning and planning boards. **Maj. OTP/A; Min. ITL Vote: 16-2**

**HRA Analysis:** As amended, this bill cleans up a number of issues with current zoning and planning boards. It recommends training for board members, requires fees that are not posted be waived, and sets deadlines for action. It also defines workforce housing and requires any incentives given to senior housing also apply to workforce housing, and requires any disapprovals to cite specific findings. It attempts to balance the platform requirement to encourage business and that of local control.

**HRA Recommendation:** Vote your conscience.

## **Science, Technology and Energy**

**HB1480**, relative to the use of system benefits charges. **Maj. ITL; Min. OTP Vote: 11-8**

**HRA Analysis:** This bill would restore that legislative authority and protect the SBC from any potential constitutional challenge. In 2018, the Governor signed into law a requirement that the legislature, as stipulated by the State Constitution, must approve any changes to a de-facto tax known as the Systems Benefits Charge (SBC). Hiding a tax in energy bills does not make it any less a burden. Constitution: Part I, Art. 12 But no part of a man's property shall be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people.

**HRA Recommendation:** Oppose ITL

## Transportation

**HB1383**, prohibiting commercial trucks from left lane travel on multi-lane highways. **ITL Vote: 19-0**

**HRA Analysis:** This bill prohibits commercial vehicles from using the left lane where there are three or more travel lanes. No platform or constitutional issues identified.

**HRA Recommendation:** No recommendation

**HB1408**, relative to license plate covers. **OTP/A Vote: 13-6**

**HRA Analysis:** As amended (the amendment is the bill) the bill requires that any covers attached to number plates must be completely transparent, and the fine for a violation shall be \$150.00. Constitution: Where the same undistinguishing severity is exerted against all offenses, the people are led to forget the real distinction in the crimes themselves, and to commit the most flagrant with as little compunction as they do the lightest offenses. For the same reason a multitude of sanguinary laws is both impolitic and unjust.

**HRA Recommendation:** Oppose OTP/A

**HB1427**, removing the authorization for OHRV use on certain sections of state highway. **ITL Vote: 16-3**

**HRA Analysis:** This bill repeals RSA 215-A:10, IV(c) which enables part of NH's 'Ride the Wilds' for OHRV's. A repeal of allowing OHRV's on certain state roads could jeopardize and damage businesses in the north country. HB1182 (on consent calendar) establishes a commission to study the on-road usage of non-traditional motor vehicles. The commission is to look at all phases of OHRV uses and whether it is best to repeal sections of NH's RSA's or to expand them. Platform: Foster an attitude of assistance and cooperation with business.

**HRA Recommendation:** Support ITL

**HB1621**, relative to the use of protective head gear while operating motorcycles and motorized bicycles. **Maj. ITL; Min. OTP Vote: 16-4**

**HRA Analysis:** This bill will make helmet use mandatory. Platform: promote personal responsibility and consequences for one's actions.

**HRA Recommendation:** Support ITL

## Ways and Means

**HB1492**, establishing a tax on the retail sale of certain electronic devices to fund education. **ITL Vote: 20-0**

**HRA Analysis:** This bill establishes a new sales tax. Platform: strongly oppose new taxes.

**HRA Recommendation:** Support ITL .

**HB1652**, including ski area ticket sales under the meals and rooms tax and dedicating the revenue to the governor's scholarship program for New Hampshire resident students. **ITL Vote: 20-0**

**HRA Analysis:** This bill calls for expanding the meals and rooms tax to include ski tickets. This would be a new tax and we know taxation is theft. Platform: Strongly oppose new taxes and fees, including an income, sales and capital gains tax.

**HRA Recommendation:** Support ITL

**HB1699**, relative to a tax on electronic cigarettes. **Maj. OTP; Min. ITL Vote: 12-8**

**HRA Analysis:** This bill taxes electronic cigarettes. This will discourage those who are trying to stop smoking and it will drive shoppers to the internet. Platform: Minimize business regulations, permits, licenses and paperwork.

**HRA Recommendation:** Oppose OTP