



# Gold Standard

HB 1573 NAY/ITL	HB 1548 YEA/OTPA
HB 1360 NAY/OTPA	HB 1550 YEA/OTP
HB 1597 NAY/ITL	HB 1621 NAY/ITL
HB 1117 YEA/ITL	HB 1132 NAY/OTP
HB 1118 YEA/ITL	HB 1247 NAY/ITL
HB 1184 NAY/ITL	HB 1539 NAY/ITL
HB 1185 NAY/ITL	HB 1622 YEA/OTPA
HB 1277 NAY/ITL	HB 1274 YEA/OTPA
HB 1216 NAY/ITL	HB 1325 NAY/ITL
HB 1292 NAY/ITL	HB 1345 NAY/ITL
HB 1435 YEA/OTP	HB 1474 NAY/ITL
HB 1437 NAY/ITL	HB 1601 NAY/OTPA
HB 1533 YEA/OTPA	HB 1339 NAY/ITL

## Regular Calendar Part I

### HB 1573-FN, discontinuing regional planning commissions and requiring the election of municipal planning board members.

Committee recommendation: Municipal and County Government: ITL 15-0

This bill, which would allow more local control of municipal planning board membership, is **pro-liberty**:

- By requiring planning boards to be elected by the people, this bill will prevent town governments (e.g., the selectmen or city councils) from stacking the planning board with people who will do as they demand.
- Regional planning commissions promote top-down, centralized planning, in direct conflict with New Hampshire's tradition of decentralized, local control. In particular, regional planning commissions are one of the primary ways that the federal government and supranational bodies like the U.N. bypass elected town government in order to implement central planning.

# HB 1573

# NAY ON ITL

### HB 1360, prohibiting impeded driving and use of certain electronic devices while driving.

Committee recommendation: Transportation: OTP/A 13-3

This bill, fining citizens for cell phone use in vehicles, is **anti-liberty**:

- Driving fatalities have been on a downward trend despite massive cell phone adoption over the last ten years. In states where cell phone restrictions have been instituted there has not been a significant change in fatal accidents.
- This law is redundant, outlawing something that is already covered by existing law. RSA 265:79-b, the offense of negligent driving, already exists and is quite sufficient.

# HB 1360

# NAY ON OTP/A

### HB 1597, reducing the rate of tax on meals under the meals and rooms tax.

Committee recommendation: Ways and Means: ITL 9-8

This bill, which reduces the meals tax by about 1%, is **pro-liberty**:

- People should not be forced to pay more for the necessity of eating meals.
- Reduction in tax rates can lead to increased consumer spending which would help NH businesses

# HB 1597

# NAY ON ITL

## Bills Removed From Consent 2/19

### HB 1117, relative to restricting usage of cellular phones while driving AND HB 1118, prohibiting certain drivers from using hand-held devices for communication.

Committee recommendation: Transportation: ITL 14 - 0

This bill, fining citizens for cell phone use in vehicles, is anti-liberty:

- Driving fatalities have been on a downward trend despite massive cell phone adoption over the last ten years. In states where cell phone restrictions have been instituted there has not been a significant change in fatal accidents.
- This law is redundant, outlawing something that is already covered by existing law. RSA 265:79-b, the offense of negligent driving, already exists and is quite sufficient.

# HB 1117

# HB 1118

# YEA ON ITL

### HB 1184, increasing the speed limit on a portion of Route 101 to 70 miles per hour AND HB 1185, increasing the speed limit on a portion of I-89 to 70 miles per hour.

Committee recommendation: Transportation: ITL 14 - 0

This bill, which would increase the speed limit on a portion of the highway, is **pro-liberty**:

- It would decrease the number of penalties handed out for the victimless act of speeding.
- This would only increase the speed limit by five miles per hour, which has not been shown to increase accident rates.

# HB 1184

# HB 1185

# NAY ON ITL

## Regular Calendar Part II

### HB 1277, relative to grocery sales by stores licensed to sell alcoholic beverages.

Committee recommendation: Commerce and Consumer Affairs ITL 12-6

This bill, removing a \$3000 grocery inventory requirement from beer & wine stores, is **pro-liberty**:

- This bill removes the requirement that any establishment selling beer and wine maintain a \$3000 wholesale inventory value of grocery items.
- The state liquor commission admits that many stores meet this requirement by keeping Spam, Vienna sausages, and other canned items that don't spoil quickly, which are never sold.
- For a beer & wine store, this requirement is a wasteful and protectionist, and serves as a barrier to entry to small stores that only stock \$15,000 in alcohol inventory.

**HB 1277**

**NAY  
ON  
ITL**

### HB 1216-FN, relative to the crime of causing or aiding suicide.

Committee recommendation: Criminal Justice and Public Safety: ITL 11-5

This bill, deleting language relating to soliciting another to commit suicide, is **pro-liberty**:

- This bill retains the language that purposely aiding another to commit suicide is a crime. Removing the phrase "or solicits" serves to protect family and friends as they discuss with loved ones the choices that may be made in terminally ill situations.
- The state should not be interfering in or judging the solemn conversations that may occur between parties who are emotionally close to one another.

**HB 1216**

**NAY  
ON  
ITL**

### HB 1292-FN, creating an affirmative defense for a person who causes or aids another in committing suicide.

Committee recommendation: Criminal Justice and Public Safety: ITL 12-4

This bill, creating an affirmative defense for a person who causes or aids another who is terminally ill in committing suicide, is **pro-liberty**:

- This bill would allow an affirmative defense only against the charge of 'causing or aiding suicide,' which is when someone takes their own life. It does not create a defense against a charge of murder; the taking of someone else's life.
- The current law cruelly prevents friends and family from being with their loved one at the end because of the threat of a Class B Felony.

**HB 1292**

**NAY  
ON  
ITL**

### HB 1435, requiring law enforcement officials to disclose specific information relating to a police checkpoint.

Committee recommendation: Criminal Justice and Public Safety: OTP/A 11-8

This bill, requiring judicial oversight and public notice of police checkpoints, is **pro-liberty**:

- NH constitution Article 19, Part I states, "Every subject hath a right to be secure from all unreasonable searches [...]"
- The US constitution's 4th Amendment clearly prohibits blanket checkpoints, which are warrantless searches for unlucky travelers.
- Searches of citizen's effects are supposed to require judicial review and deliberation.
- Citizen's shouldn't feel ambushed by checkpoints while using the roads they pay for, nor should they feel compelled to answer questions about their business without cause.

**HB 1435**

**YEA  
ON  
OTP**

### HB 1437, relative to license revocation for drugs or alcohol involvement.

Committee recommendation: Criminal Justice and Public Safety: ITL 12-6

This bill, which would limit license suspensions for under age drink to offenses where driving was actually involved, is **pro-liberty**:

- Would uphold the New Hampshire Constitution Article 18, Part 1 - "All penalties ought to be proportioned to the nature of the offense."
- Two teenagers are drinking at a party. One walks home to avoid drinking and driving. The other recklessly gets behind the wheel. If they both are caught, the New Hampshire Constitution dictate that they get different penalties, since one teen put others at risk. Instead, current law treats them both the same. HB1437 would fix that.

**HB 1437**

**NAY  
ON  
ITL**

**HB 1533-FN, requiring a warrant to search information in a portable electronic device.**

Committee recommendation: Criminal Justice and Public Safety: OTP/A 12-1

This bill, requiring a warrant to search information in a portable electronic device, is **pro-liberty**:

- NH constitution Article 19, Part I states, "Every subject hath a right to be secure from all unreasonable searches [...]"
- The Texas Court of Criminal Appeals ruled in *State v. Granville* on February 26, 2014: [W]e conclude, as did the court of appeals, that ... Given modern technology and the incredible amount of personal information stored and accessible on a cell phone, we hold that a citizen does not lose his reasonable expectation of privacy in the contents of his cell phone merely because that cell phone is being stored in a jail property room.
- Last week, the Massachusetts Supreme Judicial Court ruled that police needed a search warrant to obtain historical cell site records from a cell phone provider. New Jersey's Supreme Court reached the same result last year.

**HB 1533  
YEA  
ON  
OTP/A**

**HB 1548-FN, eliminating separate penalties for crack cocaine.**

Committee recommendation: Criminal Justice and Public Safety: OTP/A 13-2

This bill, which would eliminate the cocaine/crack cocaine disparity, is **pro-liberty**:

- Under current law, possession of 5 grams of crack cocaine is treated more harshly than possession of 140 grams of powdered cocaine. (RSA 318-B:26).
- According to the NHCLU, this 28:1 disparity is the largest in the country.

**HB 1548  
YEA  
ON  
OTP/A**

**HB 1550, permitting the audio and video recording of a public official while in the course of his or her official duties.**

Committee recommendation: Criminal Justice and Public Safety: OTP 10-6

This bill, permitting the audio and video recording of a public official while in the course of his or her official duties, is **pro-liberty**:

- On the job means on the record: Part I, Art.8 of the New Hampshire Constitution provides that officers and agents of the government are at all times accountable to the people.
- A member of law enforcement has a right to record you without your consent at a traffic stop, but citizens recording the exact same conversation have been threatened and even charged with a felony.

**HB 1550  
YEA  
ON  
OTP**

**HB 1621-FN, redefining simple assault.**

Committee recommendation: Criminal Justice and Public Safety: ITL 9-71

This bill, which would redefine simple assault, is **pro-liberty**:

- Under current law, there have been absurdities with people charged for assault simply because they laid their hand on someone's shoulder or brushed up against someone who didn't like it. This bill would require that such physical contact actually be offensive, threatening, or harmful, before an actual crime could be charged.

**HB 1621  
NAY  
ON  
ITL**

**HB 1132, relative to school building inventory reports.**

Committee recommendation: Education: OTP 19-0

This bill, requires school districts to complete a school building inventory report, is **anti-liberty**:

- This bill creates more bureaucratic layers to chase non-existent funding.
- Increases central planning and mandating time, money, and efforts at the local level.

**HB 1132  
NAY  
ON  
OTP**

**HB 1247, requiring the Department of Education to share costs of implementing statewide online assessment technology requirements.**

Committee recommendation: Education: ITL 11-7

This bill, requires the department of education to reimburse school districts for technology costs, is **pro-liberty**:

- The new required statewide assessment is an unfunded mandate and violates the New Hampshire Constitution Part I Article 28-A. Although all school districts plan for some technology upgrades and improvements, the conversion to the online adaptive Smarter Balanced Assessment is a hardship to smaller districts which have significant and costly upgrades to implement.

**HB 1247  
NAY  
ON  
ITL**

**HB 1539, relative to the repeal date of the certificate of need law.**

Committee recommendation: Health, Human Services, and Elderly Affairs: ITL 10-2

This bill, disbanding the Certificate of Need board, is **pro-liberty**:

- Certificates of Need boards were mandated of the states by unelected officials in the Social Security Administration under Section 1122 of the Social Security Act. Titled "LIMITATION ON FEDERAL PARTICIPATION FOR CAPITAL EXPENDITURES" it threatened to withhold statewide funds for "HEALTH INSURANCE FOR THE AGED AND DISABLED" and "GRANTS TO STATES FOR MEDICAL ASSISTANCE PROGRAMS" without a CONS planning board. It promised funds to create such a board.

**HB 1539  
NAY  
ON  
ITL**

**HB 1622-FN, permitting qualifying patients and registered caregivers to cultivate cannabis for therapeutic use.**

Committee recommendation: Health, Human Services, and Elderly Affairs: OTP/A 13-3

This bill, which would allow for a grow your own provision to therapeutic cannabis, is **pro-liberty**:

- Although NH passed a medical marijuana law in 2013, no patient has received any benefit from the law. Patients still have no legal protection and no legal access to marijuana.
- If HB 1622 passes, patients can finally be issued ID cards this summer and they can finally begin growing a couple of plants.
- If HB 1622 doesn't pass, patients will have no legal way to obtain medical marijuana until dispensaries open, which will be summer 2015 at the earliest (and could be longer).

**HB 1622  
YEA  
ON  
OTP/A**

**HB 1274, relative to the quarterly or semi-annual payment of rent.**

Committee recommendation: Judiciary: OTP/A 13-5

This bill, which provides additional options for property owners and renters, is **pro-liberty**:

- Current law, meant to protect tenants from being charged exorbitant up-front rental costs such as a huge security deposit, has the unintended effect of preventing people from paying their rent in installments larger than one month. This bill would fix this.

**HB 1274  
YEA  
ON  
OTP/A**

**HB 1325-FN, relative to death with dignity for certain persons suffering from a terminal condition.**

Committee recommendation: Judiciary: ITL 9-8

This bill, which would let adults make decisions about their own body, is **pro-liberty**:

- Adults have a fundamental right to make decisions about their bodies—whether it be smoking, eating trans fats, buckling a seatbelt, or choosing to end their pain and suffering from a terminal condition.
- Adults who currently choose to end their own lives should be able to have their loved ones present at the end without their risking felony charges (RSA 630:4).
- The easiest way to address "death with dignity" would be to simply repeal laws prohibiting the aiding of suicide, instead of creating additional bureaucracy.

**HB 1325  
NAY  
ON  
ITL**

**HB 1345-FN, relative to forfeiture of items used in connection with a drug offense.**

Committee recommendation: Judiciary: ITL 13-6

This bill, which would reduce the theft of personal property by the police, is **pro-liberty**:

- This bill ensures that the state can only attempt to forfeit property after a person has been convicted of the crime of which they are accused. Current law is open to abuse where the state could take someone's property for a "crime" for which they have not even been convicted!

**HB 1345  
NAY  
ON  
ITL**

**HB 1474, relative to persons held in civil contempt.**

Committee recommendation: Judiciary: ITL 15-3

This bill, requires a finding that the person has the liquid assets to pay the contempt penalty, is **pro-liberty**:

- Incarceration civil contempt presumes that the debtor has the ability pay the debt. Imprisoning an individual for a debt which they do not have the ability to pay is debtors prison; an archaic and counter productive practice.
- Failure to ensure that the person being imprisoned for civil contempt has the ability to pay amounts to a failure of due process and maladministration of justice.
- Using imprisonment to cause family members not responsible for the debt to assume the debt is unprincipled and an abuse of power.

**HB 1474  
NAY  
ON  
ITL**

**HB 1601, relative to mandatory headlamp use.**

Committee recommendation: Transportation: OTP/A 8-3

This bill, which adds an unnecessary mandate, is **anti-liberty**:

- Current law requiring headlamps only 1/2 hour after sunset and 1/2 hour before sunrise is because that is (approximately) when it actually becomes dark enough to need them. It is not dark at sunset or sunrise.
- This law removes common-sense discretion from motorists as to when rain, snow, or fog is thick enough to require headlamp use.
- This law will only lead to people being ticketed for committing technical violations of the law when no actual harm could have been possible. Headlamps are not needed at sunset or sunrise but now not using them will be a violation. A single patch of fog or a barely noticeable drizzle or snow flurries will be able to be used by police to ticket people needlessly.

**HB 1601  
NAY  
ON  
OTP/A**

**HB 1339, relative to “table stakes games.”**

Committee recommendation: Ways and Means: ITL 14-6

This bill, which would allow individuals to play table stakes games , is **pro-liberty**:

- Playing games that harm no one should never be a crime, regardless of incentives.
- Would effectively make it legal for 8 friends to sit around a table and play poker with monetary stakes.

**HB 1339  
NAY  
ON  
ITL**