



GOLD STANDARD



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SENATE SESSION - THURSDAY, FEBRUARY 23, 2017

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|-----------------|---------------|------------------|------------------|------------------|
| SB 8 YEA OTP | SB 44 YEA OTP | SB 100 YEA ITL | SB 144 YEA OTP/A | SB 193 YEA OTP/A |
| SB 10 NAY OTP | SB 54 NAY OTP | SB 102 YEA ITL | SB 173 YEA ITL | SB 228 NAY OTP |
| SB 30 NAY OTP/A | SB 79 YEA ITL | SB 135 NAY OTP/A | SB 192 YEA ITL | SB 243 NAY OTP/A |
| SB 43 YEA OTP | SB 97 YEA ITL | | | |

SB 8-FN, relative to school attendance in towns with no public schools.

Education: OTP 3-2

PRO-LIBERTY: This bill allows small districts to make agreements with other public and private schools if the grade level is not offered in-district.

- This bill contains the language of HB 1637 (2016) that passed the House and Senate only to be vetoed by Gov. Hassan.
- It clarifies existing statutes: small towns across the state that do not provide full K-12 education in-district may enter into tuition agreements with other schools.
- It is consistent with RSA 194:22 Contracts with Schools and RSA 193:1 Compulsory Attendance.
- It is consistent with current practices by NH districts that have tuition agreements with private schools, including some located out-of-state.

SB 8

**YEA
OTP**

SB 43, relative to non-academic surveys administered by a public school to its students.

Education: OTP 3-2

PRO-LIBERTY: This bill allows parents to make informed decisions about their children's participation in non-academic surveys.

- This bill contains the language of SB 320 (2016) that passed the House and Senate only to be vetoed by Gov. Hassan.
- Schools routinely ask students to complete non-academic surveys and questionnaires to assess their attitudes, values, decision-making, and behaviors.
- Parents should be fully informed on what is being asked of their children and give explicit authorization for them to participate.

SB 43

**YEA
OTP**

SB 44, prohibiting the state from requiring implementation of common core standards.

Education: OTP 3-2

PRO-LIBERTY: This bill prohibits the state from requiring districts to implement Common Core State Standards.

- The Common Core standards claim to provide evidence-based rigorous content, yet there is no empirical evidence indicating that Common Core has improved student learning.
- Districts have been pressured into adopting Common Core standards, developing curricula aligned to Common Core, and buying textbooks aligned to Common Core, all at great time and expense.
- Teachers, parents, and school boards have lost control over the instruction being provided in their own classrooms under Common Core.
- Common Core is a top-down, centralized approach to education. Every child is different, and ideally should have education individualized to their needs and personality. Common Core is essentially the opposite of that.

SB 44

**YEA
OTP**

SB 102, relative to eligibility of school district employees for Family and Medical Leave Act.

SB 102

Education: ITL 3-2

ANTI-LIBERTY: This bill would add yet another state mandate on our local school districts by requiring more temporary workers and substitute teachers to hold the place of part-time school district employees away on leave.

YEA ITL

- The Family and Medical Leave Act (FMLA) requires private businesses of more than 50 employees and all public employers to allow employees to take 12 weeks of unpaid, job-protected leave for specified family and medical reasons.
- FMLA restricts this benefit to employees who have worked a minimum of 20 weeks and 1,250 hours during the preceding year.
- This bill expands the federal requirement by providing benefits to part-time school district employees who have only worked 900 hours during the preceding year.

SB 192-FN, relative to state contributions to public school renovations.

SB 192

Education: ITL 3-2

ANTI-LIBERTY: This bill specifies the amount of school building aid grants to be distributed in each fiscal year of the biennium ending June 30, 2019, and provides that there shall be no moratorium on school building aid for the biennium ending June 30, 2019.

YEA ITL

- With state building aid, local districts may fund more extravagant schools than they would if they had to pay the full cost themselves.
- The bill requires the commissioner of the Department of Education to distribute school building grants in the amount of \$50 million. This mandated level of spending increases the risk of wasteful spending by establishing a sense of urgency to hit a specific spending target.

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

SB 193

Education: OTP/A 3-2

PRO-LIBERTY: This bill establishes education freedom savings accounts for children.

**YEA
OTP/A**

- Education Savings Accounts (ESAs) are funds that children receive to a designated account, administered by a scholarship organization, that are used for specified educational purposes. This bill specifies that the funding shall be used for science, mathematics, language, government, history, health, reading, writing, spelling, the history of the constitutions of New Hampshire and the United States, and an exposure to and appreciation of art and music.
- While ESAs are new to New Hampshire, they are not new to other states. Currently five states offer ESA programs and each is unique with respect to the approved uses, eligibility qualifications, administration, accountability mechanisms, and funding sources.
- ESAs have withstood constitutional challenges. The dollar amount would be 90% of the per pupil state adequacy amount plus any differentiated aid the home district would receive for students in grades 1 and above; 50% for kindergarten students. With 5% going to administration by a non-profit scholarship organization, the state keeps 5%, which represents a savings. Enrollment is optional.
- Giving education consumers (parents) more options gets us away from the one-size-fits-all mentality of traditional public schools.

SB 228-FN-A, establishing the New Hampshire college graduate retention incentive partnership (NH GRIP).

SB 228

Education: OTP 5-0

ANTI-LIBERTY: This bill establishes the New Hampshire college graduate retention incentive partnership which provides financial handouts to college graduates who are hired by participating employers.

**NAY
OTP**

- To take money from all NH residents in order to create another handout exclusively for students who attend college is unfair to other young adults who may choose other career options.
- The high business and property tax rates in NH are two of the main driving forces that make NH a less attractive option for businesses and young working adults. The legislature would better serve residents by reducing spending and taxes, instead of spending even more tax money on creating new bureaucratic programs and band-aid fixes.
- The bill will result in the need for additional recordkeeping by businesses and the state.

SB 30, defining woodland buffers and relative to such woodland buffers for the purposes of the shoreland protection act.**Energy and Natural Resources: OTP/A 4-0****ANTI-LIBERTY: This bill places additional restrictions on private property for the stated purpose of improving shoreland protection.**

- This bill redefines the size/shape of segments that are used to score the impact of improvements landowners make to their property for the express purpose of protecting shorelines. Property owners already have financial incentives to maintain property and limit damage that may impact the future value of their property. Attempts to micromanage property improvements with a one-size-fits-all solution infringes on property owners' rights and is unlikely to significantly contribute to shoreland protection.
- The bill mainly serves to raise the value of existing shoreline property (landscaped under the older, less restrictive scheme) by adding restrictions to new shoreline construction, making it less desirable.
- The bill reduces the time that an applicant has to respond to information requests from 120 days to 60 days, at which time the application is denied, forcing applicants to refile and potentially incur a fee as high as \$3,750 per 483-B:5-b. The reduction in time does not take into account that landowners are private individuals for whom 60 days may be an insufficient amount of time to obtain quotes, select an expert, schedule an investigation, and respond to the state's demand for additional information. Some required information may be weather-dependent or other circumstances could delay the applicant. There is no reason to place any deadline on an applicant, as their delay just affects when their permit would be received.
- The bill increases the time for the state's paid professional full-time staff to evaluate applications and make a determination from 20 days to 30 days.

**NAY
OTP/A****SB 54, relative to the licensure of alcohol and drug counselors.****Executive Departments and Administration: OTP 3-2****ANTI-LIBERTY: This bill increases the number of hours of alcohol and drug use education required for initial licensure as a master licensed alcohol and drug counselor or as a licensed alcohol and drug counselor.**

- There is a shortage of alcohol and drug counselors in the state, and training requirements are already extensive, requiring years of full-time study. We should not be making it even more difficult for a person to become a licensed counselor.
- Suddenly raising requirements may force those who have already qualified as a counselor in NH to go back to school for additional training.

SB 54**NAY
OTP****SB 135-FN, relative to the regulation of electricians.****Executive Departments and Administration: OTP/A 4-1****ANTI-LIBERTY: This bill mandates that all electrical installation shall be made by a person licensed by the electricians' board.**

- Under both the current law and this bill, homeowners are allowed to perform electrical installations in their single family residence. However, under current law, the homeowner may seek the consult of a knowledgeable friend or relative to help ensure the safety of the work. Under this bill, even a qualified electrical engineer familiar with the code would be breaking the law by helping a friend perform electrical installations. As a result this bill may discourage individuals from offering help.
- This is practically unenforceable — homeowners safely change light switches and electrical outlets all the time under the guidance of an experienced friend or relative without issue.
- The bill further complicates our out-of-date law, which even restricts relatively simple IEEE 802.3af-2003 power-over-ethernet wiring applications. Homeowners often rely on knowledgeable friends and relatives to provide assistance in running network cables; however, under this bill the friend would be guilty of a misdemeanor for offering this assistance.

SB 135**NAY
OTP/A**

SB 10**NAY
OTP****SB 10-FN, relative to dairy farmer relief.**

Finance: OTP 3-1

ANTI-LIBERTY: This bill uses \$2 million of NH taxpayer money to bailout dairy producers.

- According to Dot Perkins of the UNH Cooperative Extension, New Hampshire Dairy farmers have a higher cost of production than producers in many other states. (<https://tinyurl.com/gvl8o9a>). This is true even in years where there has been no drought. When combined with the Federal Milk Marketing Orders (FMMO) program and the fact that milk is a cross-state commodity, it has been difficult for NH dairy farmers to remain competitive. However, there are many individuals and businesses that have experienced loss in the past year, and many can and do make the case that they are "special" and deserve protection.
- This bill sets a terrible precedent that when businesses have a bad year, they should look to the state for handouts. Given the overall higher production costs in the state and the market distorting federal programs, it is unlikely that this will be a 'one-time' bailout.

SB 97**YEA ITL****SB 97-FN-A, relative to funding the New Hampshire agricultural lands program.**

Finance: ITL 4-0

ANTI-LIBERTY: This bill uses tax dollars extracted from everyone for the benefit of select landholders.

- It is wrong to force all taxpayers to subsidize certain farmers and landholders.
- This bill spends \$3 million in taxes per year, largely on paying farmers to keep farming.
- Conservation efforts are better done at the local level, directly closest to the people having their property and income affected.

SB 100**YEA ITL****SB 100-FN-A, making a general fund appropriation for continuation of the project development phase of the New Hampshire capital rail corridor project.**

Finance: ITL 3-1

ANTI-LIBERTY: This bill makes a \$4 million general fund appropriation for continuation of the project development phase of the New Hampshire capital rail corridor project (passenger rail along I-93 from Massachusetts to Concord).

- This bill allocates \$4 million for the development of passenger rail from Massachusetts to Concord. This is a fraction of the full cost of such a project. Passenger rail is a waste of taxpayer money. It is particularly unsuited to a rural state such as New Hampshire. Only a tiny fraction of the population would use it, and at the expense of being heavily subsidized by other taxpayers.
- Bus service is far more cost-effective than passenger rail as it requires almost no capital outlays and has the flexibility to go where demand exists. For example, even in the heavily traveled Boston-New York market, the subsidized Amtrak fare is \$100, while the unsubsidized private bus fares are under \$25.
- Passenger rail is a 20th century solution in a 21st century world. According to a 2015 Gallup poll (<https://tinyurl.com/gpnfo5p>), 37% of U.S. workers say they have telecommuted — more than 4 times higher than what was found in 1995.

SB 144**YEA
OTP/A****SB 144-FN, relative to qualifying medical conditions for the therapeutic use of cannabis.**

Health and Human Services: OTP/A 5-0

PRO-LIBERTY: This bill clarifies the definition of "qualifying medical condition" and deletes the requirement that a medical provider document how the injury affects activities of daily living in order for a patient to qualify for therapeutic use of cannabis.

- The clarified language of this bill removes an artificial barrier to therapeutic cannabis use which is not applied to other potentially harmful treatments. This reduces state interference in the doctor/patient relationship.

SB 173, relative to the use of accessory dwelling units.

Public and Municipal Affairs: ITL 3-2

SB 173

ANTI-LIBERTY: This bill provides that accessory dwelling units may not be used as short-term rentals.

YEA ITL

- An "Accessory Dwelling Unit" is a second dwelling unit, attached or detached, located on the same lot as the permitted principal dwelling unit. Under the existing RSA 674:72 a municipality may require owner-occupancy of one of the dwelling units.
- This bill unconditionally bans short-term rental of accessory dwelling units, which places an arbitrary and unfair restriction on the use of private property.
- Depriving families of a potential source of supplementary income may mean the difference between a family being able to thrive in their home and failing to make ends meet and ultimately losing their home.
- The emerging sharing economy has been a benefit to NH residents and should be encouraged, not stifled by the state.

SB 243-FN-A, relative to complete streets policies, establishing a complete streets pilot program, and making an appropriation therefor.

SB 243

Transportation: OTP/A 5-0

ANTI-LIBERTY: This bill requires the Department of Transportation to assist municipalities in implementing complete streets projects, update the state's minimum geometric guidelines for local roads, and establish a pilot program for facilitating matching grants to municipalities for complete streets projects.

**NAY
OTP/A**

- "Complete Streets" can already be built without new legislation.
- State funding for local projects of this type will tend to funnel money from rural towns to more densely populated cities.

SB 79, relative to taxation of historic residential structures.

SB 79

Ways and Means: ITL 5-0

ANTI-LIBERTY: This bill enables municipalities to reduce the assessed value of qualifying historic residential structures based on an analysis completed by an architectural historian.

YEA ITL

- This bill allows for tax breaks for a select few at the expense of many in a municipality.
- Reducing restrictions on historic homes would do more to help the owners of these properties than a five-year temporary tax break.