

# 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.



**TUESDAY, MARCH 27**

## CONSENT CALENDAR

**HB 340**, restricting sex offenders from residing within a certain distance from schools and child-oriented organizations. **ITL. Vote 15-1.** It is a fundamental duty of society to protect its children

**Recommendation: Oppose ITL and Support Refer to Committee**

## REGULAR CALENDAR

### CHILDREN AND FAMILY LAW

**HB 289**, relative to joint agreements for the payment of postsecondary education expenses. **MAJORITY: ITL. MINORITY: OTP. Vote: 11-7.** The NHGOP Platform “promot(es) a limited government.” This bill would enable the court to enforce private agreements beyond the scope of contract law, growing the power of government.

**Recommendation: Support ITL**

**HB 519**, requiring children 12 years of age or under to wear personal flotation devices. **MAJORITY: OTP W/ AMENDMENT. MINORITY: ITL. Vote 13-6.** The NHGOP Platform “promot(es) a limited government that is open, responsive and fully accountable to and in touch with its citizens without interfering in their personal, daily lives.” The citizenry who elect us are managing their affairs quite well, but the legislature, in its paternalistic wisdom feels compelled to coerce. This is a solution looking for a problem.

**Recommendation: Oppose OTP/A, then Support ITL.**

### COMMERCE

**HB 232**, prohibiting retaliatory rent increases in manufactured housing parks. **OTP W/ AMENDMENT. Vote 10-7.** Bill would meddle in contractual agreements between consenting individuals, entered into at arms length, without an overriding public purpose. **Recommendation: Oppose OTP/A then Support ITL.**

**HB 253**, relative to the use of credit rating for automobile or homeowner insurance. **ITL Vote 12-2.** “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 applicant in setting rates for that applicant.

**Recommendation: Support ITL**

**HB 263-FN**, relative to health insurance riders. **OTP W/ AMENDMENT. Vote 15-2.** The bill enhances choices in a free market. **Recommendation: Support OTP/A**

**HB 305**, establishing a taskforce to develop legislation for expanding access to affordable health insurance for the 2008 legislative session. **OTP W/ AMENDMENT. Vote 12-4.**

**No Recommendation**

**HB 676**, relative to interest on deposits required under gasoline franchise agreements. **ITL. Vote 13-4** Bill would meddle in and legislate conditions of contractual agreements between consenting individuals without an overriding public purpose. **Recommendation: Support ITL**

**HB 695**, relative to regulation of wireless telephone service providers for consumer protection. **ITL. Vote 14-3**

**No Recommendation**

**HB 713-L**, relative to displaying gasoline and diesel fuel prices. **MAJORITY: ITL. MINORITY: OTP W/ AMENDMENT. Vote 12-4.**

**No Recommendation.**

**HB 728**, relative to access to wireless telephone records. **ITL. Vote 13-3**

**No Recommendation**

**HB 738**, requiring insurance coverage for infertility treatments. **MAJORITY: ITL. MINORITY: OTP. Vote: 9-4.** The NHGOP Platform “support(s) increased use of market forces to provide and improve health care.” Mandatory coverage increases insurance rates making healthcare less affordable.

**Recommendation: Support ITL**

**HB 767**, relative to insurance for volunteer drivers. **OTP. Vote 12-3.** “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.

**Recommendation: Oppose OTP, then Support ITL.**

**HB 790-FN**, relative to dependent coverage under the healthy kids program and establishing the joint legislative oversight committee on insurance expansion initiatives. **MAJORITY: OTPW/ AMENDMENT. MINORITY: ITL. Vote: 8-7.** The NHGOP Platform believes in “creating a supportive business climate.” The Platform also “support(s) efforts to draw insurance companies back to New Hampshire” and “ support(s) increased use of market forces to provide and improve health care.” This bill represents an insurance coverage mandate that will add significant cost exposure to the business community.

**Recommendation: Oppose OTPW/A, then support ITL.**

**HB 853**, establishing a commission to study the effect of fiat currency on the wealth of New Hampshire citizens.

**MAJORITY: ITL. MINORITY: OTP. Vote 14-1.**

**No Recommendation**

**HB 860**, relative to maintenance of draft beer equipment. **ITL. Vote 14-2.**

**No Recommendation**

#### **CRIMINAL JUSTICE AND PUBLIC SAFETY**

**HB607-FN**, relative to the death penalty. **MAJORITY: ITL. MINORITY: OTP. Vote 10-8** Bill would repeal the death penalty. Remember Officer Michael Briggs, Badge No. 83. Killed in the line of Duty. October 17, 2006.

**Recommendation: Support ITL**

#### **EDUCATION**

**HB 556**, relative to school emergency response plans. **MAJORITY: OTP. MINORITY: ITL. Vote 12-6.** This bill micromanages in that it not only requires an emergency response plan, it determines what kind. It is also an unconstitutional unfunded mandate.

**Recommendation: Oppose OTP, Support ITL.**

**HB 927-FN**, relative to the specific criteria and substantive educational program that define an adequate education. **MAJORITY: OTP W/ AMENDMENT. MINORITY: OTP W/AMENDMENT.** 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!

**Recommendation: Oppose OTP/A (majority) and Support OTP/A (minority), then Oppose OTP/A and Support ITL**

#### **ELECTION LAW**

**CACR 7**, relating to county officers. Providing that certain county officers shall be appointed rather than elected. **ITL. Vote 14-2.**

The NH GOP Platform states: “The New Hampshire Constitution affirms that our government is founded upon the people's consent and is instituted for the general good.” Elected officials are more accountable to the people.

**Recommendation: Support ITL**

**HB 32**, requiring photo identification to obtain a ballot. **OTP W/AMENDMENT. Vote 14-2.** This is a voter ID bill which the sub-committee changed to a study committee on voter ID cards, thus significantly changing the intent of this bill. This is about the rights of ALL VOTERS to know that their vote isn’t being invalidated by an illegally cast

ballot.

**Recommendation: Oppose Amendment, then support OTP.**

**HB 109**, eliminating straight ticket voting. **ITL. Vote 13-2** Bill's content same as SB36. Housekeeping. (Why not on Consent Calendar?)

**No Recommendation**

**HB 128**, establishing a committee to study ballot reform. **MAJORITY: ITL. MINORITY: OTP. Vote 9-5.** The committee retained a number of ballot reform bills. Instant Runoff Voting proposed by this bill is a dangerous precedent (which may require a CACR) where the "2nd" choice of a majority of voters could actually win the seat over the person finishing first in a multi-person race where they do not get 50% of the vote.

**Recommendation: Support ITL.**

**HB 141**, giving voters the option of bypassing voting machines. **ITL. Vote 13-3.** Bill increases election costs without increasing accuracy.

**Recommendation: Support ITL**

**HB 191**, relative to the authority of the secretary of state concerning sealed ballots in a state election. **OTP W/AMENDMENT. Vote 15-1**

**No Recommendation**

**HB 192-FN**, requiring vote counting by election officials at polling places using vote counting machines. **ITL. Vote 13-2**

Bill would increase election costs and decrease accuracy.

**Recommendation: Support ITL**

**HB 196**, relative to changes of party registration on primary day. **ITL. Vote 11-5**

**No Recommendation**

**HB 276**, relative to political advertising placed on state-owned rights-of-way. **ITL. Vote 14-2.**

Political speech is the most protected of rights so any restriction must be carefully weighted. This is a private property issue.

**Recommendation: Support ITL**

**HB 413**, relative to the order of names on ballots. **ITL. Vote 15-1.** The committee has retained HB 358 which deals with the same subject matter as this bill. Housekeeping. (Why not on Consent Calendar?)

**No Recommendation**

**HB 429**, relative to nominations by multiple parties. **OTP. Vote 14-1.** Provides voters with a greater selection of candidates and prevents voter confusion.

**Recommendation: Support OTP.**

**HB 465-FN**, relative to marking ballots cast at elections. **ITL. Vote 15-1**

**No Recommendation**

**HB 480**, relative to party columns listing names on ballots. **OTP W/ AMENDMENT. Vote 14-1**

Bill helps eliminate a source of voter confusion.

**Recommendation: Support OTP/A**

**HB 687**, requiring the redistricting of the house of representatives for the 2008 elections. **ITL. Vote 12-3** Part 2, Article 11 of the New Hampshire constitution has an implied expectation that each town reaching a population 1/400<sup>th</sup> of the population of the state (and multiples thereof) is entitled to a representative commensurate with that population. The recent constitutional amendment made that more explicit. Court meddling has disenfranchised voters in smaller towns by lumping them into districts with much larger towns. The argument that the demographic data to be used would be old is specious. It is the same demographic data used to establish to districts we serve in now.

**Recommendation: Oppose ITL, Support OTP**

**HB 746**, relative to listing candidates on election ballots. **ITL. Vote 14-1**

## **No Recommendation**

**HB 748**, requiring disclosure of gifts and campaign contributions by lobbyists and political committees, and requiring lobbyist statements to include certain information. **ITL. Vote 14-1**

## **No Recommendation**

**SB 36**, eliminating straight ticket voting. **OTP. Vote 10-4**

## **No Recommendation**

### **ENVIRONMENT AND AGRICULTURE**

**HB 234**, establishing a committee to study state environmental laboratory fees and services. **OTP W/ AMENDMENT. Vote 11-6.**

## **No Recommendation**

**HB 332**, relative to the procurement of eggs and egg products by the state. **ITL. Vote 12-4**

This bill would increase costs to the taxpayer.

**Recommendation: Support ITL**

**HB 407-FN-A**, establishing a dairy stabilization fund for dairy farmers. **OTP W/ AMENDMENT. Vote: 16-0**

## **No Recommendation**

**HB 416**, relative to mercury reduction. **OTP W AMENDMENT. Vote 15-0.** Blurb doe not mention costs or impact on business and individuals. The NHGOP Platform requires that “deal effectively with waste disposal and pollution.” It has not been demonstrated that this bill does that.

**Recommendation: Oppose OTP/A, then Support ITL**

**HB 552**, prohibiting the intensive confinement of caged egg-laying hens. **MAJORITY: ITL. MINORITY: OTP. Vote 15-2.**

The **NHGOP** Platform states Republicans are “working to prevent over-regulation of business, particularly with respect to small businesses.” Farms are small businesses. This does not mean animals should be mistreated. However, absent proof that they are, regulations need to not be overly restricted.

**Recommendation: Support ITL.**

**HB 699**, establishing a commission to study methods and costs of sewage, sludge, and septage disposal. **OTP W/ AMENDMENT. Vote 12-1.**

## **No Recommendation**

**HB 812**, relative to making permanent certain exceptions to limits on land application of septage and sludge. **OTP W/ AMENDMENT. Vote 10-4.**

Project has been successful for 9 years. Fairness should allow exemptions to become permanent.

**Recommendation: Support OTP/A**

**HB 836**, prohibiting wastewater treatment plants from excluding towns for septage treatment and disposal services. **ITL. Vote 14-2.**

## **No Recommendation**

**HB 907-FN**, relative to the sale, distribution, and disposal of certain mercury-added products. **OTP W/ AMENDMENT. Vote 15-0.**

## **No Recommendation**

### **EXECUTIVE DEPARTMENTS AND ADMINISTRATION**

**HB 38**, relative to terms of appointment for certain state officers. **MAJORITY: OTP W/ AMENDMENT. MINORITY: ITL. Vote 11-4**

## **No Recommendation**

**HB 229**, relative to licensing requirements for operators of games of chance. **MAJORITY: OTP W/ AMENDMENT. MINORITY: ITL. Vote 8-4.**

## **No Recommendation**

**HB 543**, establishing a commission to study the licensing process for licensed alcohol and drug counselors. **OTP. Vote 15-2.**

## **No Recommendation**

**HB 571-FN**, relative to full-time seasonal state employees. **MAJORITY: OTP. MINORITY: ITL. Vote 10-6.**  
Employment is a contract between employer and employee. This bill interferes with that contract and obligates the taxpayer to bear an unnecessary cost. Certainly not fiscally responsible and is micromangement.  
**Recommendation: Oppose OTP, then Support ITL.**

**HB 593-FN**, relative to penalties for violations of licensing requirements for certain regulated professions. **ITL. Vote 13-2.**

This bill would make violations of licensing requirements crimes for a number of regulated professions. No one came to hearing.

**Recommendation: Support ITL**

**HB 653**, relative to the membership of the New Hampshire retirement system board of trustees. **OTP W/ AMENDMENT. Vote 16-0.**

**No Recommendation**

**HB 828-FN**, relative to a state ethics officer. **OTP W/ AMENDMENT. Vote 12-3.**

The statutory designation of a position decreases flexibility and increases bureaucracy.

**Recommendation: Oppose OTP/A then Support ITL.**

**HB 881-FN**, relative to the licensure and regulation of interior designers. **INEXPEDIENT TO LEGISLATE. Vote 12-4.**

As licensure can be an impediment to free commerce, the state needs to demonstrate a compelling state interest to require it. No such interest has been demonstrated.

**Recommendation: Support ITL**

**HB 923**, prohibiting dog racing in New Hampshire and establishing a committee to make recommendations for mitigating the impacts of prohibiting dog racing. **MAJORITY: ITL. MINORITY: OTP. Vote:14-3.**

2 conflicting and compelling arguments. The opponents point to the economic impact of the bill. The proponents point to the affect on the animals. Listen to the arguments. Vote your conscience.

**No Recommendation**

**HB 928**, relative to the Christa McAuliffe planetarium commission. **OTP. Vote 11-4.**

**No Recommendation**

## **FINANCE**

**HB 46-FN-A-L**, making an appropriation to support kindergarten programs in the towns of Merrimack, Hampstead, and Goffstown. **OTP W/ AMENDMENT. Vote 24-0.**

This is a fairness issue due to accounting delays. It would be unfair to treat these communities any different.

**Recommendation: Support OTP/A**

**HB 553-FN-A**, requiring the state to pay legal fees for certain supreme court justices. **OTP W/ AMENDMENT. Vote: 16-6.**

The House impeached Brock, we should not pay a dime to his legal fees. They could have asked for state-provided counsel and did not do so in the timeline allowed. They wanted to hire their own big guns rather than have the state hire someone under a state contract rate. This bill would be \$661,360. How many state police would that provide? Bad fiscal policy.

**Recommendation: Oppose OTP/A and Support ITL**

**HB 558**, requiring any education trust fund surplus to be transferred to the revenue stabilization reserve account. **OTP W/ AMENDMENT. Vote 23-0.**

**No Recommendation**

**HB 583-FN**, relative to funding for HIV/AIDS services. **OTP W/ AMENDMENT. Vote 17-8.**

**No Recommendation.**

## **FISH AND GAME**

**HB 565-FN**, prohibiting the use of leghold traps and conibear traps. **MAJORITY: ITL. MINORITY: OTP. Vote 13-2.**

As stated in the blurb “the compelling reason for rejecting this legislation... is that we choose not to restrict lawful and longstanding practices here in New Hampshire.” This appears to reflect the limited government tenet in the NHGOP Platform.

**Recommendation: Support ITL**

**HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS**

**HB 273-FN**, relative to special needs trusts. **OTP W/ AMENDMENT. Vote 19-0**

**No Recommendation**

**HB 408**, establishing a council for the homeless. **ITL. Vote 17-1**

Duplication of effort. Increases size of government without any benefit.

**Recommendation: Support ITL**

**HB 563**, relative to obtaining birth certificates for stillborn children. **OTP W/ AMENDMENT. Vote 16-1.**

**No Recommendation**

**HB 774-FN**, relative to the use of marijuana for medicinal purposes. **MAJORITY: ITL. MINORITY: OTP. Vote 12-7.**

There are many compelling and salient arguments on both sides of this issue. Vote your conscience.

**No Recommendation**

**HB 826-FN**, relative to coverage of medically necessary services and items under the medical assistance program.

**OTP W/ AMENDMENT. Vote 19-0.**

**No Recommendation**

**HB 864-FN**, requiring licensing of outpatient abortion facilities. **ITL. Vote 13-4.**

The NHGOP Platform supports “Quality Health Care.” As clinics work under the license of a single doctor or even just a nurse the level of protection is problematic.

**Recommendation: Oppose ITL then Support OTP.**

**HB 893-FN**, relative to long-term care. **OTP W/ AMENDMENT. Vote 18-1.**

**No Recommendation**

**JUDICIARY**

**CACR 1**, relating to: the definition of marriage. Providing that: marriage between one man and one woman shall be the only legal union that shall be valid or recognized in this state. **MAJORITY: ITL. MINORITY: OTP. Vote 14-6**

This constitutional amendment proposal would put to the voters the question of whether to amend the New Hampshire Constitution to recognize only the legal union between one man and one woman. Judicial and political activism has created the possibility of same sex marriage. Therefore, the people are due the opportunity to state whether or not they want to deny the legislature the ability to make such a law or the courts to impose such a law by judicial fiat. The NHGOP Platform “recognizes marriage as the legal union between one man and one woman.”

**Recommendation: Oppose ITL then Support OTP.**

**CACR 15**, relating to citizen review retention elections for judges. Providing that a judge shall be subject to a citizen review retention election at the biennial election next occurring after he or she has served for 2 years and subsequently at regular intervals which depend on the court in which the judge serves. **MAJORITY: ITL.**

**MINORITY: OTP. Vote 13-4**

Every state except for 3 (MA, RI, NH) has some form of direct review by citizens either through elections, a reappointment process (terms), or retention elections. This CACR creates Citizen Review Retention elections to allow citizens a public review of their judiciary in a fair process where the judge is only running against himself/herself and his/her own performance. The people of New Hampshire deserve the same right of public review of the Judiciary that citizens in other states presently enjoy.

**Recommendation: Oppose ITL then Support OTP**

**HB 71**, excluding a municipality's list of owners of registered dogs from the right-to-know law. **MAJORITY: OTP PASS W/AMENDMENT. MINORITY: ITL. Vote 13-1.**

2 conflicting principals. Right to Privacy versus Right to Know. Vote your conscience.

**No Recommendation**

**HB 83**, relative to the deliberations of certain state agencies under the right-to-know law. **MAJORITY: OTP W/ AMENDMENT. MINORITY: ITL. Vote 15-5.**

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.

**Recommendation: Oppose OTP/A then support ITL.**

**HB 210**, establishing a committee to study the effects of rescinding the charter of the New Hampshire Bar Association, and relative to the regulation of attorneys by the supreme court. **MAJORITY: ITL. MINORITY: OTP. Vote 11-7**

The situation exists where mandatory membership in a private organization determines whether one may practice the profession of law in New Hampshire. This powerful monopoly controls 1/3<sup>rd</sup> of New Hampshire’s government.

**Recommendation: Oppose ITL, then Support OTP.**

**HB 235**, relative to the recognition of out-of-state marriages. **MAJORITY: OTP W/ AMENDMENT. MINORITY: ITL. Vote 10-8**

This bill allows same sex couples to go out of state and marry and then have those marriages recognized in this state. This bill could force us into full same sex marriage in the future for, as soon as the first same sex out-of-state marriage is recognized, a suit could be brought for equal protection under the law and thus establish same sex marriage in New Hampshire by judicial fiat. The NHGOP Platform “recognizes marriage as the legal union between one man and one woman.”

**Recommendation: Oppose OTP /A then support ITL**

**HB 377-FN-L**, relative to the right-to-know law. **OTP W/ AMENDMENT. Vote 19-0.**

This bill with amendment completes the long awaited updates to the Right to Know law contained in RSA 91-A.

**No Recommendation**

**HB 401-FN**, relative to the removal of certain property tax abatement petitions filed with the superior court. **ITL. Vote 18-0.**

**No Recommendation**

**HB 421**, relative to the right to a jury trial. **ITL. Vote 15-0.**

**No Recommendation**

**HB 430**, establishing a committee to study a constitutional amendment to guarantee a right to personal privacy.

**ITL. Vote 11-5**

**No Recommendation**

**HB 437-FN-L**, permitting same gender couples to enter spousal unions and have the same rights, responsibilities, and obligations as married couples. **OTP W/ AMENDMENT. Vote 15-5.**

The NHGOP Platform “oppos(es) recognition by the State of New Hampshire all other forms of civil unions.” In addition, this bill gave same gender couples rights but denies the same rights to a different gender couples. Blatant discrimination in a bill the blurb describes as moving “New Hampshire closer to equality.”

**Recommendation: Oppose OTP and Support ITL**

**HB 518-FN**, relative to establishing reciprocity for liability limitations on claims against the state and against foreign jurisdictions. **ITL. Vote 16-0**

**No Recommendation**

**HB 554**, requiring that funds in the civil legal services fund be distributed to New Hampshire Legal Assistance to establish an office in Concord. **OTP. Vote 16-1**

This bill sets up a legal assistance office in Concord. It will cost 1/2 a million a year to start. The money will come from the tax increase, instituted last term to set up the Nashua office, which raised the cost to file court cases. Are the funds sufficient to sustain this additional expense, or are we looking at increasing the tax/fee or institute a new one?

**Recommendation: Oppose OTP then Support ITL**

**HB 577-FN**, establishing the number of associate justices of the superior court. **OTP. Vote 16-1**

This bill adds \$428,248. per year in additional spending for the state. Given that we have so much additional spending we should wait on this item.

**Recommendation: Oppose OTP then Support ITL**

**HB 612-FN**, relative to coercion of abortion on a minor. **MAJORITY: ITL. MINORITY: OTP. Vote 13-4**

There are several statutes which establish an additional crime if a crime is committed against certain classes of people (minorities, the elderly, etc.). Would not a pregnant minor be worthy of similar protection?

**Recommendation: Oppose ITL, then Support OTP.**

**HB 614-FN**, relative to eminent domain. **ITL. Vote 17-1.**

This bill simply codifies the recently adopted constitutional amendment. The language to which the department of transportation objected the most was the direct quote of Part 1, Article 12a.

**Recommendation: Oppose ITL then Support OTP.**

**HB 615-FN**, relative to the locations of superior courts, district courts, and the judicial branch family division. **ITL. No Recommendation**

**HB 744-FN**, relative to informed consent before abortion. **MAJORITY: ITL. MINORITY: OTP. Vote 12-5**

The information presently required is not defined in law or specific to abortion. This bill requires standardized information, established in statute, and provided by the DHHS.

**Recommendation: Oppose ITL then Support OTP.**

**HB 791-FN**, relative to religious freedom and civil marriage. **MAJORITY: OTP W/ AMENDMENT. MINORITY: ITL. Vote 15-5**

The committee chose to amend the entire bill and replace it with a commission to study the legal and social effects of permitting same gender marriage. This is an unnecessary expense and a waste of time. We just had a commission to study this issue. The sponsors are just looking for a different result.

**Recommendation: Oppose OTP then support ITL**

**HB 849**, relative to rent payments by voucher issued by a state or municipal agency. **MAJORITY: OTP.**

**MINORITY: ITL. Vote 11-6.** This is anti-business legislation. It gives the many agencies providing a voucher undefined and broad authority to demand information from the landlord that may be an invasion of the property owner's privacy. The bill should limit or define the tenancy information the landlord must provide.

**Recommendation: Oppose OTP then Support ITL.**

**HB 866**, relative to the right-to-know law application to board of tax and land appeals and public utilities commission matters. **MAJORITY: OTP W/AMENDMENT. MINORITY: ITL. Vote 18-1.**

This bill weakens the right-to-know law by allowing secret deliberations. 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.

**Recommendation: Oppose OTP/A then support ITL.**

**HB 882-FN**, relative to limitations on tort liability of government units. **MAJORITY: OTP W/ AMENDMENT.**

**MINORITY: ITL. Vote: 12-7.**

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.

**No Recommendation**

**HB 905**, establishing civil unions as legally recognized relationships. **ITL. Vote 19-1.**

Concepts folded into another bill. Housekeeping. (Why not consent calendar?)

**No Recommendation**

**HCR 1**, declaring the directives of the judicial branch in the Claremont cases that the legislative and executive branches define an "adequate education," adopt "standards of accountability," and "guarantee adequate funding" of a

public education are not binding on the legislative and executive branches. **MAJORITY: ITL. MINORITY: OTP. Vote: 15-5.**

This resolution is identical to that which, as HCR 14, passed the House 213-142 in 2003, but was tabled in the Senate. It declared that the Claremont school funding decisions were not impartial adjudications, but were in fact result-driven policy choices by the Supreme Court that usurped the authority of the Legislature. The adoption of this resolution would go a long way towards restoring the proper balance of power between the Legislative and Judicial branches.

**Recommendation: Oppose ITL and Support OTP**

**HR 8**, requesting an opinion from the New Hampshire supreme court on certain questions regarding education funding. **MAJORITY: ITL. MINORITY: OTP. Vote 13-7.**

By this resolution, the House would invoke Article 74 of Part II of the New Hampshire Constitution to require the Supreme Court to answer specific questions concerning the constitutional, historical and factual basis of the conclusion in the Claremont school funding decision that the word "cherish" in Article 83 of Part II creates an individual right to an "adequate" education at state expense. Scholarly articles published since the original Claremont decision was issued in 1993 strongly suggest that the founding generation plainly intended to continue the colonial-era practice of funding public schools 100 percent by means of locally raised properly taxes. This is not to say that this is the best way to fund public education, but only that it is not unconstitutional. The Supreme Court, however, has consistently refused not only to revise its prior rulings in light of this scholarship; it has refused even to address pleadings filed in subsequent Claremont cases that have directed its attention to it. This refusal leaves begging the fundamental issue of the very legitimacy of the Claremont decision, and invites the fundamental question of whether the Court can defend the intrusive role it has carved out for itself in education funding policy. The authority of the Court must not be permitted to control the discretion of the Legislature any further than the force of its reasoning may deserve. **Recommendation: Oppose ITL, then Support OTP.**

#### **LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES**

**HB 81**, relative to required pay for employees called into work. **MAJORITY: OTP W/AMENDMENT.**

**MINORITY: ITL. Vote 10-7** The Republican Party Platform states that we should "[work] to prevent over-regulation of business, particularly with respect to small businesses." This is yet another regulation that, while seemingly inconsequential, leads to "death by a thousands cuts" for businesses. **Recommendation: Oppose OTP/A then Support ITL**

**HB 203**, relative to protections for temporary workers. **OTP W/ AMENDMENT. Vote 12-4.**

While containing some meritorious provisions, this bill also has serious flaws. It would force employers of "temporary workers" (i.e. "day laborers") to provide what is essentially a free ATM for their workers or no ATM at all. Employers are therefore likely to provide no ATM at all. This would be a burden on the very people that this bill purports to help. The Republican Party Platform recognizes that " New Hampshire's highly motivated work force is essential to our economic prosperity" and states that we must "[work] to prevent over-regulation of business, particularly with respect to small businesses."

**Recommendation: Oppose OTP/A then support ITL**

**HB 254**, relative to mandatory employer meetings about political and religious beliefs, including beliefs about joining a union. **MAJORITY: OTP W/ AMENDMENT. MINORITY: ITL. Vote 11-5.**

**MINORITY: INEXPEDIENT TO LEGISLATE. 11-5**

This bill is preempted by the National Labor Relations Act (NLRA) and would be invalid if enacted because of the Supremacy Clause of the Constitution. The bill would prohibit employers from holding mandatory meetings in which religious matters, political matters, or unions are discussed. Since the formation of a union is, in essence, a business matter, this bill would interfere in the operation of business. The Republican Party Platform states that we should "[work] to prevent over-regulation of business, particularly with respect to small businesses."

**Recommendation: Oppose OTP/A then Support ITL**

**HB 514-FN-L**, relative to the applicable minimum wage for hourly employees. **OTP. Vote 15-2.**

Minimum wage increases have a proven effect of raising unemployment. The Republican Party Platform states that we support "working to provide an environment favorable to increasing the creation of private sector jobs" and that we favor "working to prevent over-regulation of business, particularly with respect to small businesses." Also, this bill would do more than raise the minimum wage; it also raises the base wage for tipped employees meaning that this bill gives a raise to people who are already making an average of \$10-\$12 an hour.

**Recommendation: Oppose OTP then Support ITL**

**HB 797**, regulating mandatory overtime for nurses and assistants. **OTP. Vote: 11-2**

This bill would prohibit mandatory overtime for nurses beyond 12 hours of work. The interest of preventing over-regulation must be weighed against interest of safety. Opponents of the bill worry about situations where a choice must be made between a tired nurse and no nurse.

**No Recommendation**

**HB 819**, establishing a right to work act which provides for freedom of choice on whether to join a labor union.

**MAJORITY: ITL, MINORITY: OTP. Vote: 15-3.**

The Republican Party Platform says that we must "affirm the right of all citizens to join labor organizations freely, whether they choose to bargain collectively or individually, without coercion and intimidation" and that we must work to "support the 'right to work' by adopting legislation necessary to ensure this principle for all workers."

**Recommendation: Oppose ITL then Support OTP**

**HB 848**, relative to a private right of action to recover workers' compensation coverage payments. **MAJORITY: OTP. MINORITY: ITL. Vote 11-5.**

This bill would create yet another right to sue. These cases are more appropriately handled by the Department of Labor. The Republican Party Platform states that we "[recognize] that frivolous lawsuits are burdensome to our legal system, a detriment to the New Hampshire economy, and an abuse of the judicial process."

**Recommendation: Oppose OTP, then support ITL**

**MUNICIPAL AND COUNTY GOVERNMENT**

**HB 293**, allowing municipalities to establish agricultural commissions. **OTP W/ AMENDMENT. Vote: 15-1** 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.

**Recommendation: Support OTP/A**

**HB 390**, relative to review of developments of regional impact. **ITL. Vote: 13-3.**

Additional layer of bureaucracy.

**Recommendation: Support ITL**

**HB 457**, allowing municipalities to restrict lawn watering during declared droughts. **MAJORITY: OTP W/ AMENDMENT. MINORITY: ITL. Vote: 9-5.**

This bill would enable municipalities to establish restrictions on watering lawns from public water systems AND PRIVATE wells. A basic tenet of the Republican Platform is "protecting the fundamental rights of the people and enhancing their freedom." Property rights are a fundamental right and riparian water rights from private wells are property rights.

**Recommendation: Oppose OTP/A and Support ITL**

**HB 479**, relative to the default budget in official ballot towns. **ITL. Vote: 11-3.**

**No Recommendation**

**HB 662-FN-A-L**, exempting vehicles adapted for use by persons with disabilities from motor vehicle registration fees. **MAJORITY: ITL. MINORITY: OTP. Vote: 9-5.** The waiving of a fee transfers the cost to all others using the service. There are other ways to achieve the desired results without violating the equal protections afforded all citizens.

**Recommendation: Support ITL**

**HB 838-FN-L**, allowing municipalities to recover certain costs related to right-to-know requests. **MAJORITY: ITL. MINORITY: OTP. Vote 11-3.** The citizens right to know must be respected and protected. Conversely, taxpayers need to be protected from those who abuse the system. Vote you conscience.

**No Recommendation**

**HB 863**, relative to the assessment of property subject to a housing subsidy restriction. **ITL. Vote 13-1.**

The property already benefits from federal subsidies or tax credits and low interest loans.

**Recommendation: Support ITL**

**PUBLIC WORKS AND HIGHWAYS**

**HB 739**, relative to contractor accountability and disclosure in the public works construction procurement process. **ITL. Vote 9-7.**

**No Recommendation**

**HB 753-FN-A**, relative to the electronic toll collection transponder inventory fund. **OTP. Vote 14-0**

## **No Recommendation**

**HB 754-FN**, repealing the law relative to the Maine-New Hampshire Interstate Bridge Authority. **OTP W/AMENDMENT. Vote 12-1.** The bill eliminates a piece of government bureaucracy. Hard to believe.  
**Recommendation: Support OTP/A**

## **RESOURCES, RECREATION AND DEVELOPMENT**

**HB 898**, relative to the use of sled dogs and the training of sled dogs on state trails. **MAJORITY: OTP W/ AMENDMENT. MINORITY: ITL . Vote 13-5.**

**No Recommendation**

## **SCIENCE, TECHNOLOGY AND ENERGY**

**HB 165**, establishing a committee to study the feasibility of carbon reduction incentives. **ITL. Vote 15-2.**

**No Recommendation**

**HB 467**, requiring the department of environmental services to develop a climate action plan and to report on global warming issues. **OTP W/AMENDMENT. Vote 11-3** The bill makes it a goal of the state of New Hampshire to reduce greenhouse gas emissions to 1990 levels by 2010 and 10% below 1990 levels by 2020. According to the United Nations, the largest cause of greenhouse gasses in the world today are burping and flatulent livestock. Thus even if we meet the goal, at great expense, it will be meaningless.

**Recommendation: Oppose OTP/A then Support ITL**

**HB 689**, establishing a commission to study production and distribution of biodiesel fuel in New Hampshire. **OTP W/ AMENDMENT. Vote 15-1.** The NHGOP Platform “encourage(s) the use and development of renewable energies.

**Recommendation: Support OTP/A**

**HB 768**, relative to voluntary registration with the Eastern Climate Registry. **OTP W/ AMENDMENT. Vote 12-5.**

**No Recommendation**

**HB 873-FN-L**, establishing minimum renewable standards for energy portfolios. **OTP W/ AMENDMENT.** The NHGOP Platform “encourage(s) the use and development of renewable energies.” Republican principals also adhere to the free market where economic forces are allowed to achieve the maximum benefit for the public. Use your best judgement.

**No Recommendation**

## **STATE FEDERAL RELATIONS AND VETERANS AFFAIRS**

**HR 7**, urging increased consideration and preservation of local authority in international trade and investment agreements. **OTP. Vote 7-5.**

**No Recommendation**

**HR 9**, supporting the U.S. Mayors Climate Protection Agreement. **OTP. Vote 7-5.** The NHGOP Platform “encourage(s) the use and development of renewable energies.” However, we recognize this must occur as part of a free, market-driven economy and not part of a meaningless, feel-good political agenda.

**Recommendation: Oppose OTP, then Support ITL.**

**HR 10**, opposing President George W. Bush's Iraq policy and urging the President and Congress to take actions relative to veterans' benefits and the war in Iraq. **MAJORITY: OTP W/ AMENDMENT. MINORITY: OTP. Vote 10-7.**

Article 1 of the US Constitution empowers Congress to declare war and Article 2 establishes the President as Commander in Chief. The original text of HR10 sought to interject the New Hampshire House into a dispute taking place at the Federal level. We ought not to import that poison into our House. The amendment affirms a commitment to our troops to which we can all agree. **Recommendation: OTPW/A**

## **TRANSPORTATION**

**HB 296**, prohibiting the use of flatbed trailers with outrigger wheels in parades. **MAJORITY: OTP. MINORITY: ITL. Vote 13-4.**

**No Recommendation**

**HB 685**, prohibiting New Hampshire from participating in a national identification card system. **OTP W/ AMENDMENT. Vote: 16-0.** Proponents of the Real ID insist that it is an absolute necessity in order to defend our borders from terrorists and stop the flow of illegal aliens into this country. Opponents insist that it is a national identification card that violates our right to privacy. Opponents also feel it is an unfunded mandate. Vote your

conscience.

### **No Recommendation**

**HB 755-FN**, relative to transfers of motor vehicle registration. **OTP W/ AMENDMENT. Vote 10-5.**

Returns money to citizens.

**Recommendation: Support OTP/A**

**HB 802**, relative to passenger restraints. **MAJORITY: OTP. MINORITY: ITL. Vote 8-7**

The NHGOP Platform believes in “promoting a limited government that is open, responsive and fully accountable to and in touch with its citizens without interfering in their personal, daily lives.” In other words we believe in personal responsibility and reject the nanny state attitude promulgated by this bill.

**Recommendation: Oppose OTP, then Support ITL.**

### **WAYS AND MEANS**

**HB 494-FN-A**, relative to keno in New Hampshire. **ITL. Vote 13-6.**

The NHGOP Platform “Oppose(s) casino and video-lottery gambling as means of raising government revenue.” Keno machines arguably fit in this category.

**Recommendation: Support ITL.**

**HB 619-FN-A**, establishing an additional exemption from the interest and dividends tax for individuals who are 70 years of age or older. **ITL. Vote 17-2.** A cornerstone of Republican policy has been opposition to an income tax. The NHGOP Platform is “committed to respecting our senior citizens by improving their financial security.” Yet interest and dividends, a primary source of income for many of our seniors, is taxed. This is one of many bills, all voted down, that would have lightened this burden only they are forced to carry.

**Recommendation: Oppose ITL, then Support OTP.**