



Week Seven - March 06, 2009

This electronic publication, known as **The Advocate**, is brought to you each Friday by your Greater Nashua Chamber of Commerce, in partnership with our friends at Devine Millimet & Branch, and ActiveEdge. Please use this piece to review what has happened in Concord this past week, read about our Chamber's lobbying efforts relating to those activities, and preview what we are doing on behalf of our Chamber members in the coming week.

[This Week's Update](#)

The legislators came back from last week's vacation, and started tackling a huge myriad of issues that are left to be resolved this session. This week saw a lot of business unfriendly bills receive attention, and this week was also the first round of what promises to be an intense debate surrounding an expansion of state-sponsored gaming.

[Gambling](#)

The House killed two gambling bills this week, one to create a state-run casino and one to permit slots at the Tracks. The margins of defeat for both bills were huge. There is really only one gambling bill still alive, which is a bill sponsored by Senator Lou D'Allesandro. Odds are in favor of this last remaining bill getting through the Senate within the next couple weeks, at which time the House will again take up the issue. Senator D'Allesandro's bill is expected to see a much stronger debate and receive more support in the House than the two bills that were killed this past week. Word has it that the two House bills were not really ready for prime time, and that all the House members recognize the real debate over gambling will revolve around D'Allesandro's bill when it reaches them.

Your Chamber of Commerce held a special breakfast event yesterday to focus on this very issue, and 100 of our members turned out to hear directly from the experts on this issue. Two experts in favor of state-sponsored gaming and two experts opposing it spoke at the breakfast, both sides presenting very solid arguments supporting their case. We conducted a survey of the 100 business members in attendance, and found that an overwhelming majority of those in attendance support state-sponsored gaming.

Your Chamber of Commerce currently does not have a formal position on this issue. However, we will take this breakfast event and the survey results into consideration over

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the next several weeks, as we decide whether or not the state's current budget troubles warrant the Chamber breaking its historic precedent and taking a public position either for or against state-sponsored casinos or slots in certain parts of the state.

If you have an opinion on this very important issue, this is the time to voice that opinion to us. You can tell us directly whether or not you think your Chamber should support some form of state-sponsored casinos or slots by emailing Chamber President Chris Williams at cwilliams@nashuachamber.com.

Bad Business Precedents: HB 496 & HB 580

Representatives Hall was full on Thursday for the public hearing on HB 496, the bill to cap at \$250 million, the amount of cost recovery for the scrubber (emissions reduction equipment) to be installed at the PSNH Merrimack Station located in Bow. In 2006, the state passed a law requiring PSNH to install scrubber technology at this coal-fired Merrimack Station. PSNH has been diligently working since 2006 to comply with the law. Now, three years later, for the legislature to tell PSNH it can only recover a certain portion of their state mandated cost is setting a bad precedent for business in our state. Since the state mandated the change in the first place, the state should be prepared to allow cost recovery, particularly in a regulated industry. This legislation is one of the rare times business and labor are actually on the same side opposing the legislation. In this economy, the continuation of the scrubber project is important for the financial viability of our state.

Another full-house hearing was on HB 580, a bill that creates procedures for accessing health care information from the health care providers and also setting up an audit trail. Much of the health care community was there at the standing-room-only hearing in the House Health and Human Services Committee to oppose the legislation: hospitals, physicians, community health centers, home health care agencies, insurance companies, pharmaceutical companies, pharmacies, the American Cancer Society, the Counties and business organizations, to name a few.

Besides the sponsors, the only support for the legislation came from the American Civil Liberties Union. If this legislation passes, New Hampshire will be the first state in the country to pass such stringent health care privacy legislation. It is interesting that this legislation is counter to the stimulus plan promoted by President Obama and passed by the Congress that gives financial incentives to institutions to create electronic medical records. Why is the legislation being promoted? What are the problems, issues, and abuses? Why do patients want an audit of their medical care? More importantly, why is New Hampshire succumbing on numerous issues to the privacy zealots in our state? Is privacy to the extreme more important than our doctors and hospitals having the appropriate information to treat our citizens appropriately? If HB 580 passes, New Hampshire health care providers across the state will have one eye blindfolded as they provide care.

HB 644: Cost of Doing Business Potentially Increased this Week

The House passed **HB 644**, which nearly doubles the gas tax over the next three years - from \$19.6 now to \$34.6, which equates to a 5-cent increase per year through 2011. The revenue is to go toward the state repairing and maintaining its highway system. We thought stimulus money was coming from Washington to do just that. The bill passed 190-162, largely along party lines. This bill still has to get by a second House Committee Ways and Means, the Senate and the Governor. Is this the time, with such a bad economy, to add a new tax to business and our citizens? The Governor had already added a new \$10 fee to vehicle registrations in his budget to help the highway fund. He

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had also suggested a reconfiguring of the toll discounts, but a similar plan died in the House yesterday. Our guess is, one way or another, it will be more expensive to own and drive a car in New Hampshire after July 1.

HB 638: New Taxes and Fees

Next week, the House Ways & Means Committee will look at all the new taxes the Governor has proposed as amendments to HB 638, a bill that increases the tobacco tax by \$1.00 per pack and dedicates certain tobacco tax revenues to the comprehensive cancer plan fund.

The Amendments:

- Establish a tax of 10% on gambling winnings over \$600;
- Increase the rate of the meals and rooms tax from 8% to 8.75%;
- Increase the filing fee for complaints about unfair labor practices by over 65%;
- Add new fees for certain food and beverage licenses;
- Increase fees for health facilities and community living facilities; facilities with beds go from \$2.50/bed to \$52/bed, fees for facilities without beds increase about 1000% and new fees are added for emergency rooms, health promotion clinics, case management agencies, etc.;
- Increase the Department Of Transportation's oversize and overweight permit fee schedule by about 70%;
- Establish a driveway permit review and inspection fee of \$65 per hour, not to exceed \$6500;
- Doubles subsurface plan subdivision fees and creates environmental services' subsurface systems fund;
- Establishes the motor vehicle air pollution abatement fund and increases the motor vehicle inspection fee by 20%;
- Doubles administrative fee of the state water pollution control and drinking water revolving loan funds.
- Creates a new liquor commission fund and gives more operational flexibility to the Liquor Commission.

No sales or income tax...but everything else is being taxed!

Acknowledgements

This weekly update is made possible by the generous support of [Devine Millimet & Branch](#), one of the state's top law firms and our Chamber's contracted representative in Concord. If your business has a legislative or local issue that needs strategic consulting and attention, they are a valuable resource that can help navigate you through both local and state processes.

This weekly update is designed and maintained by our friends at [ActiveEdge](#), and we thank them for their help in delivering this piece to your inbox every Friday!

If you have questions about this update, or comments to share with us about other issues in Concord, please email Chris Williams at cwilliams@nashuachamber.com. We want to be sure we're representing you to the best of our ability, so do not hesitate to reach out to us!

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