



GOLD STANDARD



CACR 15 YEA OTP	HB 1259 YEA ITL	HB 1367 NAY ITL	HB 1514 NAY ITL	HB 1668 YEA ITL
CACR 19 YEA ITL	HB 1270 NAY ITL	HB 1419 NAY ITL	HB 1516 YEA ITL	HB 1672 YEA OTP
HB 1201 YEA ITL	HB 1323 YEA OTP/A	HB 1443 YEA OTP/A	HB 1527 NAY ITL	HB 1685 NAY ITL
HB 1222 YEA ITL	HB 1333 YEA ITL	HB 1448 NAY ITL	HB 1579 YEA OTP	HB 1744 YEA OTP/A
HB 1233 YEA OTP/A	HB 1344 YEA OTP	HB 1462 YEA ITL	HB 1612 YEA OTP/A	HB 1756 YEA ITL
HB 1239 NAY ITL	HB 1350 YEA ITL	HB 1476 YEA OTP	HB 1650 NAY IS	HB 1788 YEA OTP/A
HB 1246 YEA ITL	HB 1362 NAY IS	HB 1484 NAY OTP/A		

Part One

HB 1650, removing education as required by law as a criterion for determining child neglect.

HB 1650

Children and Family Law: IS 12-2

PRO-LIBERTY: This bill removes DCYF as the primary responder for education neglect and restores the local school board as the agency to respond.

- DCYF should be focused on cases of physical and sexual abuse and not on areas where they lack sufficient training.
- Current law already allows the local truant officer to investigate any education neglect cases. It is unnecessary for DCYF to get involved.
- Support OTP or OTP/A with minority amendment 2018-0783h.

NAY IS

HB 1484, relative to late fees and early payment discounts in manufactured housing parks.

HB 1484

Commerce and Consumer Affairs: OTP/A 13-5

ANTI-LIBERTY: This bill, as amended, prohibits manufactured housing parks from charging a late fee for payments made within 7 days of the due date.

- The government should not be meddling in private contracts, especially when those contracts are providing a place to live for individuals with very few resources.
- Cities and towns begin applying interest/late fees immediately upon a tax payment being late — this bill holds private individuals to a different standard than the government.

NAY OTP/A

HB 1668, relative to children's meals served by food service establishments.

HB 1668

Commerce and Consumer Affairs: ITL 14-4

ANTI-LIBERTY: This bill restricts the type of beverage offered with a children's meal to choices such as milk, fruit juice, or water.

- The government should not be in the business of creating menus for adults or children. Menu offerings are the responsibility of the restaurant owner, and what a child eats is the responsibility of the parents.
- Government food recommendations may not be best for everyone. A person must learn what works best for them and their child.
- As an example, a parent might not want to keep soda in the house, but might like to occasionally take their child to have soda as a treat with their children's meal at a restaurant. This bill would prohibit that parent's choice.
- This bill, along with the meals and rooms tax, will encourage diners to eat in neighboring states.

YEA ITL

HB 1612, relative to data security in schools.

Education: OTP/A 14-5

PRO-LIBERTY: This bill requires school districts to have data security plans and policies. It also mandates certain provisions when schools contract with third parties.

- To the extent the government has access to anyone's personal information, it has the responsibility to safeguard such information.
- When contracting with third parties, the government should ensure that any data shared will be treated at least as securely by the third party as it is by the government agency itself.

HB 1612

YEA OTP/A

HB 1744, authorizing a parent to exempt his or her child from participating in the statewide assessment program.

Education: OTP/A 12-7

PRO-LIBERTY: This bill clarifies parental ability to have their child not participate in statewide assessments, without fear of penalty.

- At least seven states (Utah, Wisconsin, Pennsylvania, Minnesota, Oregon, Washington, and California) already have opt-out provisions. No state or school district has lost federal funding due to lower participation rates, nor over opt-out provisions.
- The statewide assessment is an accountability tool for districts, not individual students. Parents have rights that districts cannot control, such as determining whether or not their child takes a statewide assessment. This bill recognizes the rights of parents and protects students and districts from penalty.
- Nashua and Manchester school districts have opt-out policies without adversely affecting participation rates.

HB 1744

YEA OTP/A

HB 1239, relative to nomination of political organizations.

Election Law: ITL 18-2

PRO-LIBERTY: This bill allows qualified voters to sign more than one petition nominating political organizations.

- Voters should be free to support any and all political parties of their choosing.
- We could find no compelling arguments against making this simple change to the law.
- The underlying law quite obviously exists only to protect entrenched political power.

HB 1239

NAY ITL

HB 1448, relative to the definition of "party" for election purposes.

Election Law: ITL 18-2

PRO-LIBERTY: This bill provides more options for a political organization to gain party status.

- Political groups should not be shut out by unreasonable requirements that are set by other political groups.
- The majority makes a confusing argument when they state that "This bill would create arbitrary benchmarks...", but then go on to recite the current law, which is made up of arbitrary benchmarks.
- The bill doesn't make radical changes; the additional benchmarks follow the same pattern as those that already exist.
- This bill provides a more level playing field for minority groups and opinions.

HB 1448

NAY ITL

HB 1527, relative to the authority of fish and game officers regarding arrest and search and seizure.

Fish and Game and Marine Resources: ITL 15-4

PRO-LIBERTY: This bill protects the rights of New Hampshire residents.

- This bill re-establishes the fourth amendment of the US Constitution Bill of Rights, and Part 1 Article 19 of the NH Constitution, for persons detained by a conservation officer.
- All law enforcement should be following the same laws, and a person's rights should not change based on which department is enforcing the laws.
- Conservation officers should not be expected to be the enforcement arm for all motor vehicle laws. They should focus on their area of expertise and continue to protect NH's wildlife. This bill will allow them to concentrate on what they do best.

HB 1527

NAY ITL

HB 1367, removing tetanus from the law requiring certain immunizations.

Health, Human Services and Elderly Affairs: ITL 17-5

PRO-LIBERTY: This bill removes a state mandate for a vaccine against a non-communicable disease.

- Parents and doctors are in the best position to determine appropriate care for their children. Tetanus is a non-communicable disease.

HB 1367

NAY ITL

HB 1476, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

Health, Human Services and Elderly Affairs: OTP 13-8

PRO-LIBERTY: This bill allows qualifying medical cannabis patients and designated caregivers to cultivate a limited number of plants for therapeutic use.

- This bill decreases medical costs for patients by allowing them to grow their own medicine.
- People should not have to choose between fearing criminal prosecution and not having access to medicine.
- This bill gives patients better access to their medicine. Many patients do not live near the few dispensaries in the state, and will benefit from this bill.

HB 1476

**YEA
OTP**

CACR 15, relating to legal actions. Providing that taxpayers have standing to bring actions against the government.

Judiciary: OTP 18-0

PRO-LIBERTY: This constitutional amendment will provide standing to taxpayers to access the superior court.

- Under current law a taxpayer must show personal harm in order to have standing to bring suit. Under this amendment, taxpayers will have broader access to the courts and greater ability to ensure governmental accountability.

**CACR
15**

**YEA
OTP**

HB 1270, relative to the prohibition on the use of mobile electronic devices while driving.

Transportation: ITL 13-2

PRO-LIBERTY: This bill allows the use of mobile electronic devices only while fully stopped at a traffic signal.

- This bill allows people the release valve of being able to use their cell phones (such as for navigation) while fully stopped at a traffic signal, where they are not endangering anyone. Without this option, people are more likely to attempt to use them at more dangerous times, such as while they're driving.
- Most of the testimony against this bill incorrectly focused on why use of cell phones is dangerous while driving. This bill, however, would only allow their use while at a traffic stop.
- Whether we like it or not, people currently are using phones while driving. This gives them the safe option to do so while they're still behind the wheel, but fully stopped.

HB 1270

NAY ITL

HB 1350, requiring headlight use when windshield wipers are in use.

Transportation: ITL 10-3

ANTI-LIBERTY: This bill would require headlight use if a driver is using their wipers.

- While this practice may be good for driver safety in some cases, it is better to encourage safe driving practices through education rather than through the police and court systems.
- This bill would allow police to pull over a vehicle that has its wipers on (resulting in clearer vision for them), but would not allow a car in the neighboring lane who had not turned on wipers to be pulled over. This creates an uneven and confusing situation for drivers and the police.
- Drivers have enough to be concerned about with staying safely in their lane, without having to worry about whether they're abiding by any number of arbitrary rules, which can actually cause them to be less safe. The state should not be in the business of trying to overmanage drivers.

HB 1350

YEA ITL

HB 1419

NAY ITL

HB 1362

NAY IS

HB 1516

YEA ITL

HB 1514

NAY ITL

HB 1419-FN, relative to biennial motorcycle inspections.

Transportation: ITL 15-4

PRO-LIBERTY: This bill changes the vehicle inspection requirement for motorcycles from annual to biennial.

- The average rider puts 2,500 miles per year on a motorcycle; it is unlikely that a component will wear out in 5,000 miles driven in a two-year span (except tires and brakes if the rider abuses those components).
- 33 states require no periodic safety inspection of motorcycles. This includes states with longer driving seasons. A reduction to a biennial inspection system is a modest improvement without any evidence of a loss of safety for either riders or the public.
- Motorcycle enthusiasts who wish more frequent inspections can pay for more frequent inspections if they desire.

Part Two

HB 1362, authorizing individuals and certain businesses to purchase health insurance from out-of-state companies.

Commerce and Consumer Affairs: IS 12-8

PRO-LIBERTY: This bill opens the door to more competition and more choice in health care.

- While there may be no companies currently interested in this model, we shouldn't ignore the possibility of a health care startup revolutionizing the industry and looking to do business in NH.
- Technology has transformed many industries, both local and global. This has allowed for more job opportunities, better customer service, and lower prices. The health care industry will follow this path and NH customers should be allowed the opportunity to buy healthcare from any insurer willing to sell it to them.

HB 1516, establishing a commission to examine the feasibility of the New England states entering into a compact for a single payor health care program.

Commerce and Consumer Affairs: ITL 11-9

ANTI-LIBERTY: This bill establishes a commission to examine the feasibility of limiting the freedom of healthcare providers and patients to contract.

- Although this bill only seeks to form a study commission, the expressed intent of the commission is to examine the feasibility of doing something that the state should not be doing — namely creating a single-payer healthcare system which would dramatically restrict freedom of choice for New Hampshire citizens.
- Vermont considered adopting a single-payer system in an attempt to achieve healthcare cost "savings". In December 2014, Governor Peter Shumlin announced that the effort would be abandoned owing to the cost. In 2011, the prediction was that their single-payer system would result in \$590 million in savings in the first year, but with further analysis it became clear that wouldn't be the case. Green Mountain Care was slated to cost the state \$4.3 billion in 2017 — almost doubling Vermont's total budget of \$4.9 billion for fiscal year 2015. This would have required a payroll tax of 11.5% and a 9% tax on income.

HB 1514-FN, relative to shelter-in-place orders.

Criminal Justice and Public Safety: ITL 14-6

PRO-LIBERTY: The bill prohibits detaining someone for merely attempting to leave an area, unless there is cause.

- The Supreme Court has ruled that the police have no duty to protect, therefore no one should be arrested for simply wanting to leave an area that is under lockdown for a potential threat (en.wikipedia.org/wiki/Town_of_Castle_Rock_v._Gonzales).
- Police are issuing shelter-in-place alerts more frequently and sometimes when no public threat is evident. A shelter-in-place is an unlawful detention, and should not be used to detain law-abiding individuals. A "papers please society" has no place in the free world.
- While shelter-in-place may be the appropriate course of action for many adverse events, allowing someone to be arrested for simply choosing a different course of action to ensure the safety of themselves and their family deprives individuals of the choice of determining the safest course of action.

HB 1333, relative to the criteria for teachers in charter schools.

Education: ITL 11-9

ANTI-LIBERTY: This bill increases state licensing requirements for charter school teachers.

- Charter schools are permitted to consider qualified non-traditional candidates who may bring a valuable and diverse perspective to the teaching profession. This is exactly the kind of flexibility that has made charter schools more successful than school districts.
- By increasing protectionism and artificial barriers to entry, this bill would raise education costs.
- It is often difficult to find certified STEM field teachers. This can be mitigated by the large pool of industry STEM experts without certification who are available and could potentially do a better job than candidates with an arbitrary certificate. This bill would make it more difficult to exercise this option.
- Teacher hiring requirements are a critical part of innovation and flexibility unique to chartered public schools. Teacher credentials alone are not correlated with student performance.

HB 1333

YEA ITL

HB 1233, preempting local regulation of seeds and fertilizer.

Environment and Agriculture: OTP/A 7-6

PRO-LIBERTY: This bill protects property rights.

- This bill prevents cities and towns from infringing upon the property rights of farmers and inhabitants with regard to distribution, growing, cultivation, and harvesting of plants, and prevents local regulation on the type of fertilizer used for agricultural purposes.
- It should be the right of the grower to decide what crops and fertilizer make the most sense for them to use in order to sustain their business and their property.

HB 1233

YEA OTP/A

HB 1685-FN, establishing a statutory commission for oversight over occupational regulation.

Executive Departments and Administration: ITL 9-8

PRO-LIBERTY: This bill establishes an occupational regulation review commission to determine if regulatory boards utilize the least-restrictive regulation required to protect consumers from significant and substantiated harm.

- By raising barriers to entry, overly-expansive occupational licensing raises costs and decreases the quality of available services (https://www.ij.org/images/pdf_folder/economic_liberty/occupational_licensing/licensetowork.pdf).
- Occupational licensing of lower-income trades in particular discourages entrepreneurship, and unjustly eliminates opportunities to those who are most vulnerable and who do not have paid lobbyists speaking up for their rights and interests.
- There are clear opportunities to improve NH licensing laws in order to allow more freedom of opportunity and choice, and without impacting public safety. For example, it takes 1500 hours of training to become a cosmetologist in NH — far more than to become an EMT. Studying how these restrictions impact NH residents, and which of them could most benefit from reform, would provide valuable perspective to the legislature.

HB 1685

NAY ITL

HB 1756-FN-A, relative to an additional allowance and a cost of living adjustment for retirees from the state retirement system.

Finance: ITL 14-10

ANTI-LIBERTY: This bill increases spending to provide additional retirement benefits that were not part of the original benefit package.

- Retired state and municipal employees are receiving the benefits that were promised to them when they were employed. This bill increases retirement spending to provide additional non-promised benefits and forces current state taxpayers to fund the increase.

HB 1756

YEA ITL

HB 1323, relative to employment of chief executive officers under the right-to-know law.

Judiciary: OTP/A 10-8

PRO-LIBERTY: This bill adds transparency to employment of top-level employees who report directly to elected officials.

- Current law allows discussions related to public employees to occur in non-public sessions, concealing employment decisions from the public.
- Whereas these chief executive officers only answer to elected officials, lack of transparency gives the public no information on which to judge the performance of the elected officials.

HB 1323

YEA OTP/A

<p>HB 1344, relative to collective bargaining under the right-to-know law.</p> <p>Judiciary: OTP 9-7</p> <p>PRO-LIBERTY: This bill moves negotiations with respect to collective bargaining from non-public to public meeting under the Right-to-Know Law.</p> <ul style="list-style-type: none"> • While strategy meetings need to be kept private for the sake of fruitful negotiations, the negotiations themselves should allow for full transparency. 	<p>HB 1344</p> <p>YEA OTP</p>
<p>HB 1443, relative to a jury's determination as to the applicability of a law.</p> <p>Judiciary: OTP/A 9-8</p> <p>PRO-LIBERTY: This bill directs courts to inform juries about their right to judge the facts and the application of the law in relation to the facts in controversy.</p> <ul style="list-style-type: none"> • This bill does not create any new power for juries — it simply provides mechanisms for the court to inform them of their longstanding right to judge both fact and law in cases before them. • While existing law already allows jurors to be informed, this bill provides clear language that will help to ensure that jurors receive consistent and clear instructions. 	<p>HB 1443</p> <p>YEA OTP/A</p>
<p>HB 1579-FN, requiring records to be kept for certain exempt convenings under the right-to-know law.</p> <p>Judiciary: None</p> <p>PRO-LIBERTY: This bill requires a minimal set of records be kept for two categories of non-meetings: collective bargaining and consultation with legal counsel.</p> <ul style="list-style-type: none"> • When a quorum of a public body meets without notice, concerned citizens may be alarmed. Release of minimal records aids transparency and eases unjustified concerns. 	<p>HB 1579</p> <p>YEA OTP</p>
<p>HB 1672-FN, prohibiting release of certain information relative to users of therapeutic cannabis to federal agencies.</p> <p>Judiciary: OTP 13-5</p> <p>PRO-LIBERTY: This bill prohibits the release of any information related to therapeutic cannabis to federal agencies without a warrant based on probable cause.</p> <ul style="list-style-type: none"> • Federal agencies consider cannabis use to be a crime. The state of New Hampshire has a duty to protect its citizens from overreaching federal agents. 	<p>HB 1672</p> <p>YEA OTP</p>
<p>HB 1788-FN-LOCAL, relative to costs charged under the right-to-know law.</p> <p>Judiciary: OTP/A 11-7</p> <p>PRO-LIBERTY: This bill, as amended, sets a maximum rate of 10 cents per page for copies made under the Right-to-Know Law.</p> <ul style="list-style-type: none"> • This bill clarifies existing wording in RSA 91-A:4, IV which previously stated that the person may be charged "the actual cost of" providing the copy. The existing wording is unclear and may result in widely varying costs per page. 	<p>HB 1788</p> <p>YEA OTP/A</p>
<p>HB 1201, relative to an employee's earned but unused vacation time.</p> <p>Labor, Industrial and Rehabilitative Services: ITL 12-9</p> <p>ANTI-LIBERTY: This bill requires an employer to pay its employees for unused vacation time.</p> <ul style="list-style-type: none"> • Vacation policy is a private agreement between employer and employee and should not be mandated by the state. 	<p>HB 1201</p> <p>YEA ITL</p>

HB 1222, relative to inquiries concerning salary history by prospective employers.

Labor, Industrial and Rehabilitative Services: ITL 12-9

ANTI-LIBERTY: This bill limits free speech of individuals by placing an explicit restriction on their ability to ask certain questions during the candidate screening and interview process.

- This bill prevents employers from asking prospective candidates for their current salary prior to making an offer of employment. This can result in wasting the time and resources of the business and the candidate by allowing a lengthy interview process to proceed when the candidate's salary requirements are significantly disconnected from potential salary.
- The explicit limitation in speech infringes upon the Bill of Rights in the NH Constitution: "[Art.] 22. [Free Speech; Liberty of the Press.] Free speech and liberty of the press are essential to the security of freedom in a state: They ought, therefore, to be inviolably preserved."

HB 1222

YEA ITL

HB 1246, relative to the minimum hourly rate for tipped employees.

Labor, Industrial and Rehabilitative Services: ITL 12-9

ANTI-LIBERTY: This bill would raise the minimum wage for tipped employees.

- Employees should be able to work for any agreeable pay, not be constrained by laws.

HB 1246

YEA ITL

HB 1462-FN, relative to health and dental benefits under the workers' compensation law.

Labor, Industrial and Rehabilitative Services: ITL 12-9

ANTI-LIBERTY: This bill adds new mandates on New Hampshire businesses.

- Health insurance is a benefit provided at the discretion of the employer. This bill would mandate that if an employer provides health and dental insurance, that the insurance be extended throughout a period of up to 24 months while an employee is out on workers' compensation.

HB 1462

YEA ITL

CACR 19, relating to right to govern. Providing that the people of the state may enact local laws that protect health, safety and welfare.

Municipal and County Government: ITL 11-8

ANTI-LIBERTY: This constitutional amendment provides carte blanche for local governments to infringe upon the rights of citizens.

- We believe that government is most accountable and accessible when it is most local. Local control is generally preferable to state or national mandates. We do believe that there is a higher principle, however: the principle of individual liberty. Indeed, the most "local" governance of all is the governance of an individual over his or her own life and property. This constitutional amendment violates this principle and is a backdoor whose express purpose is to enable prohibitions on liberty.
- Although it might appear that allowing local control would be liberty-enhancing, it would in fact create the opposite situation. In nearly all cases, passing additional laws restricts individuals' liberties, not enhances them. This constitutional amendment would allow local municipalities to pass nearly any law they wanted, further infringing on individuals' liberties. As it stands, local municipalities in NH are only allowed to make laws about things that the state explicitly authorizes. In this sense, the state actually serves to protect individuals from encroachment by local municipalities.
- As one example, NH currently has no restrictions on individuals' ownership of particular knives. Municipalities may not pass additional restrictions. Under this constitutional amendment, municipalities would be able to restrict individuals' freedoms by passing local knife laws.

**CACR
19**

YEA ITL

HB 1259, relative to passenger restraints.

Transportation: ITL 10-9

ANTI-LIBERTY: This bill mandates the use of seatbelts.

- This bill is paternalistic in that it forces adults to wear seatbelts when traveling in motor vehicles.
- Since this bill allows for the violation as a primary enforcement, it increases the potential for contact between law enforcement and citizens, increasing the risk of adverse interactions that otherwise would be avoided.

HB 1259

YEA ITL