

# 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 27**

## COMMITTEE OF CONFERENCE STATEMENTS

### SENATE BILLS

**SB 35-FN-A**, making an appropriation for disaster relief assistance in response to the May 2006 floods and establishing a committee to study the distribution of financial disaster assistance.

The previous recommendation was No Recommendation. It still applies.

**No Recommendation**

**SB 52**, relative to authorizing the attorney general to bring actions for violations of New Hampshire combination and monopolies law.

The previous recommendation stated, “The NHGOP Platform promotes efforts ‘to prevent over-regulation of business.’ This bill would involve the attorney general in lawsuits that are detrimental to business and, as litigation costs would be passed on, to consumers. The previous recommendation was Oppose OTP, Support ITL. Nothing has changed.

**Recommendation: Oppose the C of C Report**

**SB 67-FN-A**, relative to implementation of the recommendations of the YDC master plan and making an appropriation therefore.

The previous recommendation stated, “The bill appears to be sound fiscal policy by implementing a plan that subdivides property, preserves certain buildings for possible future use, demolishes buildings that have no historical value, or current operational value, and sells two properties for not less than fair market value.” The previous recommendation was Support OTP. Nothing has changed.

**Recommendation: Support the C of C Report**

**SB 91**, relative to political contributions by corporations, partnerships, and labor unions. **OTP/A. Vote 17-0.**

The previous recommendation stated, “This bill apparently is even-handed in its treatment of contributions from businesses and unions.” The previous recommendation was Support OTP/A. **This is no longer true.** Support the effort by Rep. Jim Splaine to defeat this.

**Recommendation: Oppose the C of C Report**

**SB 106**, allowing lobbyists and those connected with lobbyists to sit on committees established by the judicial branch.

A consent calendar bill.

**No Recommendation**

**SB143**, naming Jericho Mountain state park and establishing ATV and trail bike trails in such park.

The previous recommendation stated, “This bill allows for the development of the Berlin ATV Park to the level to which it was envisioned. There are regulations to which only the State Park system is subject that severely restrict the establishing of ATV trails in State Parks. These regulations are designed for the occasional trail in a park, not for an ATV recreational area. The NHGOP Platform looks ‘to prevent over-regulation of business.’ This should apply to a public business as well as a private business. The original Senate bill allows the Department of Resources and Economic Development to waive the regulations where necessary. The majority amendment micromanages the Department’s efforts, creating impediments to accomplishing the job. The previous recommendation was Oppose the Majority Amendment. Support the Bill Regardless of Amendment.

**Recommendation: Support the C of C Report**

**SB 161-FN**, relative to the registration fees for mortgage servicing companies.

A consent calendar bill.

**No Recommendation**

**SB 170-FN**, establishing an office of mediation and arbitration within the judicial branch.

A consent calendar bill.

**No Recommendation**

**SB 176-FN**, relative to lead paint poisoning and establishing a commission to study the current childhood lead poisoning prevention law, policies, and standards.

The previous recommendation stated, "The NHGOP Platform opposes over-regulation. This bill is intrusive and over-reaches. It may also have the unintended consequence of removing low income housing units from the market." The previous recommendation was Oppose OTP, then Support ITL. Nothing has changed.

**Recommendation: Oppose the C of C Report**

**SB 187**, relative to motor vehicles operated in parades.

Consent calendar bill.

**No Recommendation**

**SB 188**, relative to unfair claim settlement practices by insurers.

The C of C could not agree on this consent calendar bill. The bill dies.

**No Recommendation Needed**

**SB 204-FN-A**, relative to collection of debts owed the state.

The previous recommendation stated, "The state should be able to collect debts owed to it, plain and simple." The previous recommendation was Support OTP. Nothing has changed.

**Recommendation: Support the C of C Report**

**SB 215-FN-A**, making an appropriation for AIDS services.

The previous recommendation was No Recommendation. It still applies.

**No Recommendation**

**SB 217-FN-A**, establishing the New Hampshire housing and conservation planning program.

The previous recommendation stated, "This bill creates another new program for housing and conservation planning. ADDING FUNDING to a NEW program is stretching the ability to cover the costs of all the programs that already need attention." The previous recommendation was Oppose OTP/A, then Support ITL. Nothing has changed.

**Recommendation: Oppose the C of C Report**

**SB 233-FN**, relative to sales by beverage manufacturers and relative to the definition of specialty beer.

The previous recommendation stated, "The issue is whether we should allow specialty beers to have higher alcohol content. Testimony showed that our surrounding states already allow it and for our residents to buy these beverages they have to go to Mass or Maine. The other issue is whether we should legislate the percent of alcohol in these beers or let the liquor commission do that in response to market changes, without having to come back to the Legislature as new products comes to market. A basic Republican tenet is efficiency in government. It would appear empowering the liquor commission establish the percent alcohol in the beers, rather than by statute, is more efficient." The previous recommendation was Support the Majority OTP/A. Nothing has changed.

**Recommendation: Support the C of C Report**

**SB 235-FN-A**, relative to milk support for dairy farmers.

The previous recommendation stated, "While the bill is amended to remove the milk tax used to acquire land development rights, it still retains the relief fund to be paid from general fund revenues whenever the milk price falls below a target price. No where does the N.H. Constitution authorize the state to make direct cash payments to a select number of private businesses. 'That which is not specified is prohibited.'" The previous recommendation was Oppose OTP/A, then Support ITL. Nothing has changed.

**Recommendation: Oppose the C of C Report**

## COMMITTEE OF CONFERENCE STATEMENTS

### HOUSE BILLS

**HB1-A**, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2008 and June 30, 2009.

The previous recommendation stated, "The NHGOP Platform states that Republicans 'believe that controlling spending and minimizing taxes are the best ways to protect the economic and civic well being of New Hampshire residents. We reject higher taxes and excessive government spending with the belief that taxes unfairly erode earnings, contribute to the growth of government and provide disincentives for economic growth.' The budget is inflated and unbalanced." The previous recommendation was Oppose OTP/A, then Support ITL. Nothing has changed.

**Recommendation: Oppose the C of C Report**

**HB 2-FN-A**, relative to state fees, funds, revenues, and expenditures.

The previous recommendation stated, “The NHGOP Platform states that Republicans ‘believe that controlling spending and minimizing taxes are the best ways to protect the economic and civic well being of New Hampshire residents. We reject higher taxes and excessive government spending with the belief that taxes unfairly erode earnings, contribute to the growth of government and provide disincentives for economic growth.’ The increases in taxes and fees will damage the NH Advantage and severely impact our citizens.” The previous recommendation was Oppose OTP/A, then Support ITL. Nothing has changed.

**Recommendation: Oppose the C of C Report**

**HB 25-FN-A**, making appropriations for capital improvements.

The previous recommendation stated, “This budget contains the bonding of \$60million for replacement and maintenance for the state’s highway and bridge infrastructure. This has always been an operating expense. To treat it otherwise is deficit spending at its worst.”

The previous recommendation was Oppose OTP/A and Support ITL. Nothing has changed.

**Recommendation: Oppose the C of C Report**

**HB 37**, relative to notification requirements for criminal offenders.

This consent calendar bill limits liability immunity for schools concerning background checks.

**No Recommendation**

**HB 83**, relative to the deliberations of certain state agencies under the right-to-know law.

The previous recommendation stated, “This bill weakens the right-to-Know law by allowing the secret deliberations in the Board of Tax and Land Appeals. There are over 60 state boards and agencies that have a quasi judicial function. The NHGOP Platform ‘promot(es) a limited government that is open, responsive and fully accountable to and in touch with its citizens.’ Actions done in secret breeds mistrust and voter cynicism. Protect the Right to Know law.” The previous recommendation was Oppose OTP/A then support ITL. The conference amendment did not fix the defects in this bill.

**Recommendation: Oppose the C of C Report**

**HB 95-L**, including charter school pupils in the average daily membership in residence in the pupil's district of residence.

The previous recommendation stated, “The NHGOP Platform states: ‘Laws should be implemented to encourage school choice and competition and allow all parents to choose the best public, private, charter or home school program for their children.’ This bill can affect charter schools and taxpayers beyond those stated in the blurb. The previous recommendation was Oppose OTP/A, Support ITL. C of C could not reach agreement. Bill Dies.

**No Recommendation Needed**

**HB 134**, relative to electronic prescribing for prescription drugs.

Consent calendar bill

**No Recommendation**

**HB 187**, establishing that sheriffs’ departments have sole jurisdiction to enforce civil orders.

Consent calendar bill.

**No Recommendation**

**HB 202**, relative to a point system for automobile dealer and inspection station violation.

Consent calendar bill.

**No Recommendation**

**HB 229**, relative to licensing requirements for operators of games of chance.

The previous recommendation was No Recommendation. Changes to the bill expands gambling which is contrary to the NHGOP Platform. **The recommendation is changed.**

**Recommendation: Oppose the C of C Report**

**HB 261**, prohibiting the Carroll county attorney from engaging in the private practice of law.

The C of C could not agree on this consent calendar bill. The bill dies.

**No Recommendation Needed**

**HB 293**, allowing municipalities to establish agricultural commissions.

The previous recommendation stated, “The NHGOP Platform ‘promote(s) preserving open space, scenic vistas and historic and cultural landscapes.’ The commissions can work with other town committees to make their town more farmer-friendly which helps achieve the platform goal.” The previous recommendation was Support OTP/A. The bill was used as a vehicle for an innocuous local housekeeping amendment.

**Recommendation: Support the C of C Report**

**HB 306**, establishing a task force on work and family.

The previous recommendation stated, “Typical ‘warm and fuzzy/feel good’ legislation. An attempt to lend credibility to a social engineering agenda. The GOP Platform promotes a limited government, not social engineering. The task force poses a threat to the NH advantage. The previous recommendation was Oppose OTP/A, Support ITL. Nothing has changed.

**Recommendation: Oppose the C of C Report**

**HB 365**, establishing a commission to study foreclosures of home mortgages and the foreclosure rescue scam industry. This consent calendar bill changed from a study commission bill to a regulatory bill. Listen to the floor presentation.

**No Recommendation**

**HB 377-FN-L**, relative to the right-to-know law

The previous recommendation was No Recommendation. The C of C could not agree. The bill dies.

**No Recommendation Needed**

**HB 429**, relative to nominations by multiple parties.

The previous recommendation stated, “Provides voters with a greater selection of candidates and prevents voter confusion.” The previous recommendation was Support OTP. The removal of straight ticket voting has tempered the need for this bill. It also substitutes the party’s choice over the voters. As such **the recommendation is changed** and support withdrawn.

**No Recommendation**

**HB 488-FN-A-L**, relative to the state chief medical examiner and medico-legal death investigations.

The previous recommendation stated, “The state will conduct all autopsies and medical examinations and county governments will be removed from this responsibility, and all costs borne by the counties for autopsies and medical investigations. This has been a thorn in the sides of the county for a long time and this will take away an expense FROM our county budgets. This will improve efficiency in government.” The previous recommendation was Support OTP/A. The raising of fees, the dedicated fund and additional personnel raise enough doubts to withdraw support.

**No Recommendation**

**HB 498-FN-A**, dedicating certain OHRV and snowmobile un-refunded road tolls to the fish and game department.

The previous recommendation stated, “This bill is unconstitutional, violating Part 2, Article 6a. The constitution makes no provision for un-refunded road toll revenues. ‘no part of such revenues shall, by transfer of funds or otherwise, be diverted to any other purpose whatsoever.’ The fact that we have violated the constitution in the past does not justify it now. The previous recommendation was Oppose OTP/A, Support ITL. While several non-germane amendments were removed, the bill still has its flaws.

**Recommendation: Oppose the C of C Report**

**HB 533**, relative to Occupational Safety and Health Administration certification requirements for state contracts.

This consent calendar bill has been amended to establish a biased commission with a goal of getting a seat belt law in New Hampshire.

**Recommendation: Oppose the C of C Report**

**HB 653**, relative to the determination of benefits, funding, and administration of the New Hampshire retirement system.

The previous recommendation was No Recommendation. It still applies.

**No Recommendation**

**HB 659-FN**, exempting certain motor vehicles manufactured prior to 1941 from vehicle equipment and inspection requirements.

A consent calendar bill.

**No Recommendation**

**HB 723**, extending the moratoriums on nursing home beds and rehabilitation.

A consent calendar bill.

**No Recommendation**

**HB 735**, relative to the form of the presidential primary election ballot.

A consent calendar bill with some minor amendments.

**No Recommendation**

**HB 767**, relative to insurance for volunteer drivers.

The previous recommendation stated, “‘Working to prevent over-regulation of business’ is a tenet in the NHGOP Platform. This bill prevents a regulated industry from using the risk factors associated with an activity in setting rates for those who engage in that activity. The previous recommendation was Oppose OTP, Support ITL. The Senate amendment adding another piece to the bureaucracy makes the bill worse.

**Recommendation: Oppose the C of C Report**

**HB 796**, relative to civil liability for damaging highway protective barriers.

The previous recommendation stated, "This bill expands the ability of the State of New Hampshire and municipalities to recover for damages to highways and protective barriers caused by motorists and other persons; a reasonable exercise of governmental power." The previous recommendation was Support OTP/A. Nothing has changed.

**Recommendation: Support the C of C Report**

**HB 828-FN**, relative to a state ethics officer.

The previous recommendation stated, "The statutory designation of a position decreases flexibility and increases bureaucracy." The previous recommendation was Oppose OTP/A Support ITL. According to the C of C blurb the ethics officer provision of the original bill was deleted. Also, the rules relative to meals and gifts were ameliorated. As such, **the recommendation on this bill is changed.**

**Recommendation: Support the C of C Report**

**HB 876-FN-L**, establishing a commission to make recommendations to ensure the long-term viability and sustainability of the New Hampshire retirement system.

A consent calendar bill.

**No Recommendation**

**HB 882-FN**, relative to limitations on tort liability of government units.

The previous recommendation stated, "There are 2 compelling arguments. One is that this bill increases the liability limits for our towns six fold, increases the cost of insurance for our towns and is a 28-a issue. The other argument is that the State, by its power to legislate, should not be able to afford itself protections from the legal process unavailable to its citizens, and, by inference, confer upon itself immunity from responsibility for the actions of its agents. Vote your conscience." The previous recommendation was **No Recommendation**. A change by the committee of conference makes the law apply at the time of when the judgement was rendered and not the time at which the tort occurred. This creates an unfair insurance gap. Thus **the recommendation is changed.**

**Recommendation: Oppose the C of C Report**

**HB 903-FN**, prohibiting delivery of oil to non-compliant underground storage facilities.

This was a consent calendar bill that originally concerned the delivery of oil to red-tagged underground storage facilities. The Senate added an amendment to protect purchasers of prepaid contracts for home heating oil.

**No Recommendation**

**HB 927-FN**, relative to the specific criteria and substantive educational program that define an adequate education.

The previous recommendation stated, "The Legislature must assert its legislative prerogatives in dealing with the Supreme Court's unconstitutional usurpation of legislative authority manifested in its Claremont decisions. As the NH constitution has, for 200 years, entrusted the definition and funding of an adequate education to the localities, it is ill-advised to attempt otherwise. It abrogates our responsibilities as legislators to do it in response 'to the mandate of the Supreme Court.' It is patently absurd to do it without considering the costs!" The previous recommendation was Oppose OTP/A and Support ITL. This is the foundation for a broad based tax.

**Recommendation: Oppose the C of C Report**

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## HRA Special Recognition Awards

In the midst of all the momentous activities that have occurred this year, there are some things that deserve special recognition.

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The SAM SPADE AWARD: Given to the representative who spotted something most everyone else missed. The Winner is: Representative Betsy Patten for finding the "Balloon Bill" tucked away on the Consent Calendar. For those who don't remember, the "Balloon Bill" made it a crime for anyone to release a helium filled balloon and thus causing quite a media stir.

The GREAT KARNAK AWARD: Given to the Representative for the best prediction that would later be proven to be true. The Winner is: Representative Norm Majors who predicted that the budget revenue estimates were inflated by \$81 million dollars.

The ABBOT AND COSTELLO AWARD: Given to the Representatives whose repartee on the House floor got the biggest laugh. The winners are: Representatives Marjorie Smith and James Phinizy for their exchange on the concurrence recommendation for a bill concerning the registration of farm animals. After Phinizy had answered several questions on privacy from Representative Neal Kurk, Representative Smith asked Phinizy “If I were a chicken and felt my privacy rights had been violated, would I have any recourse?” “Only if you had a balloon hanging out of your mouth,” replied Phinizy, referring to the controversial balloon bill that had also come from his committee.

The COMEDY CLUB AWARD: Awarded to the committee whose bills caused the most laughs during House deliberations. The winner is: The Environment and Agriculture Committee. Not only did this committee bring us the “Balloon Bill” and the skit that won the ABBOT AND COSTELLO AWARD, it also brought about the following: A bill to impose a 2.5 cent per gallon tax on milk in order to create a fund to purchase development rights on farm land was being hotly debated. In comparing the fund to LCHIP, Representative Kirk pondered what to call this fund, “maybe MCHIP.” “Call it COWCHIP,” was heard from the back of the Republican section.

The LEMONADE AWARD: Given to the Representative who turned a negative into a positive, making lemonade from lemons. The winner is: Representative Peter Bergin for coining the term “Box Caucus.”

The DRACULA AWARD: Given to the legislation that refuses to die. The winner is: The Education Constitutional Amendment (CACR 18 and all its incarnations).