

# 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.

## VETO OVERRIDE

**HB 474**, relative to freedom of choice on whether to join a labor union.

**HRA Analysis:** By far the most important vote we will take today. This bill gives individuals who work in unionized workplaces the choice of whether to pay agency fees or not. It benefits workers by encouraging unions to perform well thus earning the workers' voluntary support. It also fulfills the promise our platform made to “support the 'right to work' by adopting legislation necessary to ensure this principle for all workers.”

**HRA Recommendation: Support the override of the Governor's veto**

## REGULAR CALENDAR

WEDNESDAY, JUNE 1

### CRIMINAL JUSTICE AND PUBLIC SAFETY

**SB 88**, relative to physical force in defense of a person and relative to the brandishing of a firearm or other means of self-defense. **MAJORITY: OTPA MINORITY: ITL Vote 9-3.**

**HRA Analysis:** This bill allows a person, who is anywhere he or she has a right to be, to use deadly force to protect oneself or a third person. It provides that a person, unless prohibited by statute who is anywhere they have a right to be and permits persons who meet the requirement established in RSA 159:4 to carry a firearm openly or concealed, loaded or not in a vehicle. Includes a civil immunity provision. Part I, Article 2-a of the New Hampshire Constitution guarantees law abiding citizens the right to keep and bear arms.

**HRA Recommendation: Support OTPA or OTP/JR Hoell Floor Amendment**

### FINANCE

**SB 75-FN**, relative to clarification of part-time service in the state retirement system. **OUGHT TO PASS. Vote 24-1.**

**HRA Analysis:** This bill addresses the problem of “double-dipping” where a retiree collecting a pension and medical benefits from the state retirement system, goes back to work part-time for a government employer and the new employer does not provide benefits. These “part-time” jobs can be 35 or more hours a week. This bill defines part-time employment as up to 1,300 hours (less than 26 hours a week on average), and makes a few similar changes to curb double-dipping. Our platform states that “public employee benefits should be similar to those of the private sector.” Double-dipping and excess pension expense come about partly because retirement in the public sector happens at a much younger age than the private sector. While this same subject will likely be part of SB 3, it doesn't hurt to have SB 75 as well.

**HRA Recommendation: Support OTP**

**SB 82-FN**, extending the state board of education's authority to approve chartered public schools and relative to the funding of chartered public schools approved by a school district. **OUGHT TO PASS WITH AMENDMENT. Vote 25-0.**

**HRA Analysis:** This bill allows expanded use of charter schools, something explicitly promoted by the platform: “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.”

**HRA Recommendation: Support OTPA**

**SB 129-FN**, relative to presenting photo identification to vote in person and relative to the election fund. **MAJORITY: OUGHT TO PASS. MINORITY: INEXPEDIENT TO LEGISLATE. Vote 18-8.**

**HRA Analysis:** This bill requires a voter to present a valid photo I.D. to the ballot clerk prior to voting. The bill allows a “provisional ballot” to be submitted if the individual does not have identification with them. The individual would need to present the valid photo I.D. within three days of the election in order that the provisional ballot be counted. There are also provisions for a voter to obtain a photo I.D. card free of charge if he/she does not have one. This bill is specifically supported in under Article V of the NH GOP platform: “Believes voting in NH must be done by NH citizens only. To prevent voter fraud, we support the requirement to produce positive identification upon both registering and voting.”

**HRA Recommendation: Support OTP**

**SB 151-FN**, relative to contracts of the department of health and human services. **OTPA Vote 26-0.**

**HRA Analysis:** HHS deals with hundreds of contracts for services. This bill promotes contract consolidation to save significant administrative and overhead costs. As the platform says, “the state government needs to be effective and efficient” and “low taxes are the result of low spending.”

**HRA Recommendation: Support OTPA**

**SB 154-FN**, reforming and renaming the comprehensive shoreland protection act. **MAJ: OTPA MIN: ITL Vote 20-6.**

**HRA Analysis:** The NHGOP platform states that as Republicans we "preserve sensitive ecosystems." However, several years of experience has shown us that the existing Comprehensive Shoreland Protection Act was more bureaucratic and oppressive to landowners than was necessary to accomplish its mission. SB-154 has made the act more friendly, reduces costs, and simplifies compliance criteria while still meeting the platform mandate to preserve sensitive ecosystems. The platform strongly supports property rights, as we “affirm that private property rights are fundamental under the Constitution and that we will ensure that property owners are compensated justly for property taken by government through regulation.” This bill is a step in the right direction. The committee's amendment adds the repeal of the Regional Greenhouse Gas Initiative (RGGI). This was contained in HB 519, which is stalled in the Senate. This is also explicitly supported by the platform which says we will “work to reduce New Hampshire's energy costs and remove New Hampshire from the Regional Greenhouse Gas Initiative.”

**HRA Recommendation: Support OTPA**

## **JUDICIARY**

**SB 70-FN**, relative to remedies in landlord-tenant actions. **MAJORITY: OTPA MINORITY: OTP Vote 10-5.**

**HRA Analysis:** This pro-business bill levels the playing field for landlords in three significant ways. First, the bill reduces the time period that certain landlords are required to store abandoned property from 28 days to 7 days, thereby freeing up the landlord's property and reducing storage costs. Second, the bill reduces the exposure of landlords who violate the statute from triple damages and legal fees to actual damages and legal fees, thereby stopping frivolous claims against landlords for excessive damages. Third, the bill repeals the new 2011 requirement (RSA 540:1-b) that landlords provide service of process information to the appropriate municipality by January 31, 2011 or face a \$1,000 fine. The Rep. platform, Section VI. states “Working to prevent over regulation of business...”

**HRA Recommendation: Support OTPA**

## **MUNICIPAL AND COUNTY GOVERNMENT**

**SB 2**, relative to adoption of spending caps by municipalities. **MAJORITY: OTPA MINORITY: ITL Vote 12-4.**

**HRA Analysis:** The purpose and intent of SB 2 is to provide a process by which any municipality may adopt a tax/spending cap. The bill amends RSA 49-C and RSA 49-D so that cities or towns that are governed by a town or city council can amend their charters to include spending caps. The legislation provides a clear process by which a charter can be amended and it provides the language necessary to comply with recent supreme court ruling. Further SB 2 includes amendments to RSA 32 that contain a process and rules governing the adoption of a tax cap by municipalities that have a traditional town meeting form of government and those towns which have adopted the official ballot form of government. Also included in the legislation is a provision to ratify and declare valid other spending caps adopted prior to the enactment of this bill. The Rep. platform, Section VII states “Supporting local control of spending and taxes designed to support local services.”

**HRA Recommendation: Support OTPA**

## **SPECIAL COMMITTEE ON EDUCATION FUNDING REFORM**

**CACR 14**, relating to public education. Providing that the general court shall have the authority to define standards for public education, establish standards of accountability, mitigate local disparities in educational opportunity and fiscal capacity, and shall have full discretion to determine the amount of state funding for education. **WITHOUT RECOMMENDATION.**

**HRA Analysis:** This amendment is very similar to CACR 12 which passed the House earlier this year, but with a two-word change that invites further Supreme Court meddling. Clearly CACR 12 is the better version, but for some reason the Senate seems to prefer this.

**HRA Recommendation: No Recommendation**

**SB 183-FN-L**, amending the calculation and distribution of adequate education grants, repealing fiscal capacity disparity aid, and providing stabilization grants to certain municipalities. **MAJORITY: OTPA MINORITY: ITL Vote 11-4.**

**HRA Analysis:** The amendment completely replaces SB 183, so our remarks will be based on it alone. This bill redefines numerous details in the adequate education state aid grant formula in RSA 198:40. While the minority claims that the bill will lead to lower state aid to education in the future, the bill contains language that prevents any municipality from ever getting less than they did in FY11. It also contains an inflation escalator that kicks in starting in 2013. The platform states “As Republicans, our goal is to meet the cost of education as efficiently as possible. It is our belief that citizens who control their own education budgets have the strongest incentives to spend their money wisely.” By continuing the adequate education structure, this bill does little to change the status quo. For that we will need CACR 12.

**HRA Recommendation: Support OTPA**

## **WAYS AND MEANS**

**SB 72-FN**, establishing a comprehensive cancer plan fund. **MAJORITY: ITL MINORITY: OTP Vote 15-5.**

**HRA Analysis:** This bill would establish a dedicated fund for the purpose of receiving grants to be used to fight cancer. There is no reason for the state to try to supplant the many private charities that raise money to combat cancer. The platform states “Privatization. Programs and functions should be reviewed to identify those that can be implemented more effectively in the private sector.”

**HRA Recommendation: Support ITL**

**SB 157-FN**, relative to the division of weights and measures and fees for licensing weighing devices and the definition of service technician. **OUGHT TO PASS. Vote 18-2.**

**HRA Analysis:** This bill does four things. It eliminates the rulemaking authority of the commissioner of the department of agriculture, markets and foods to set fees for licensing weighing devices; allows service technicians to issue state seals; sets a fee schedule for licensing weighing devices; and requires the commissioner of the department of agriculture, markets and food to make an annual report to the House and Senate regarding consumer complaints, inspections and audits. The Rep. platform states “The state government needs to be effective and efficient.”

**HRA Recommendation: Support OTP**

## **PULL OFF TABLE**

### **MUNICIPAL AND COUNTY GOVERNMENT**

**SB 133-FN**, relative to reestablishing the exemption from property taxation for telecommunications poles and conduits.

**MAJORITY: OTP MINORITY: ITL Vote 9-7.**

**HRA Analysis:** The purpose of SB133 is to reinstate the property tax exemption on telephone polls owned by telecommunication companies. The committee believes that it is not in the best interest of businesses and consumers of New Hampshire to assess property taxes on communications poles and conduits which results in new costs to the communications companies that would undoubtedly be passed on to businesses and residents who rely on landline phones. The Republican platform, VII, says “Republicans realize that low taxes are the result of low spending. We believe that controlling spending and minimizing taxes are the best way to protect the economic and civil well being of New Hampshire residents.”

**HRA Recommendation: Support OTP**