



NEW HAMPSHIRE LIBERTY ALLIANCE

GOLD STANDARD

HB 92 YEA ITL
 HB 249 NAY IS
 HB 366 YEA ITL
 HB 399 YEA ITL
 HB 413 YEA ITL
 HB 596 YEA OTP/A
 HB 609 NAY OTP/A
 HB 628 NAY OTP/A
 HB 656 NAY ITL
 SB 193 YEA OTP/A
 SB 247 NAY OTP/A



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HOUSE SESSION - WEDNESDAY, JANUARY 3, 2018

This issue contains voting recommendations for Wednesday Jan 3rd and Thursday Jan 4th.

HB 656-FN-A-L, relative to the legalization and regulation of marijuana.

Criminal Justice and Public Safety: ITL 13-7

HB 656

PRO-LIBERTY: This bill ends marijuana prohibition for adults 21 and older in New Hampshire.

- This bill allows limited personal possession and cultivation of marijuana and establishes a regulated market for marijuana production and sale.
- The minority committee report is in support of an amendment (#2017-2478h) that would only legalize cultivation and possession without regulating or taxing the market. Adults in Massachusetts, Maine, and five other states already enjoy the freedom to grow their own limited supply of cannabis without fear of state or local prosecution. 68% of Granite Staters support legalization.
- The House should overturn the ITL, adopt the amendment, and pass HB 656.

NAY ITL

HB 609-FN-A, establishing a children's savings account program and making an appropriation therefor.

Education: OTP/A 16-3

HB 609

ANTI-LIBERTY: This bill begins the process of mandating that NH taxpayers fund college education costs for others.

- This type of program can be accomplished by private charities, either in coordination with each other or individually. It is inappropriate to use taxation and the state bureaucracy to establish such a program.
- No restrictions are specified by the bill on the use of these funds. Will funds be available only for tuition? For any purpose at all? Can funds be withdrawn and spent by parents?
- Per the amended bill, in 195-J-9 I, student accounts are established in the "responsible individual's" name (generally the parent or guardian). This allows children with two parents to potentially double dip and create two accounts,

NAY OTP/A

HB 249, relative to showing a ballot.

Election Law: Interim Study 12-8

HB 249

PRO-LIBERTY: This bill repeals the prohibition on "ballot selfies".

- There is no evidence to show that there is a problem in New Hampshire of citizens being coerced into showing their ballot. If someone attempts such a crime other statutes would be sufficient to prosecute.
- The statutory language in question has already been struck down in federal court. In that opinion, the court held that "Of course, many others may opt not to use this method to share how they voted for personal, professional, or normative reasons, but the First Amendment mandates that the editorial decision about whether and how to speak rests with the speaker, not the state".
- Vote NAY IS. YEA OTP.

NAY IS

HB 366-FN, relative to the calculation of average final compensation under the retirement system for certain members.

HB 366

Executive Departments and Administration: ITL 11-5

ANTI-LIBERTY: This bill increases pensions for people working overtime or getting raises shortly before retiring; increases costs to everyone else.

YEA ITL

- Current law appropriately limits incentive by government employees to "pad" or "spike" overtime in order to maximise pension payouts. Removing this important limitation would further incentivize government employees to seek additional overtime immediately prior to retirement in order to maximize payouts, ultimately harming taxpayers.
- The fiscal note, even as significant as it is, may underestimate the impact of this bill, as it would almost certainly affect the future behavior of government employees nearing retirement.

SB 247-FN-A, preventing childhood lead poisoning from paint and water and making an appropriation to a special fund.

SB 247

Finance: OTP/A 23-3

ANTI-LIBERTY: This bill mandates universal testing for lead in children.

**NAY
OTP/A**

- The new mandate for universal testing of all one and two year olds is a massive dictate on medical providers and parents. It is virtually unenforceable and an interference with the parent's right to direct a child's healthcare freedom.
- This bill creates a new state loan program to lend money to private property owners. This is not the proper role of government. There is no Fiscal Note to account for loan defaults, which would be in effect paid by taxpayers.
- While the majority blurb indicates "Finance determined that there are no additional costs to these tests as they are already included in all insurance policies" this fails to recognize economic reality. This bill will take a procedure that is currently used when medically appropriate and mandate its use universally. The increased costs will be passed through to consumers in the form of higher premiums.
- This new proposed blood testing level is 40% lower than the current CDC standard of 5 micrograms per deciliter: https://www.cdc.gov/nceh/lead/acclpp/blood_lead_levels.htm

HB 596-FN, relative to review hearings in involuntary admission cases.

HB 596

Judiciary: OTP/A 12-5

PRO-LIBERTY: This bill protects the rights of those involuntarily committed who lack the means to pay for a private psychiatric evaluation.

**YEA
OTP/A**

- Under current law, a person who is involuntarily committed may pay for an independent/private psychiatric evaluation; if the psychiatrist agrees they should be released, they are granted a hearing. This bill would allow for a person who has been involuntarily committed to petition for a hearing if at least two years have elapsed since the last hearing.
- While this bill may result in more frequent hearings with an accompanying cost to the state, such costs are appropriate to reduce the risk that someone is involuntarily held longer than required.

SB 193-FN, establishing education freedom savings accounts for students.

SB 193

Education: OTP/A 10-9

PRO-LIBERTY: This bill allows lower income families additional choices in where their children are educated and what methods are used for instruction.

- The Education Freedom Savings Account will shift the locus of control from government bureaucrats to families — allowing parents additional options for their children based on their individual education needs using funds that the state had already dedicated for education on a per pupil basis.
- The current education system has failed to keep pace with the evolving improvements that are happening around the world. Shifting power from a government monopoly to families choosing in a market will spur innovation (e.g., online education, competency-based education, etc.). Having accountability rest directly on those who bear the consequences of a school's performance is superior to top-down regulatory accountability.
- This bill is constitutional. The "Blaine Amendment" prohibits the government from directly funding religious schools. This bill doesn't do that. Rather, it returns tax dollars directly to families who are empowered to choose a wide variety of schools and non-school educational options, with or without a religious affiliation.
- Although all families should have access to their tax dollars back, this bill allows lower-income families additional choices in where and how their children are educated.

YEA OTP/A

HB 399, relative to pesticide use and notification in places where children play.

HB 399

Environment and Agriculture: ITL 7-5

ANTI-LIBERTY: This bill effectively bans many uses of pesticides even in areas where no children play.

- This bill bans the use of lawn care, garden, and ornamental pesticide at schools, child day care agencies (including private homes), community playgrounds, and community athletic fields unless approved as a public health emergency by the county, city, or town board of health. As written, this ban would apply even to private residences that provide child care even in cases where the children are never allowed to play outside.
- Private property owners should be free to make choices about the appropriate means of controlling pests without having to request permission from the board of health.

YEA ITL

HB 92, revising the definition of the state building code and ratifying changes to the state building code adopted by the state building code review board.

HB 92

Executive Departments and Administration: ITL 10-7

ANTI-LIBERTY: This bill adopts updated building codes (international code 2015 v.s. 2009) and expands the building code to incorporate swimming pool and spa code; adds hundreds of pages of new regulations.

- This bill increases the costs for building a new home in New Hampshire in order to comply with updated building code.

YEA ITL

HB 413-FN-A-L, relative to payment by the state of a portion of retirement system contributions of political subdivision employers.

HB 413

Finance: ITL 17-9

ANTI-LIBERTY: This bill increases state spending by more than \$40 million each year.

- This bill requires state taxpayers to fund a portion of the retirement system for city/town teachers, police, and fire department members. These costs are currently paid locally. While net government spending by the state and its political subdivisions under a static evaluation of the bill is neutral, funding is best managed locally to avoid increases in spending that naturally result when politicians are spending "other people's money".

YEA ITL

HB 628-FN, relative to a family and medical leave insurance program.

HB 628

Labor, Industrial and Rehabilitative Services: OTP/A 13-6

ANTI-LIBERTY: This bill forces all employees to contribute to paid family and medical leave, whether they want the program or not.

- Employees and employers should be free to negotiate benefit programs such as paid family and medical leave insurance without the state forcing all to participate.

NAY OTP/A