



# New Hampshire Liberty Alliance

# Gold Standard

HB 413 NAY/OTP    HB 1496 NAY/STDY  
 HB 1591 YEA/OTPA    HB 1508 NAY/ITL  
 HB 366 NAY/OTPA    HB 492 NAY/ITL  
 HB 1239 NAY/ITL    HB 650 NAY/OTPA  
 HB 1262 NAY/STDY

NHLiberty.org

March 25<sup>th</sup> & 26<sup>th</sup>, 2014

## Regular Calendar Part I

### SB 413-FN-A, relative to access to health insurance coverage.

Committee recommendation: Finance: OTP 15-10

This bill, which is fiscally irresponsible in the long term, is **anti-liberty**:

- There are no reasonable financial safeguards if this bill should be adopted.
- This bill would likely lead to a state income or broad-based sales tax.
- This bill has been rushed through without adequate public input and examination.
- By 2022, this program would cost NH between \$40 to \$45 million which is more than our current revenue structure can support.
- Other states have implemented a program similar to the one proposed in this bill and it has been a financial and medical disaster.

**SB 413**  
**NAY**  
**ON**  
**OTP**

### HB 1591-FN, establishing the right-to-know grievance commission.

Committee recommendation: Judiciary: OTP/A 9-8

This bill, which requires 72 notice before holding a public meeting, is **pro-liberty**:

- Part first, Article 8 of the NH Constitution, reads "Government, therefore, should be accessible, accountable, and responsive."
- The current law only requires 24 notice of a meeting - which may not be enough time for newspapers to print the story. By requiring an agenda be posted as well, the public will know what items will be discussed so they can prepare for them.

**HB1591**  
**YEA**  
**ON**  
**OTP/A**

## Regular Calendar Part II

### HB 366-FN, relative to showing a ballot.

Committee recommendation: Criminal Justice and Public Safety: OTP/A 9-6

This bill, making it a misdemeanor to photograph and share your ballot, is **anti-liberty**:

- This is a solution in search of a problem. There is no evidence that citizens are being coerced into recording their ballots.
- Most citizens are proud of their right to vote, and some wish to share it with friends. It is their choice and their constitutional right to free speech - US Constitution - First Amendment and NH Constitution Part I, Art. 22.
- After-the-fact photos are not currently illegal according to RSA 659:35.

**HB 366**  
**NAY**  
**ON**  
**OTP/A**

*The New Hampshire Liberty Alliance is a non-partisan coalition of New Hampshire citizens working to increase individual freedom in the Granite State. Each year we compile voting records from a wide variety of legislation and release our **Liberty Rating**, grading our state legislators' support of liberty. These Gold Standards are an effort to highlight bills that, if passed, stand to substantially increase or decrease freedom in New Hampshire. Your vote on these bills may be used in our annual Liberty Rating.*

## HB 1239-FN-L, relative to the implementation of new educational standards.

Committee recommendation: Education: ITL 13-6

This bill, which would require fiscal analysis and transparency, is **pro-liberty**:

- The adoption of Common Core by the NH Board of Education is an unfunded mandate in violation of Part I Article 28-A of the New Hampshire Constitution.
- This bill promotes fiscal transparency of government at all levels.
- Many districts have communicated that they have costs that are specifically for the implementation of Common Core that they would not have otherwise, or these costs are accelerated in order to meet the mandated spring 2015 assessment implementation deadline. This has presented a significant burden for smaller and more rural districts.
- The costs of implementing these new standards have never been fully identified or communicated at the state or local level. Before Common Core is fully implemented across the state, the citizens of NH should know what it will cost.

# HB1239

## NAY ON ITL

## HB 1262 relative to student assessment data.

Committee recommendation: Education: Interim Study 14-5

This bill, which would safeguard student data, is **pro-liberty**:

- Currently schools collect a massive amount of data on students that are not only academic related.
- Federal FERPA protections were severely eroded in 2008 and 2011 and now permit student information to be shared with third-party organizations and private corporations without parental consent.
- The Smarter Balanced Assessment Consortium agreement with the NH DOE allows the sharing of "student-level data" without guarantee the data is aggregated.
- HB 1262 is the only bill before the legislature that addresses the unique problems presented with the new Smarter Balanced Assessments that are being piloted in NH schools now and will become mandatory in spring 2015. Until such protections are in place, districts will be liable for any breach of student privacy.

# HB1262

## NAY ON STUDY

## HB 1496, relative to the objectivity and validity of student assessment materials.

Committee recommendation: Education: Interim Study 15-3

This bill, which would require consistency with current law and protections of student privacy, is **pro-liberty**:

- State law requires that all statewide assessments are valid, appropriate, and objectively scored per RSA 193-C.
- Smarter Balanced Assessments are mandatory by spring 2015, yet will not be validated by this deadline; they are not appropriate for students according to several NH districts; and they are subjectively scored as they measure student values, attitudes and dispositions in direct violation of SB 48 (2013).
- Districts are not obtaining written informed consent from parents when minor children are being asked to be unpaid participants in research of the Smarter Balanced Assessments.

# HB1496

## NAY ON STUDY

## HB 1508-FN, terminating state participation in the common core educational standards.

Committee recommendation: Education: ITL 13-6

This bill, which would restore local control of public education, is **pro-liberty**:

- Common Core State Standards were rushed to adoption by the NH BOE in summer 2010 in order to expedite the Race to the Top grant application without adequate public notification or input.
- Public records of the NH BOE meetings indicate that other proven successful state standards were never considered as part of the process of improving NH's state standards.
- As part of the grant application and the Smarter Balanced Assessment Consortium agreement, the NH DOE promised to pilot and field test the experimental assessment.
- The Smarter Balanced Assessment which is being field tested in schools across the state, often without prior parental consent, is in violation of RSA 193-C.
- The SBA will be mandatory by spring 2015, but will not be validated by that date and includes dispositional questions in violation of SB 48 (2013) and RSA 193-C.

# HB1508

## NAY ON ITL

## HB 492-FN-L, relative to the legalization and regulation of marijuana.

Committee recommendation: Ways and Means: ITL 14-5

This bill, which would tax and regulate marijuana, is **pro-liberty**:

- Adults have a fundamental right to make choices about how they treat their bodies, including what substances they ingest. 65% of New Hampshire voters support taxing and regulating marijuana like alcohol.
- According to the NHCLU, New Hampshire spent \$6,526,364 on enforcing marijuana possession laws in 2010 alone. If HB492 were to become law, we would be receiving tens of millions in taxes instead.
- Although the NHLA generally opposes new or increased taxes such as the ones included in HB492, they may be appropriate in this instance because:
  - "Sin taxes" may be considered a user fee when used to address potential costs to society from the taxed activity.
  - Keeping the price of marijuana artificially high through taxes would more closely mirror the current street price, and bring much-needed revenue to the general fund—instead of letting the profit go to street gangs and drug cartels.
  - Taxing and regulating marijuana would improve the status quo so significantly that these taxes are an acceptable compromise in exchange for this expansion of personal liberty

# HB 492

## NAY ON ITL

### Bills Removed from Consent Calendar

## HB 650, making an appropriation to start a bus service between Claremont and Lebanon.

Committee recommendation: Finance: OTP/A 25-0

This bill, which would waste taxpayer money, is **anti-liberty**:

- Free market solutions are more efficient and cost less.
- The state should be reducing regulations and barriers to entry so more competitors could enter the marketplace for bus shuttle services.
- This bill would provide taxpayer money for a service that has a track record of failure -- ridership usually falls below projections and fares never cover the cost of operations.

# HB 650

## NAY ON OTP/A