

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 2

COMMITTEE OF CONFERENCE STATEMENTS (Selected Bills from the House Calendar)

SENATE BILLS

SB 150, relative to low-speed utility vehicles and relative to registration fees for certain special number plates for veterans.

HRA Analysis and Recommendation: This bill reduces the fee for these veteran number plates. Support CoC report.

SB 181-FN-A, repealing the transfer of liquor enforcement to the department of safety and establishing a committee to study the administrative structure and adjudicative process at the liquor commission.

HRA Analysis and Recommendation: This bill puts off an ill-advised transfer of liquor enforcement. Support CoC report.

SB 313, extending the repeal date of the state park system advisory council and relative to field purchases and transfers of funds for the state park system and the bureau of trails.

HRA Analysis and Recommendation: This bill puts off the date of a fee increase. Support CoC report.

SB 450-FN, relative to costs and expenditures at the department of health and human services, establishing a special fund for certain civil fines collected by the department, relative to the due date for the Medicaid enhancement tax, and making certain general fund reductions and tax and revenue changes.

HRA Analysis and Recommendation: One of the Democrats' Tax and Borrow bills. Support its defeat.

SB 480, relative to appeals of decisions by the department of environmental services.

HRA Analysis and Recommendation: The bill continues citizen abuse by enacting a tainted DES adjudicatory process of conflicted hearing officers and no judicial appeals. Oppose CoC report.

SB 485-FN-A, relative to ratification of cost items contained in a collective bargaining agreement for court security officers of the judicial branch.

HRA Analysis and Recommendation: The CoC essentially refused to accommodate overspending by the Judiciary. Support the CoC report.

SB 503, relative to unique pupil identification.

HRA Analysis and Recommendation: A bill that violates privacy, even with its improvements by the CoC, as well as violates locale control and sets the stage for more extensive violations. Oppose the CoC report.

SB 520, relative to school district liability for special education costs.

HRA Analysis and Recommendation: This bill allows parents to seek the most generous of school districts for their children with the locale district picking up the costs. The bill eliminates the requirement that the parents first show “*manifest educational hardship to the child.*” Oppose the CoC report.

HOUSE BILLS

HB 629-FN-A, relative to habitual offenders, relative to implements of husbandry, and relative to registration of vehicles under the Unified Carrier Registration Act of 2005.

HRA Analysis and Recommendation: This bill enacts a new fee. Oppose the CoC report.

HB 1128 FN-L, relative to the distribution of meals and rooms tax revenues to cities and towns.

HRA Analysis and Recommendation: One of the Democrats' Tax and Borrow bills. Support its defeat.

HB 1168, clarifying the definition of gross misconduct for purposes of unemployment compensation.

HRA Analysis and Recommendation: Stealing \$500 or less from an employer should be gross misconduct and a reason for denying unemployment compensation. We should not reward thievery. Oppose the CoC report.

HB 1239, relative to processing certain environmental permits and administrative fines for violations of dredge and fill requirements.

HRA Analysis and Recommendation: The CoC substantially improves the bill by limiting DES excess and therefore helps small business and our constituents. Support the CoC report.

HB 1459, relative to the board of trust company incorporation.

HRA Analysis and Recommendation: The bill incorporates Sen. Hassan's assault on free speech for partisan gain. Oppose the CoC report.

HB 1461, relative to the municipal regulation of the sale of martial arts weapons.

HRA Analysis and Recommendation: This bill restricts the right of self-protection. It also sets the stage for a morass of anti-business regulations and prohibitions of the sale of articles that are legal under state law. Oppose the CoC report.

HB 1477, relative to checklist information.

HRA Analysis and Recommendation: This bill promotes voter fraud by restricting citizen access to registration information and constructing bureaucratic impediments for citizen challenges of fraudulent voting. Oppose the CoC report.

HB 1486, prohibiting the mandating of fire sprinkler systems in certain dwellings and establishing a committee to study municipal residential fire sprinkler requirements.

HRA Analysis and Recommendation: The bill eases unrealistic, expensive regulations that will result in houses being constructed that are inappropriate for NH's winter climate. Support the CoC report.

HB 1490, establishing a citizens task force to study state revenues and expenditures.

HRA Analysis and Recommendation: The task force should be more appropriately titled "The How Do We Tax You More Commission." Oppose the CoC report.

HB 1610-FN, establishing a New Hampshire commission on Native American affairs and recognizing Native American residents of the state as a minority population in New Hampshire.

HRA Analysis and Recommendation: We are all fully vested Americans not hyphenated Americans. Democrats want to divide us into competing interests groups. Republicans want us to be one nation. Oppose the CoC report.

JOINT COMMITTEE ON ADDRESS

Bill of Address Process:

The constitutional process of bill of address is an example, and a component, of the check and balances among the branches of government. It provides that all judges and commissioned officers shall hold their office during good behavior. Commissioned

officers include marital masters because they are nominated by the governor and approved by the governor's council. They do not become "uncommissioned" merely because they are later reappointed by the chief justice.

The grounds for adoption of a bill address include any reasonable cause, but not those would be grounds for impeachment. A bill of address is heard by a joint senate and house committee that recommends only ought to pass or ought not to pass. Adoption of a bill of address is a message to the governor and the governor's council that they should remove a judge or commissioned officer.

HA 1, for the removal of Michael Garner, marital master in the judicial branch family division in Laconia. **MAJORITY: OUGHT NOT TO PASS. MINORITY: OUGHT TO PASS. Vote 6-4.**

HRA Analysis: Republicans believe in religious freedom and understand that religious freedom does not just extend to those who are not Christians. A marital master who changes the education of a child of divorced parents based on a finding that the child's belief in Christianity is too rigid automatically disqualifies himself from further authority over the citizens of NH. Reasonable cause was demonstrated for Michael Garner's removal as a marital master.

HRA Recommendation: Support OTP.

HA 2, for the removal of Lucinda Sadler, district court judge, from her said office. **MAJORITY: OUGHT NOT TO PASS. MINORITY: OUGHT TO PASS. Vote 6-4.**

HRA Analysis: Part II, Article 73 of the NH Constitution allows that "*The governor with consent of the council may remove any commissioned officer for reasonable cause upon the address of both houses of the legislature.*" The GOP-Platform states that "*the first priority of our judiciary is to serve the people's needs by expediting justice and ensuring fairness.*" Thus, whenever the behavior of a judicial officer comes into question, the Legislature must investigate and act. Judge Sadler either did not meet her obligation to read and approve the recommended decisions of Masters Garner (HA1) and Cross (HA3) or she approves of those flawed recommendations. In either case, reasonable cause exists for her removal. Republicans understand that judges should either do their job or be removed from those jobs.

HRA Recommendation: Support OTP.

HA 3, for the removal of Philip Cross, marital master in the judicial branch family division in the Derry District Court, from his said office. **MAJORITY: OUGHT NOT TO PASS. MINORITY: OUGHT TO PASS. Vote 6-3.**

HRA Analysis: Testimony was given that Master Cross exhibited bad behavior in failure to allow all positions to be heard in court, in changing the purpose of a hearing at the last moment without notice to one of the parties, altering a court document previously signed by both parties, and recommending conflicting orders that effectively required a parent to be in contempt. Testimony also presented a pattern of high levels of appeal and grievances filed against Master Cross. Republicans on the Joint Committee requested Cross to come before the Committee to explain his version of events, but he did not appear. Reasonable cause was demonstrated for his removal under Part II Article 73 of the NH Constitution.

HRA Recommendation: Support OTP.

A message worth repeating to our Democrat colleagues as we come near the end of this session:

For they have sown the wind, and they shall reap the whirlwind: it has no stalk; the bud shall yield no meal: if so be it yield, the strangers shall swallow it up.

Hosea 8:7

NEW HAMPSHIRE HOUSE REPUBLICAN ALLIANCE

You are Cordially Invited to the HRA End of Session Party

Saturday, June 12, 2010 at 2:00 pm

**Hosted by Co-Chair, The Honorable Nancy and Glen Elliott
70 Island Drive, Merrimack, NH 03054**

Fare

Salad

Lasagna

Desserts

Wine, beer, soft drinks

Bring along your favorite dish.

Bring your family, boat, and swimsuit.

Please RSVP to: chairmen@nhhra.org or (603) 424-4566