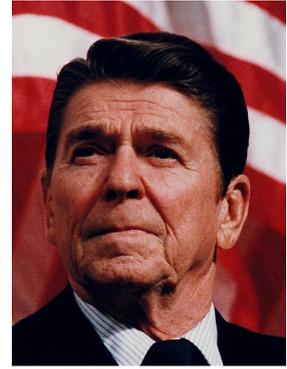


House Republican Alliance Recommendation Sheet



"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, May 2, 2024
Regular Calendar

Children and Family Law

SB359, raising the age of marriage to 18 years of age. **OTP Vote: 14-1**

HRA Analysis: This bill raises the marriageable age from 16 to 18 with no judicial exception. While raising the default age to 18 (the age of emancipation) there is no exception for emancipated minors, especially those emancipated by induction into the military. This is a serious flaw. Insurance and housing benefits for military dependants for military dependents is a serious issue. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation

SB417, relative to out-of-home placements for children. **OTP/A 1587h Vote: 11-0**

HRA Analysis: The majority of this deals with out of home placements permitting them to be in-State. However, these criteria already exist in RSA 169-C19-a, b & c. It also permits out of home placements with next of kin. Section 2 of Bill introduces criteria regarding whether a non-offending parent in an abuse and neglect situation may be found a fit parent. The amendment, 1587h, removes the two most offensive of these criteria. However, the bill retains the guilty until proven innocent situation for a non-offending parent. That the bill could, but does not, deal with the loss of the common law right of innocent until proven guilty makes it unconstitutional with regard to Part 1, Article 2.

HRA Recommendation: Support Amendment 1587h; Oppose OTP or OTP/A; Support ITL

SB463, expanding access to court-appointed counsel for children in dependency proceedings. **OTP Vote: 11-0**

HRA Analysis: The this bill authorizes the court to appoint an attorney for children in abuse and neglect cases to represent the interests of the child. However, the bill fails to identify the source of candidate attorneys. The bill also authorizes the hiring of 5 additional DCYF attorneys and additional social workers. If the attorney appointed to represent the child is a DCYF employee, this is a potential conflict of interest. Platform: "the liberty of parents to direct the upbringing, healthcare, education, and wellbeing of their children is a fundamental right" This fundamental right include the child's right to the protection of their parents. The potential conflict of interest is unacceptable.

HRA Recommendation: Oppose OTP; Interim Study

SB498, relative to the department of health and human services, division for children, youth and families. **OTP Vote: 13-0**

HRA Analysis: This bill expands the potential for out of home placements in delinquency cases to fictive kin and treatment facilities. No platform or constitutional issues identified.

HRA Recommendation: No Recommendation

SB573, (New Title) establishing a committee to study consent and confidentiality laws applicable to adolescent and young adult health care in New Hampshire. **OTP Vote: 14-0**

HRA Analysis: This bill establishes a study committee. No Platform or constitutional issues identified.

HRA Recommendation: No Recommendation

Criminal Justice and Public Safety

SB248, relative to bail for a defendant. **Int. study Vote: 20-0**

HRA Analysis: The content has been addressed in previous bills that are now in the other body. No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation

SB316, establishing a penalty for a person who transports fentanyl class drugs into New Hampshire with the intent to distribute. **without recommendation Vote: 10-10**

HRA Analysis: The goal of this bill is to more adequately deter someone from importing fentanyl. The Constitution: "Art. 18. All penalties ought to be proportioned to the nature of the offense" Given the large number of deaths caused by fentanyl, Article 18 suggests a large penalty is appropriate.

HRA Recommendation: Support OTP

SB376, relative to establishing a corrections education and vocational planning group. **without recommendation Vote: 10-10**

HRA Analysis: This bill establishes a committee to study college and vocational pathways for the incarcerated. Incarcerated persons already have access to career and vocational training, but concerns about this measure exist around potential funding by taxpayers. Platform: Justify expenditures against measurable benefits.

HRA Recommendation: Oppose OTP

SB414, relative to establishing a mandatory minimum sentence for the crime of distribution of a controlled drug with death resulting. **without recommendation Vote: 10-10**

HRA Analysis: Bill increases penalties for distribution of a controlled drug that results in a death. The Constitution: "Art. 18. All penalties ought to be proportioned to the nature of the offense" Given the large number of deaths caused by fentanyl, article 18 may suggest that a large penalty is appropriate.

HRA Recommendation: Support OTP

SB415, relative to the penalty for certain fentanyl-related offenses. **Int. study Vote: 12-8**

HRA Analysis: This measure would create mandatory minimum sentences for certain fentanyl possessions. Given that there are other bills related to fentanyl, the committee recommended putting on the shelf to see if additional legislation is warranted.

HRA Recommendation: No Recommendation

SB563, relative to federal immigration enforcement. **Maj. OTP/A 1622h; Min. ITL Vote: 11-9**

HRA Analysis: This bill prohibits state and local government entities from adopting sanctuary policies that prohibit or impede the enforcement of federal immigration law. The committee amendment reduced but did not eliminate what some thought was an unfunded mandate to actively assist enforcing federal laws. FLAM 1736h we think eliminates the Article 28-a violation. Platform: "Oppose so-called 'sanctuary' policies that inhibit the enforcement of federal immigration law"

HRA Recommendation: Support FLAM 1736h; Support OTPA

Education

SB219, (New Title) requiring mandatory reporting by school districts of school expenses. **without recommendation Vote: 10-10**

HRA Analysis: This bill requires that detailed information be made available to voters before the school board adopts the budget. Information must include average cost per pupil, average teacher salary, total salaries for administrators and the salary of the highest paid administrators. Aggrieved citizens can go to court for violations. Platform: Promote accountability and transparency in education. Justify expenditures against measurable benefits.

HRA Recommendation: Support OTP

SB341, relative to mandatory disclosure by school district employees to parents. **without recommendation Vote: 10-10**

HRA Analysis: This measure prevents keeping secrets from parents. Educators must respond completely and honestly to written inquiries of parents within 10 business days. There is an exemption if the response would put the student at imminent risk of harm. Educator violations would be violations of the code of conduct. Platform: Pass parent's rights legislation and Promote accountability and transparency in education.

HRA Recommendation: Support OTPA

SB596, relative to the definition of disability or special needs under the child care scholarship program. **Maj. OTP; Min. Int. study Vote: 11-9**

HRA Analysis: This bill relates to child care services and grants for children with disabilities and required rules to be written by DHHS. However, the definition of disability is "any child who displays, or is at risk for, delayed social or emotional development" and no formal diagnosis is required. The fiscal note contains a DHHS "estimated" cost of over \$743,000. With such a wide open definition and no formal diagnosis, there are too many questions to pass this bill. Platform: Justify expenditures against measurable benefits

HRA Recommendation: Oppose OTP; Support Interim Study - Support Motion to Table

Election Law

SB380, relative to moving the state primary date. **without recommendation Vote: 10-10**

HRA Analysis: Moves the primary from September to June. No platform or constitutional issues identified

HRA Recommendation: No Recommendation

SB489, relative to election audits. **OTP Vote: 20-0**

HRA Analysis: Requires that the SOS conduct audits during the election season. No platform or constitutional issues identified

HRA Recommendation: No Recommendation

Executive Departments and Administration

SB134, relative to disability pensions for public safety employees who are victims of violence. **OTP Vote: 16-0**

HRA Analysis: The bill addresses those public servants who are seriously harmed but not killed on the job. The bill creates an alternate disability pension for those who were attacked. No platform or constitutional issues identified.

HRA Recommendation: No Recommendation

SB439, to prohibiting discriminatory boycotts of Israel in state procurement and investments. **Maj. ITL; Min. OTP Vote: 14-6**

HRA Analysis: This bill would forbid the state to contract with companies that boycott Israel. This is an artificial restriction that could prevent the state from using the most qualified contractor or the lowest bidder, if they took an unapproved political stance. Platform: "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."

HRA Recommendation: Support ITL

SB487, relative to the division of personnel in the department of administrative services. **OTP Vote: 15-0**

HRA Analysis: This bill relocates the personnel appeals board to eliminate an apparent conflict of interest. No platform or constitutional issues identified

HRA Recommendation: No Recommendation

Health, Human Services and Elderly Affairs

SB352, establishing an early detection cancer screening pilot program for active and retired firefighters. **OTP Vote: 20-0**

HRA Analysis: Early screening will may reduce long term costs if disease is detected and early treatment is possible. However, some disease may require "watchful waiting" and that increases long-term screening costs where no treatment occurs. Platform: "Justify expenditures against measurable benefits" and Platform: "government has a moral obligation to the people to be as cost effective as possible"

HRA Recommendation: Vote Your Conscience

SB355, relative to newborn screening for cytomegalovirus. **without recommendation Vote: 10-10**

HRA Analysis: CMV is a relatively common disease that lies dormant in most people. It is the most common cause of birth defects, and its role in hearing loss needs to be addressed immediately for best outcomes. To address the importance of early identification of CMV infection in infant hearing loss, a floor amendment address CMV screening for newborns who fail the hearing test. This is a measured approach to address the public health concern of CMV and to head off population-wide screening which may bring greater harm than benefit. No platform or Constitutional issues identified.

HRA Recommendation: No Recommendation

SB403, (New Title) relative to the health care workforce. **without recommendation Vote: 10-10**

HRA Analysis: This bill expands Medicaid coverage for vaguely defined Community Health Workers. It is projected to cost millions in 2025 and more in future years. Platform: "Justify expenditures against measurable benefits" Platform: "Prioritize programs to ensure effective spending"

HRA Recommendation: Oppose OTP; Support ITL

SB456, (New Title) relative to the state loan repayment program for qualified nursing professionals, and making an appropriation therefor. **Maj. OTP; Min. ITL Vote: 11-9**

HRA Analysis: This allows nurse loan repayment, providing benefit to one specific class of people over other classes, while not addressing the underlying issue of declining interest in nursing professions. Constitution: "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; Support ITL

SB496, directing the department of health and human services to establish a climate and health protection program. **Maj. ITL; Min. OTP Vote: 12-8**

HRA Analysis: This bill creates a position to review climate change data and the impact and implications on health in NH Platform: "Justify expenditures against measurable benefits"

HRA Recommendation: Support ITL; Oppose OTP

SB567, (New Title) directing the commissioner of the department of health and human services to compile a report on the availability of mifepristone and misoprostol. **Maj. ITL; Min. OTP Vote: 10-6**

HRA Analysis: This bill requires the commissioner to put together a report about where these two drugs are available. Platform: "Justify expenditures against measurable benefits"

HRA Recommendation: Support ITL

Judiciary

SB435, relative to the New Hampshire unitrust statute. **OTP/A 1454h Vote: 15-5**

HRA Analysis: This bill modernizes NH trust statutes and allows unitrusts to be created at inception. They can be created only by conversion from other trusts. NH is a leader in the trust industry, providing 600 jobs in NH and we have \$1.3T in trust assets. No platform issues identified

HRA Recommendation: No Recommendation

Municipal and County Government

SB63, (New Title) relative to the adoption of public health ordinances by municipalities. **Maj. OTP; Min. ITL Vote: 10-8**

HRA Analysis: This bill limits open ended authority given to public health officials. Platform: We believe that local governments should not be allowed to infringe on individual rights and that the state should ensure protection from such local government overreach.

HRA Recommendation: Support OTP

SB538, relative to zoning procedures concerning residential housing. **Maj. ITL; Min. OTP Vote: 9-8**

HRA Analysis: SB538 provides incentives and reduces obstacles to increase the supply of housing. As an omnibus bill with three unrelated parts it would be reasonable to Divide the Question.

Part 1 would allow a city or town's legislative body (e.g. town meeting) to adopt a Community Revitalization Tax Relief Incentive. This would delay for typically 3 to 5 years the increase in property tax for properties that are converted from office use to residential use. Platform: "Cut or eliminate taxes which inhibit enterprise, earnings and savings and investment." The counter-argument is that any tax exempted on one property owner is placed upon the rest of the municipality's property owners. Constitution: "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 ...". The answer as to whether a development is "for the common benefit" or for "the private interest" may vary from town to town or from project to project. [Vote Your Conscience]

Part 2 would allow a city or town's legislative body to delegate to its governing body (e.g. selectmen) authority to amend zoning ordinances. Platform: "Work with municipalities to streamline planning and zoning barriers to business." The Constitution says: "The Supreme Legislative Power, within this State, shall be vested in the Senate and House of Representatives,..." The House and Senate have delegated certain zoning authority to municipal legislative bodies. We believe that Towns have typically overstepped their authority and that allowing the voters to adopt a process where the selectman and not the full town can make future changes could exacerbate the problem. Platform: "We believe that local governments should not be allowed to infringe on individual rights and that the state should ensure protection from such local government overreach." [Support ITL]

Part 3 would allow a property owner to propose alternative parking solutions as a substitute for on-site parking requirements. Three of the four "Alternative parking solutions" in the bill would require absolutely zero parking requirements for the developer, meaning potentially hundreds of residents without designated parking leading. In large cities, many residents don't even own vehicles. Should they be able to decide for themselves what kind of residence to rent? Platform: "We believe in free people, free markets and free enterprise." [Oppose ITL; Support OTP]

HRA Recommendation: If there is a Motion to Divide the Question: Part 1) Vote Your Conscience; Part 2) Support ITL; Part 3) Oppose ITL; Support OTP

Public Works and Highways

SB468, relative to designating a portion of route 111 in Hudson as the Senator Robert E. Clegg Jr. Memorial Highway. **OTP Vote: 16-0**

HRA Analysis: Names a portion of a State highway in Hudson for Senator Clegg. No position taken

HRA Recommendation: No Recommendation

SB476, making a capital appropriation to the department of corrections toward the replacement of the New Hampshire state prison for men. **OTP Vote: 15-4**

HRA Analysis: This measure appropriates \$40M to the New Hampshire state prison fund for the architectural, engineering and programming, design and construction documents for a replacement facility for the New Hampshire Men's state prison. This type of an appropriation would require a bond for this cost which is only the design portion. The cost of the bond is an additional \$29 M over 20 years just for the design piece alone. Lower cost alternatives were discussed but were not pursued. Off-cycle appropriation requires deficit spending. Platform: Justify expenditures against measurable benefits.

HRA Recommendation: Oppose OTP, Support ITL

SB592, renaming Route 127 from Central Street in Franklin to the town line of Sanbornton as Officer Bradley Haas Memorial Highway. **OTP/A 1452h Vote: 18-0**

HRA Analysis: Names a portion of a state highway in Franklin for Officer Haas. No position taken

HRA Recommendation: No Recommendation

Resources, Recreation and Development

SB492, relative to wastewater engineering. **OTP Vote: 18-2**

HRA Analysis: This bill clarifies language in current statutes relative to wastewater treatment and septic engineering and at the same time streamlines communities' ability to apply for grants. It also increases a fee dating to 1996 from \$50 to \$100, largely at the request of those who pay the fee, in order to self fund educational programs without having to seek general funding or other sources. Platform: "Minimize business regulations, permits, licenses and paperwork" Platform: "Limit the growth of state spending" Platform: "Justify expenditures against measurable benefits"

HRA Recommendation: Support OTP

Science, Technology and Energy

SB386, relative to establishing a committee to study power generation, transmission, distribution, and storage. **Maj. OTP/A 1558h; Min. ITL Vote: 10-9**

HRA Analysis: This bill establishes a study committee on energy issues. No Platform or constitutional issues identified.

HRA Recommendation: No Recommendation

SB449, relative to the permit issuance timeline for state air permits. **Maj. OTP/A 1565h; Min. ITL Vote: 16-2**

HRA Analysis: This bill addresses time-line changes for air permit actions. No platform or constitutional issues identified

HRA Recommendation: No Recommendation

SB540, requiring the department of energy to investigate behind the meter and utility scale energy storage. **Maj. Int. study; Min. OTP Vote: 11-8**

HRA Analysis: This bill creates a Department of Energy study commission on battery storage issues. No position taken.

HRA Recommendation: No Recommendation

SB603, relative to telephone number and area code conservation. **Maj. OTP/A 1559h; Min. ITL Vote: 10-9**

HRA Analysis: This bill addresses preserving the availability of 603 area code numbers No Platform or Constitutional issues identified.

HRA Recommendation: No Recommendation

Transportation

SB471, relative to adding a speed limit of 45 miles per hour on rural highways. **without recommendation Vote: 10-10**

HRA Analysis: This bill seeks to reduce speed limits on all "unimproved" state highways. It has an unknown cost and no apparent benefit. This is a solution in search of a problem. Changing speed limits can already be done without this legislation and therefore this is unnecessary. Constitution: "Art. 18. All penalties ought to be proportioned to the nature of the offense." Platform: "Justify expenditures against measurable benefits."

HRA Recommendation: Oppose OTP; Support ITL

Ways and Means

SB454, increasing the annual real estate transfer tax revenue contribution to the affordable housing fund. **Maj. Int. study; Min. OTP Vote: 11-8**

HRA Analysis: This measure doubles the annual earmark from the real estate transfer tax (RETT) to the affordable housing fund. This is an off-cycle budget change which could potentially compete with existing RETT obligations. Platform: "Justify expenditures against measurable benefits"

HRA Recommendation: Support Interim study