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House Republicans Comment on ACA Related State Budget Concerns

CONCORD (7/10/2014) - House Republican Leader Gene Chandler (R-Bartlett) and House Finance Committee Ranking Republican Neal Kurk (R-Weare) offered the following comments relative to [news that enrollment in the State's traditional Medicaid program has spiked](#), in part due to the ACA related individual mandates, and that DHHS is facing a \$37 million budget shortfall.

House Republican Leader Gene Chandler (R-Bartlett)

"For months prior to Obamacare mandates taking effect, we were warned that an enrollment surge was a likely possibility. Now we're faced with another potential state budget breaker largely as a result of this unpopular federal law. It's great that the federal government is picking up 50% of the cost for this pool of new enrollees, but states shouldn't have been expected to absorb all of this excess in cost all at once. This situation is essentially an unfunded mandate, made possible by a poorly conceived law."

House Finance Committee Ranking Republican Neal Kurk (R-Weare)

"It's safe to say that the DHHS estimates for increased enrollment in traditional Medicaid were too low. While it's never easy to make predictions with 100% certainty, this surge was not unexpected. Health care experts had been warning that, with all of the attention being given to ObamaCare, individuals eligible for traditional Medicaid would "come out of the woodwork" in droves. The experts were right. This is not a temporary problem. New Hampshire taxpayers will have to continue to fund the state's share of the cost to provide care for many of these new enrollees into the foreseeable future."

Important Dates & Events

08/20/2014 First Receipt/Expenditure Report due for candidates

09/15/2014 First day for incumbents running for reelection to file LSRs

09/26/2014 Last day prior to the General Election for incumbents running for re-election to file LSRs

10/31/2014 Last day to file 2014 Interim Study reports

11/12/2014 First day for all Representatives to file LSRs

House Republicans Comment on Executive Branch Plan to Expand Tax & Circumvent Legislature

CONCORD (7/25/2014) - House Republican Leader Gene Chandler (R-Bartlett) and Deputy Republican Leader David Hess (R-Hooksett) offered the following comments in response to Governor Hassan’s plan to expand the Real Estate Transfer Tax without legislative approval.

House Republican Leader Gene Chandler (R-Bartlett)

“In New Hampshire, we pride ourselves on the transparency of our government and our unique legislative process, where every bill gets a public hearing and a vote. It’s unfortunate that the Governor and her team at the DRA have taken an approach contrary to those values. This is a tax increase that could affect many New Hampshire residents and businesses. Anything but a full public vetting, to me, would be inappropriate.”

Deputy House Republican Leader & House Ways & Means Committee member David Hess (R-Hooksett)

“This appears to be a major and significant policy change that should go through the proper channels and be addressed by the full legislature, not just the executive branch through a change in administrative rules.”

“While prior administrative practice has some weight in deciding proper interpretation of statutory language, it is not dispositive. Placing possible past administrative practice into administrative rules language substantially changes the landscape for the authoritative interpretation. This is another reason this should go the legislative route rather than the administrative route.”

BACKGROUND

NH RSA 78-B authorizes the Real Estate Transfer Tax of \$0.75 per \$100 of fair market value “imposed upon the sale, granting and transfer of real estate and any interest therein including transfers by operation of law.” The tax is paid by both the buyer and the seller, resulting in a total tax rate of 1.5%.

Administrative Rule Part Rev 802.01(f) applies RETT on leases of 99 years or longer, but do not authorize RETT on shorter leases. The Hassan Administration has sought a change in Administrative Rules to allow RETT on “ground lease transfers”, but delayed its request twice in the face of criticism from the Committee. The Hassan Administration has now withdrawn its request, claiming that “the taxability of ground leases exists currently under New Hampshire law.”

Administrative Rules [Chapter Rev 800- Transfer of Real Property](#)

ISSUES 2014

What are the most important issues to New Hampshire families? Here are the results of a WMUR/UNH poll conducted between July 7 and July 14:

Topic	%
Money/Family Finances	18%
Jobs/Economy	12%
Healthcare	10%
Government/Politics	8%
Education/College Costs	7%
Immigration	6%

Other issues: Retirement/Future Planning 5%, War/Foreign Policy 5%, Family/Children 5%, Events/Vacations 4%, President Obama 3%, Climate Change/Global Warming 2%, 2014 Election 1%, Sports/Hobbies 1%, Religion/God 1%

The Governor's Latest Vetoed Bills

HB 591

Earlier this week, the governor announced more vetoes. One of them was HB 591, prohibiting abusive work environments for public employees.

In the [governor's statement](#), she said "contains a number of poorly defined and unworkable provisions that will inevitably lead to a dramatic increase in unwarranted workplace-related litigation which, in turn, will materially disrupt workplace supervision and hinder productivity within state agencies."

The bill passed the House on a voice vote.

HB 685

Another bill that the governor vetoed recently was HB 685, co-sponsored by Rep. Lynne Ober. The bill was meant to clarify state agency communications with the office of the legislative budget assistant.

The [governor's veto message](#) claimed that this bill is unconstitutional. "I vetoed House Bill 685, an act related to state agency communications, because it could place the state in significant financial and legal jeopardy while violating the constitutional separation of powers."

The bill passed the House on a voice vote.

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SB 391

The governor also vetoed SB 391. Sponsored by Sen. Carson and Boutin, and co-sponsored by Rep. Charron, the bill revises the juvenile justice advisory board; the policies and procedures of the youth development center; and reduces the appropriation to the Sununu Youth Services Center.

The [governor's veto message](#) stated, "Senate Bill 391 fundamentally shifts New Hampshire juvenile justice policy in a direction that could too strongly emphasize incarceration. This shift raises serious concerns and merits significant public debate and discussion, which unfortunately the final version of this bill did not receive."

The bill passed the House on a voice vote.

Note from the Republican Leader:

House Republicans & Friends,

The Committee to Elect House Republicans has had many successful Candidate Trainings in the last couple months in conjunction with the NH Republican State Committee. I wanted to take a minute to make sure you all knew about the next one that we will be having.

It will be next week, Thursday, August 7th, at Plymouth State University – Boyd 144 Lecture Hall from 6:30-8:30pm.

If you are able to attend, please contact Todd at todd@nhgop.org or 603-225-9341.

Gene G. Chandler