



GOLD STANDARD



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HB 1440-FN, relative to certification for solid waste operators.

HB 1440

NAY ITL

Environment and Agriculture Committee Recommendation: ITL 15-3

PRO-LIBERTY: This bill exempts volunteer and part-time solid waste operators from the certification requirement as long as they are under the direct supervision of certified personnel.

- This bill reduces the burden of regulation on small businesses, volunteer organizations, and local governments, in managing solid waste.
- As the minority committee opinion points out, current staff re-training requirements for solid waste operators are excessive when compared other occupations. While this bill does not broadly address over-certification issues it does provide a small improvement.

HB 1187-FN-LOCAL, repealing licensure of showmen.

HB 1187

NAY ITL

Executive Departments and Administration Committee Recommendation: ITL 7-5

PRO-LIBERTY: This bill repeals licensing requirements for showmen.

- The current law is dated, unnecessary and overly broad, going so far as to make it illegal for a clown or a magician to perform even at a private event, including a child's birthday party, without permission from the selectmen.
- Ventriloquists, puppeteers, sleight of hand magicians, and other showmen should not be required to get a permission slip in order to transact in voluntary commerce. Existing fire codes and certificates of occupancy are more than adequate to ensure the safety of the public.
- While local control is generally preferable to state or national mandates, the higher principle is that of individual liberty. Indeed, the most "local" governance of all is the governance of an individual over his or her own life and property.

HB 1442-FN, relative to objections to proposed agency rules under the administrative procedure act.

HB 1442

Executive Departments and Administration Committee Recommendation: ITL 12-4

PRO-LIBERTY: This bill would allow the Joint Legislative Committee on Administrative Rules (JLCAR) to object to rules if they are deemed to have a negative impact on businesses.

**NAY
ITL**

- This bill provides an additional tool for the legislature to exercise a check on the administrative branch, as is its responsibility, and to protect the NH economy.
- The clause in RSA 541-A “determined not to be in the public interest,” is insufficient to stop some over-reaching rules that impact small businesses in an unfavorable way.

HB 1282, relative to the state building code.

HB 1282

Executive Departments and Administration Committee Recommendation: ITL 10-6

ANTI-LIBERTY: This bill imposes new regulations on builders and homeowners.

**YEA
ITL**

- This bill proposes to adopt the 2015 International Building Code, 2015 International Plumbing Code, the 2015 International Mechanical Code, the 2015 International Energy Conservation Code, and the 2015 International Residential Code as the minimum standard for all new building construction as well as any commercial or residential renovations.
- Adopting these standards would implement an extensive list of burdensome new regulations, predominantly related to energy efficiency.
- Only 6 states have adopted this 2015 standard either at a state or local level.
- This legislation would add significant cost to taxpayers related to public infrastructure and in construction of private buildings.

HB 1475-FN-A, establishing a death benefit for a school employee killed in the line of duty.

HB 1475

Finance Committee Recommendation: ITL 14-11

ANTI-LIBERTY: This bill mandates taxpayer spending on an additional life insurance benefit exclusively for school employees.

**YEA
ITL**

- If additional compensation in the form of life insurance is required to properly compensate teachers, then those benefits should be negotiated as part of normal teacher contract negotiations.
- While any untimely death is a tragedy, it is unclear why we would uniquely single out teachers for this special benefit. For example, sanitation work is far more dangerous than teaching. Are the lives of government employees who are not teachers somehow less important?
- There is already a death benefit for any school employee covered by the New Hampshire Retirement System.

HB 1686-FN, repealing the community heritage investment program.

HB 1686

Finance Committee Recommendation: ITL 23-1

PRO-LIBERTY: This bill repeals a program using mandatory fees to fund property acquisition.

**NAY
ITL**

- Under the Land and Community Heritage and Investment Program (LCHIP), private property owners are forced to pay higher fees for deeds, mortgages, and plans, with the money going to fund property acquisition primarily by municipal governments.
- The continuous incremental accumulation of private property by municipalities drives up real-estate costs, and reduces the tax base, resulting in increased property taxes. LCHIP has resulted in a net reduction in private property by over 238,000 acres in the last 15 years.
- Property acquisition for purposes of conservation should be handled through voluntary donations to nonprofit organizations, not forced contributions to government programs.

Finance Committee Recommendation: OTP/A 18-8

ANTI-LIBERTY: This bill extends and expands a massive new entitlement program.

- This bill preserves Medicaid Expansion which is currently set to sunset at the end of 2016, due to reductions in federal funding.
- Medicaid Expansion is a welfare program for able-bodied adults in their working years. The medical insurance provided has features such as no premiums, no deductibles, and included non-emergency transportation that are simply not available to workers with full-time jobs. These benefits create a strong disincentive to full-time employment and career advancement.
- Though no general funds are used in this iteration, the bill puts in place a financial transfer mechanism via higher insurance premiums and healthcare costs charged to existing paying customers.
- Federal money always comes with strings attached, and it is not free. The national debt is approaching \$20 trillion.
- The Federal government will not keep its promises. Federal money will dry up and the financial transfer mechanism will break because hospitals and insurance companies will be unable or unwilling to transfer the entire cost onto paying customers. This will place the costs squarely on the State's General Fund, which will only be able to support it through a new broad based tax, such as a sales or income tax, thereby destroying what remains of the New Hampshire Advantage.
- A free market approach to health care should be the main priority of the legislature. This is the only way to sustainably lower costs and increase access for the majority of Granite Staters.

**NAY
OTP/A**



Warning! HB1696 will be weighted very heavily on the NHLA annual scorecard

HB 1420, relative to controlled drug prescription health and safety information.

HB 1420

Health, Human Services, and Elderly Affairs Committee Recommendation: OTP/A 11-6

ANTI-LIBERTY: This bill would allow law enforcement to access patients' private health care information without a warrant from a court.

- This bill infringes on fundamental privacy rights, and violates part 1 article 19 of the NH constitution and the fourth amendment to the federal constitution.
- Medical information is extremely private, personal information. It is inappropriate for law enforcement to be given access to such data without a warrant from a judge.
- The majority blurb claims that "access may be denied", but no mechanism for denial of access is given, for a wide range of enforcement activities.
- "Quicker access" is a weak excuse for circumventing due process and violating fundamental liberties.

**NAY
OTP/A**

HB 1453, relative to qualifying medical conditions for purposes of therapeutic cannabis.

HB 1453

Health, Human Services, and Elderly Affairs Committee Recommendation: ITL 9-6

PRO-LIBERTY: This bill allows patients suffering from ulcerative colitis access to medical cannabis, if recommended by their doctor.

**NAY
ITL**

- Ulcerative Colitis is a serious, incurable disease. Symptoms include loss of appetite, malnutrition, chronic pain, oral ulcers, rectal bleeding, diarrhea, and insomnia. Despite treatment, symptoms can reoccur at any time.
- Symptoms of ulcerative colitis are similar to those of Crohn's disease, which is already included in the the list of qualifying medical conditions. Indeed, Crohn's patients are often misdiagnosed as Colitis patients, and vice-versa. It would be unfair to afford relief to one group of patients and not to the other.
- Asking patients in chronic and severe pain to wait months or longer for centers to open, before waiting again for a new legislative session and a new bill, effectively puts the convenience of the Legislature above the immediate and serious needs of the constituents.

HB 1605-FN, prohibiting the use of latex gloves and utensils in the food service industry.

HB 1605

Health, Human Services, and Elderly Affairs Committee Recommendation: OTP/A 16-2

ANTI-LIBERTY: This bill creates an unnecessary law.

**NAY
OTP/A**

- Since demand has increased, alternatives in the marketplace are available, such as Nitrile and Vinyl. Vinyl gloves are less expensive and most widely used in the food industry.
- It is in a restaurant's best interest to keep their customers safe. This issue is already being solved in the marketplace without the need for new laws.

HB 1629-FN, relative to disqualifying members of certain groups from receiving public assistance.

HB 1629

Health, Human Services, and Elderly Affairs Committee Recommendation: ITL 12-5

ANTI-LIBERTY: This bill would create a costly, impractical new program.

**YEA
ITL**

- The fiscal note estimates that the required administrative changes would cost \$432,557 in the first year alone.
- It is reasonable to assume that if someone is denied benefits under the provisions of this bill that they will appeal and or sue the state resulting in additional costs.
- Provides a financial incentive for citizens to 'turn in' their neighbors, which creates claims which are difficult to verify. The federal government's record on similar lists is poor with several publicized failures, including former Senator Ted Kennedy appearance on a no-fly list, for 6

HB 1690-FN, extending the New Hampshire health protection program.

HB 1690

Health, Human Services, and Elderly Affairs Committee Recommendation: ITL 9-8

ANTI-LIBERTY: This bill extends and expands a massive new entitlement program.

- This bill eliminates the existing sunset provision for Medicaid Expansion.
- Medicaid Expansion is a welfare program for able-bodied adults in their working years. The medical insurance provided has features such as no premiums, no co-pays, no deductibles and includes non-emergency transportation that are simply not available to workers with full-time jobs. These benefits create a strong disincentive to full-time employment and career advancement.
- Federal money always comes with strings attached, and it is not free. The national debt is approaching \$20 trillion.
- The Federal government will not keep its promises. As federal money dries up, costs will fall squarely on the State's General Fund, which will only be able to support it through a new broad based tax, such as a sales or income tax, thereby destroying what remains of the New Hampshire Advantage.
- A free market approach to health care should be the main priority of the legislature. This is the only way to sustainably lower costs and increase access for the majority of Granite Staters

YEA ITL

CACR 22, relating to the right to privacy. Providing that an individual's right to live free from governmental interference is fundamental.

CACR 22

Judiciary Committee Recommendation: OTP/A 12-8

PRO-LIBERTY: This resolution formalizes the right to privacy in the NH constitution.

- While courts have held in the past that privacy is a fundamental right, the lack of explicit protection within the constitution increases the risk that future decisions could deviate from this finding.
- The amendment is an improvement to the original language.

YEA OTP/A

HB 1125, requiring law enforcement officers to return stolen property.

HB 1125

Judiciary Committee Recommendation: ITL 11-9

PRO-LIBERTY: This bill ensures crime victims may have certain property returned to them within 48 hours of its recovery by police.

- Victims of theft rightfully own their property, and should be given the opportunity to recover it at the earliest moment possible.
- The bill provides that photographs of the stolen property shall be admissible as secondary evidence at trial.
- A stolen phone may have critical information to the victim, received both before and after the item was stolen.
- While the committee's majority expressed concern over the ability of the police to fully document the evidence within 48 hours, this concern is outweighed by the need to prevent further damage to the victim of the crime. The law contains the option for the police to request an extension from the victim. The state should not further victimize a citizen who has already been negatively impacted by theft.

NAY ITL

HB 1249, providing that persons who provide false or misleading information in an abuse or neglect proceeding shall be guilty of the crime of false swearing.

HB 1249

Judiciary Committee Recommendation: ITL 10-7

PRO-LIBERTY: This bill helps prevent families from being harmed by false accusations.

- As amended, this bill provides that a person who knowingly submits false or misleading information in abuse or neglect proceedings shall be guilty of the crime of false swearing.
- Allowing immunity for possibly false testimony is absurd and unjust.
- Children are being seriously harmed by false accusations in family law cases. This bill will place a barrier to false testimony and hidden evidence.
- This bill as amended does not create new penalties for providing false information, but it does explicitly link RSA 169 to RSA 641, and it clarifies which sections of the statute apply. It also provides a penalty for professionals involved in a case who hide exculpatory evidence.

**NAY
ITL**

HB 1270, relative to a jury's determination as to the applicability of a law.

HB 1270

Judiciary Committee Recommendation: OTP/A 9-8

PRO-LIBERTY: This bill ensures jurors are clearly informed about their responsibilities.

- The power of prosecutors choose to not bring forward charges is called "prosecutorial discretion"; juries should understand that they have the same discretion.
- The language of the instruction merely reinforces law as we have always known it in New Hampshire; it clarifies the confusing language in the 'Wentworth' instruction in a way that is understandable to jurors.

**YEA
OTP/A**

HB 1417, relative to records of convenings of public bodies.

HB 1417

Judiciary Committee Recommendation: ITL 11-7

PRO-LIBERTY: This bill promotes government transparency.

- Under current law, public bodies may convene in "non-meetings", under certain circumstances, which are not only closed, but secret as well.
- The bill as amended would require that records be kept of "non-meetings" which would include: the specific exemption which is relied upon as the foundation for the "non-meeting," names of members, meeting places, and beginning and ending time.
- Providing the information outlined will calm fears of secret meetings and reduce further 91-A requests.
- This bill comports with Part I, Article 8 of the NH constitution.

**NAY
ITL**

HB 1555-FN, relative to the manner in which New Hampshire takes possession of land.

HB 1555

Judiciary Committee Recommendation: ITL 15-3

PRO-LIBERTY: Allows property owner to reject an offer in eminent domain takings.

- Government should uphold property rights, not abrogate them.
- The homeowner should have every opportunity to get fair value for their land.
- Private developments of all kinds, on large contiguous plots of land, are very common; developers manage to assemble these properties without using confiscation. If private developers can achieve such outcomes, there's no reason government officials can't do so.
- Many ingenious alternatives exist to eminent domain, in order to practically accomplish large capitol projects, and avoid the "hold out problem".

**NAY
ITL**

HB 1570-FN, repealing the law governing access to reproductive health care facilities.

Judiciary Committee Recommendation: OTP 11-9

PRO-LIBERTY: This bill restores freedom of speech on public ways or sidewalks.

- Freedom of speech should not be restricted on public land paid for by taxpayers.
- The current law is unconstitutional and will cost the state too much to enforce.
- An almost identical Massachusetts law was struck down as unconstitutional by all 9 Supreme Court justices last summer. The plaintiffs in that case were awarded \$1.24 million in legal fees.
- A vote against repeal is a vote to charge taxpayers for an expensive lawsuit that the state will most certainly lose.

HB 1570

**YEA
OTP**

HB 1660-FN-LOCAL, relative to eminent domain for gas pipelines and relative to assessment of the land use change tax for eminent domain takings for energy infrastructure.

Judiciary Committee Recommendation: OTP/A 16-4

PRO-LIBERTY: This bill helps protect property rights from eminent domain abuse.

- Owners of properties being taken may require the taking of the entire property so they will not be forced to live with the project being developed.
- This bill equalizes eminent domain with regard to gas pipelines as it relates to other utilities.
- This bill requires the consent of a municipality for the taking of property already in public use.

HB 1660

**YEA
OTP/A**

HB 1301, relative to the issuance of youth employment certificates.

Labor, Industrial and Rehabilitative Services Committee Recommendation: OTP/A 11-8

Support majority amendment 2016-0587h

PRO-LIBERTY: This bill respects a parent's right to determine the satisfactory level of academic performance required for a youth certificate of employment.

- According to a Harvard Graduate School of education report (<http://nrs.harvard.edu/urn-3:HUL.InstRepos:4740480>), teens who have good high school work experiences are more likely to be inspired to stay in school, graduate, and adopt ambitious goals.
- Existing law grants principals the exclusive right to approve work certificates. Parents, however, better understand the full set of challenges that the student faces outside of the school.
- Current law effectively requires homeschoolers to seek permission from the local school's principal who has no connection to the student's school work and performance.

HB 1301

**YEA
OTP/A**

HB 1346, relative to minimum wage for tipped employees.

Labor, Industrial and Rehabilitative Services Committee Recommendation: ITL 10-8

ANTI-LIBERTY: This bill establishes and raises a minimum wage for tipped employees.

- Minimum wage laws lower the number of entry-level jobs and make it harder for people of low skill to gain critical experience (<https://www.cbo.gov/publication/44995>)
- Workers and employers have a right to contract for whatever wage they wish. It is wrong for government to legally prohibit voluntary employment agreements.
- A better way to help tipped employees is to increase the productivity of hospitality workers by making the state more attractive to tourists and visitors.

HB 1346

**YEA
ITL**

HB 1376, relative to temporary workers

HB 1376

Labor, Industrial and Rehabilitative Services Committee Recommendation: ITL 10-8

ANTI-LIBERTY: This bill would mandate that employers offer permanent positions to temporary workers who have been working for the employer for six months.

**YEA
ITL**

- This bill would discourage employers from hiring temporary employees to begin with, or force them to fire successful temporary workers after five months on the job, if they are not in a position to hire a permanent employee.
- Workers and employers have a right to negotiate working arrangements. It is wrong for government to legally prohibit voluntary employment agreements.
- No other states have this must-hire mandate. Legislators should be seeking to reduce the already burdensome regulatory environment in NH, not make it even more arduous and complex.

HB 1480-FN, establishing a state minimum wage.

HB 1480

Labor, Industrial and Rehabilitative Services Committee Recommendation: ITL 12-10

ANTI-LIBERTY: This bill infringes on the freedom of workers and employers.

**YEA
ITL**

- Minimum wage laws lower the number of entry-level jobs and make it harder for people of low skill to gain critical experience.
- Higher wages for everyone are better accomplished through job creation - more jobs means more competition to hire all workers
- Workers and employers have a right to contract for whatever wage they wish. It is wrong for government to legally prohibit voluntary employment agreements.

HB 1382, relative to the referendum procedure for public water systems.

HB 1382

Municipal and County Government Committee Recommendation: OTP 12-4

PRO-LIBERTY: This bill changes the required number of signatures to place a question on the ballot from 10% of registered voters to 20% of the voters voting in the last municipal election.

**YEA
OTP**

- The change will allow ballot access based on a meaningful percentage of voters who choose to actively participate in the electoral process rather than a percentage of citizens who are simply registered to vote.
- As the state works to simplify the voter registration process, the existing law could make the ballot process impractical as there is a risk that potential increases in voter registration may not translate into similar increases in engaged voters. This bill ensures that the ballot procedure is 'self-tuning' to the the number of citizens who actively participate in politics.

HB 1508, allowing public libraries to run certain privacy software.

HB 1508

Municipal and County Government Committee Recommendation: OTP/A 9-6

PRO-LIBERTY: This bill recognizes the right of libraries in New Hampshire to run software used to protect privacy on the Internet.

**YEA
OTP/A**

- Libraries have historically been a place to freely seek information. This bill clarifies that libraries that can continue that mission in the modern age without fear of retribution by the state.
- This bill does not require libraries to run privacy software; libraries are free to make the choice for themselves.

HB 1104

HB 1104, relative to electric renewable energy classes.

Science, Technology and Energy Committee Recommendation: ITL 14-7

PRO-LIBERTY: This bill makes modest changes to renewable energy portfolio standards to allow hydropower to make up a larger share of the renewable energy portfolio.

- Renewable energy portfolio standards raise New Hampshire's already-high electric costs by requiring retailers to use more expensive sources of electricity. Since RGGI already encourages utilities to reduce carbon emissions, these standards are at best redundant and, more likely, inefficient command-and-control.
- This bill slightly relaxes these regulations by admitting more hydroelectric power as a source meeting the goal. It should reduce electric costs and improve New Hampshire's competitiveness.
- The Committee majority opinion is that this may hurt NH based biomass companies that have been profitable when shielded from competition by existing law. While a thriving business entity is admirable, a company that thrives only when shielded from fair and responsible competition is not sustainable.

**NAY
ITL**

HB 1374

HB 1374, relative to rebates to ratepayers from the renewable energy fund.

Science, Technology and Energy Committee Recommendation: ITL 18-3

PRO-LIBERTY: This bill rebates money paid into the renewable energy fund back to ratepayers.

- This bill rebates the proceeds of the renewable energy fund to ratepayers, thus reducing the effective cost of electricity in New Hampshire.
- The bill reduces the opaque cronyism to which the current system is susceptible, which allows subsidies to particular firms and technologies. Direct subsidies to businesses are not 'pro-business' - they are instead pro-government interference in the market place, leading to a distortion of investment priorities with winners and losers picked not on the basis of how customers are served, but rather on the basis of how well a company can work the apparatus of the state.

**NAY
ITL**

HB 1288

HB 1288, relative to the National Guard force protection policy.

State-Federal Relations and Veterans Affairs Committee Recommendation: OTP/A 10-3

PRO-LIBERTY: This bill requires any force protection policy adopted by the New Hampshire national guard to permit guard members to carry concealed.

- Gun free zones have been targets of mass shootings. We shouldn't put National Guard members at risk by disarming them. These men and women have firearms training and should be allowed to exercise their right to bear arms if they choose.

**YEA
OTP/A**

HB 1132

HB 1132, relative to carrying a rifle or shotgun in certain vehicles.

Transportation Committee Recommendation: OTP/A 11-9

PRO-LIBERTY: This bill allows hunters and sportsmen to have ammunition in their guns in their vehicles, so long as the safety is on, and the chamber empty

- This common sense gun law reduces this risk of a citizen being charged with a crime when transporting a weapon in a safe and secure manner.
- This bill enhances safety by reducing the number of times the weapon is unloaded and reloaded.
- This bill retains the existing restriction on hunting from a motor vehicle, OHRV, snowmobile, boat, or aircraft.

**YEA
OTP/A**

HB 1154-FN, authorizing and regulating the use of license plate scanning devices.

HB 1154

Transportation Committee Recommendation: OTP/A 13-4

ANTI-LIBERTY: This bill violates personal privacy and civil liberties to travel freely

- Blanket surveillance by the state government is rife with potential misuse and abuse. There is no way to ensure that the data won't be improperly shared.
- It has been shown in other states that there are many false positives on license readers, leading to infringements on driver freedom and personal liberty.
- In December 2013, the Boston police stopped using automated license plate readers. They found them ineffective, prone to error, open to hacking, and a waste of taxpayer dollars. Boston Police have no plans to resume using license plate scanners, as noted in the explosive media coverage of this failed program.
- The NH constitution clearly prohibits warrantless searches in Part I, Art. 19: "Every subject hath a right to be secure from all unreasonable searches and seizures of his person, his houses, his papers, and all his possessions...." The 4th Amendment to the US constitution gives the same restriction on the federal government.
- While the bill would impose a mandate that non-targeted plate data would be destroyed within 3 minutes, the need to have these devices networked to receive 'alarms' authorizing collections mean that the data will almost certainly be compromised. Large federal agencies including those charged with the responsibility of retaining detailed personal background data have shown that they are unable to prevent long-standing hacks and backdoors.

NAY OTP/A

HB 1358, regulating engine idling of certain vehicles.

HB 1358

Transportation Committee Recommendation: ITL 14-3

ANTI-LIBERTY: This bill mandates maximum idle times for vehicles in various circumstances

- Both hybrids and many non-hybrid vehicles are now available with automated systems to manage idling, taking into account engine temperature, battery charge levels and other factors. Attempting to manage idle times through legislation is both archaic and ineffective.
- There are no exclusions in this bill for non-commercial vehicles running heat or air conditioning for passenger comfort, diesel commercial vehicles which have special requirements at low temperatures, or even disabled motorists facing dangerous temperature extremes.
- The legislature should not be micromanaging drivers.

YEA ITL

HB 1445-FN, relative to tinted windows on motor vehicles.

HB 1445

Transportation Committee Recommendation: OTP 12-6

ANTI-LIBERTY: This bill would repeal an existing prohibition on tinted side windows

- 46 other states already allow tinted side windows, with no widespread problems reported.
- NH law enforcement already encounters tinted windows on the thousands of tourist vehicles that visit NH each year. No widespread problems have been reported with these vehicles, either.
- While we do not support the \$5 annual fee, this bill still represents a clear improvement over current law.

YEA OTP

HB 1192-FN, repealing the education tax credit.

HB 1192

Ways and Means Committee Recommendation: ITL 11-8

ANTI-LIBERTY: This bill would repeal the successful K-12 scholarship program.

- This bill represents a third attempt at repeal since the Education Tax Credit Scholarship program went into effect.
- The Education Tax Credit Scholarship program has helped many families have access to better educational opportunities.
- Similar tax-credit scholarship programs have been deemed Constitutional by their home states and by the US Supreme Court.
- Free choice by families and students is the very best form of accountability, and leads to the best outcomes. By contrast, one size fits all centralized government control of education has led to spiraling administrative costs and worsening outcomes.
- Education should serve the interests of students, not government unions.

YEA ITL

HB 1247, relative to permitted gambling by private individuals.

HB 1247

Ways and Means Committee Recommendation: OTP/A 13-6

PRO-LIBERTY: This bill allows the playing of poker games in a private residence.

- Currently NH law creates criminals of homeowners and their guests who happen to gather for an evening of recreational poker.
- This bill takes the reasonable step of legalizing poker in private residences, so long as there is no “house”, “rake”, or similar.
- Private, voluntary transactions between adults taking place on private property should not be prohibited by the state.

YEA OTP/A

HB 1443-FN, relative to the reasonable compensation deduction from gross business profits under the business profits tax and requiring the department of revenue administration to prepare draft rules relative to auditing

HB 1443

Ways and Means Committee Recommendation: ITL 11-8

ANTI-LIBERTY: This bill would shift the burden of proof related to reasonable compensation for Limited Liability Companies from the state back to the taxpayer.

- Innocent until proven guilty is a long standing tradition of US law as well as Common Law that predates the founding of the republic.
- The state should always have the burden to prove wrongdoing, as only the state has the monopoly of power to initiate force.

YEA ITL

CACR 16, relating to parental rights. Providing that parents have the natural right to control the health, education, and welfare of their children.

CACR 16

Children and Family Law Committee Recommendation: OTP 8-5

PRO-LIBERTY: This bill recognizes the right of parents to make decisions about the health, education, and welfare of their children.

- Decisions about child-rearing are the responsibility of parents, not the state.
- This constitutional amendment makes parental rights, which our state supreme court has recognized as implicit in Part I, Article 2, explicit in a separate Part I, Article 2-b.

YEA OTP

HB 1236, relative to hearings on modifications of parental rights and responsibilities

HB 1236

Children and Family Law Committee Recommendation: OTP/A 10-4

PRO-LIBERTY: This bill respects mutually agreeable compromises reached out of court

**YEA
OTP/A**

- This bill as amended provides that when the parties agree to a modification of parental rights and responsibilities, the court shall not hold a hearing on the modification unless requested by both parties.
- Mutually agreed-upon parenting plans are a win/win agreements that reduce stress for all involved including the children.
- This bill keeps un-coerced parenting agreements in the control of cooperating parents, avoiding unnecessary litigation and concomitant suffering.

HB 1250, relative to medical neglect of children.

HB 1250

Children and Family Law Committee Recommendation: OTP/A 7-6

PRO-LIBERTY: This bill defends parental rights

**YEA
OTP/A**

- This bill provides that a parent or legal guardian shall not be charged with abuse or neglect of a child's need for medical care if they follow a recommended course of treatment from a licensed health care professional.
- This bill ensures that parents who have taken their child to the doctor and are following a prescribed treatment are not accused of medical neglect, even if the state identifies and orders an alternative treatment.
- When qualified experts disagree on the best course of treatment, a parent or guardian's ultimate decision should not be seconded guessed by the state.

HB 1471, relative to parental rights

HB 1471

Children and Family Law Committee Recommendation: OTP 8-5

PRO-LIBERTY: This bill recognizes the right of parents to make decisions about the health, education, and welfare of their children

**YEA
OTP**

- Decisions about child-rearing are the responsibility of parents, not the state.
- This bill does not change existing regulations, but is a valuable statement of principle.

HB 1188, relative to the brew pub license

HB 1188

Commerce and Consumer Affairs Committee Recommendation: OTP 12-7

PRO-LIBERTY: This bill adds cider to the list of alcoholic beverages that can be served by the holder of a brewpub license.

**YEA
OTP**

- Ciders and beer are similar both in terms of the process to create them as well as the risks inherent in their use. There is no compelling argument to have a unique licensing regime for ciders.
- Local brewpubs have been one of the great successes in NH business, since the previous restrictive laws were updated for the 21st century. This modest improvement in the law will help support a locally grown 'farm to glass' business model that allows NH to highlight products created from locally grown fruits.

HB 1227, repealing provisions of law regulating Sunday business activities.

Commerce and Consumer Affairs Committee Recommendation: OTP/A 16-4

PRO-LIBERTY: This bill removes an unnecessary prohibition on Sunday business activities

- This bill repeals outdated laws prohibiting or regulating Sunday business activities and removes differing Sunday hours for bingo and games of chance.
- Existing laws banning business activities on Sundays are regularly and widely ignored, and do not align with common practices in the state.

HB 1227

YEA

OTP/A

HB 1339, relative to the corporate governance annual disclosure act.

Commerce and Consumer Affairs Committee Recommendation: OTP/A 16-4

ANTI-LIBERTY: This bill increases the regulatory burden on business

- This bill requires annual reporting of an insurer or insurance group's corporate governance structure, policies and practices to permit the commissioner to gain and maintain an understanding of the insurer's corporate governance framework..
- This bill increases overhead and burden on insurance companies which will invariably be passed on to consumers through higher insurance rates.

HB 1339

NAY

OTP/A

HB 1340, relative to producer licensing.

Commerce and Consumer Affairs Committee Recommendation: OTP 12-7

ANTI-LIBERTY: This bill requires that insurance producers complete certain education requirements every 2 years.

- This bill raises regulatory burdens on insurance producers by requiring biennial continuing education. This bill is a giveaway to schools providing the mandated education. There is no guarantee that the mandates will increase the productivity or ethics of insurance producers.
- If insurance producers want to increase their productivity, they can already seek out additional training. Additional regulatory burdens on licensed professions reduce the supply of providers, raising costs and limiting choice for consumers.

HB 1340

NAY

OTP/A

HB 1342, prohibiting the use of certain information to underwrite insurance.

Commerce and Consumer Affairs Committee Recommendation: ITL 15-4

ANTI-LIBERTY: This bill increases the regulatory burden on business.

- This bill would prevent insurance companies from utilizing data that may accurately represent claims risk when setting premiums.
- This bill significantly increases price controls in personal auto insurance. Auto insurers should be free to underwrite insurance policies according to the estimated risk posed by the insured. Politically manipulating insurance companies' prices will likely result in more people having to go to the residual market and/or higher premiums for everyone.
- This bill prohibits the usage of education level and occupation information when determining rates for casualty insurance. This will cause broad based increases in insurance costs.

HB 1342

YEA

ITL

HB 1348

**YEA
ITL**

HB 1348, repealing the exemption for certain transactions under the consumer protection act.

Commerce and Consumer Affairs Committee Recommendation: ITL 10-9

ANTI-LIBERTY: This bill increases the regulatory burden on business.

- This bill removes the exemption from the consumer protection act for trade or commerce under the jurisdiction of financial institutions, insurance regulators of other state and federal banking or securities regulators.
- This is a bill to enrich trial lawyers by expanding the scope of consumer protection act to cover companies that are already federally regulated. The consumer protection act does not really protect consumers but makes products more expensive by making it easy to sue businesses for unintended harms.
- The AG already has the ability to enforce federal consumer protection regulations and need only notify the Consumer Final Protection Bureau of its intent to do so.

HB 1314

**NAY
ITL**

HB 1314, limiting the authority of state entities to regulate the sale, use, and possession of firearms

Criminal Justice and Public Safety Committee Recommendation: ITL 9-4

PRO-LIBERTY: Unless specifically referenced statute, the bill would allow firearms to be carried on the premises of any entity funded in whole or in part by the State of New Hampshire.

- The bill would allow on-carry open carry or concealed by license.
- The current law is ambiguous and some argue this is already legal. This bill would end any questions to the legality of legally possessing a firearm while on public property.
- If towns aren't allowed to prohibit guns in their offices, either by the public or town employees, state universities shouldn't be allowed to do the same.
- By disarming responsible gun owners, current policy puts students at risk when attending publicly funded colleges and universities.

HB 1400

**NAY
ITL**

HB 1400, defining suitable person for the purpose of obtaining a license to carry a firearm and extending the term of the license.

Criminal Justice and Public Safety Committee Recommendation: ITL 13-3

PRO-LIBERTY: This bill ensures that any citizen who is legally allowed to own a firearm may be issued a concealed weapons license.

- This bill removes the ambiguity of a "suitable person", which encourages profiling, and has in the past been used for ethnic, racial, and gender discrimination.
- The language replacing "suitable" is identical to that contained in SB 116 which passed both Houses in 2015, and to HB 582 which passed the House earlier this session.
- There is a demonstrated need for this legislation. Citizens have been arbitrarily denied their right to obtain or renew their license and then forced to seek legal counsel to exercise a basic right. As recently as 2015 a NH woman was denied the right to defend herself for 112 days after an arbitrary decision by a local police chief. While the chief's decision was overturned almost immediately upon the case being heard, the prolonged and expensive legal battle is an unfortunately common outcome of the current law.

**NAY
ITL**

HB 1435, relative to enforcement of the prohibition on the use of mobile electronic devices while driving.

Criminal Justice and Public Safety Committee Recommendation: ITL 13-5

PRO-LIBERTY: This bill makes driving with a cell phone a secondary offense.

- Police shouldn't stop people who are not a danger and driving perfectly. This bill would help focus the police's attention on providing actual public safety.
- The current ban overreaches, by prohibiting speaking on a cell phone even while stopped in traffic or at a red light
- Studies show that bans on use of handheld devices while driving have had no effect on accident rates. (e.g. NE Burger, DT Kaffine, B Yu Transportation research part A: policy and practice 66, 162-172, and IIHS Status Report, Vol. 45, No. 2)
- Handheld phone bans cause some drivers to hide their phone use, by placing the phone in their lap and taking their eyes off the road, which is far more dangerous.

**YEA
OTP/A**

HB 1451-FN, allowing persons convicted of certain nonviolent first offenses to petition for an annulment of the criminal record.

Criminal Justice and Public Safety Committee Recommendation: OTP/A 18-0

PRO-LIBERTY: This bill reduces the injustice done to innocent, convicted persons.

- This bill as amended allows a person who was convicted of a criminal offense whose conviction was subsequently vacated by a court to petition for an annulment of the arrest record or court record or both.
- Having the option to petition for annulment allows a wrongly convicted individual to at least partially restore their official reputation.

**NAY
ITL**

HB 1543-FN, relative to prosecutorial misconduct.

Criminal Justice and Public Safety Committee Recommendation: ITL 11-1

PRO-LIBERTY: This bill establishes a criminal penalty for prosecutorial misconduct.

- While we would like to believe that all of our public servants are always acting in the best interest of justice, it is foolish to believe that everyone entrusted with state power will always act in a moral manner. This bill provides for a penalty as an additional deterrent to potential misconduct to help ensure that the outcome in the criminal justice system is in fact just.
- The committee's concern over the difficulty in determining whether or not someone knew something with certainty is not an argument against the bill, but rather helps ensure that only the most egregious cases of misconduct will be prosecuted. Furthermore, NH law is already replete with examples of laws that require proof of a guilty intent so this law is hardly unique in that regard (e.g. RSA 626:2 "only if he acts purposely, knowingly", RSA 641:4 "Knowingly gives or causes to be given false information ...")

**YEA
ITL**

**NAY
ITL**

**NAY
ITL**

HB 1552-FN, extending the penalty of death to acts of terrorism and civil rights offenses.

Criminal Justice and Public Safety Committee Recommendation: ITL 11-4

ANTI-LIBERTY: This bill dramatically expands the list of offenses for which the death penalty may be sought.

- This bill dramatically expands the list of offenses for which the death penalty may be sought.
- The language in this bill is excessively broad and would result in an unprecedented expansion on the power of the state to take a life as a punishment for crime.
- The definition of 'weapon of mass destruction' in this bill is so broad that even a child's model rocket would fall under this classification. Common C11 engines contain more than 0.3 ounces of propellant, and this bill classifies "incendiary charge of more than 1/4 ounce" as a weapon of mass destruction.

HB 1614-FN, relative to the criminal penalty for prostitution.

Criminal Justice and Public Safety Committee Recommendation: ITL 13-3

PRO-LIBERTY: This bill establishes that sex between consenting adults should not be illegal.

- This bill legalizes consensual sex between consenting adults, while keeping solicitation of sexual contact with a person under 18 years of age or through the use of force or intimidation a felony.
- As is generally the case, prohibition drives these activities underground where dangers are higher for participants. Sex workers who report crimes to law enforcement face arrest, violence, and assault.
- While the majority expresses concerns over theoretical unintended consequences of this bill, we already know the realized unintended consequences of the current law - namely that people who would like to extract themselves from this way of life are victimized by the very law that was supposed to protect them. Threats of violence and actual violence go unreported due to fear of prosecution.
- Many recent studies have concluded that legalization is necessary to reduce the harms associated with sex work. Many major organizations including the world health organization, Lancet medical journal, and Amnesty International now support legalization. (<http://goo.gl/7yPoH0>, <http://goo.gl/lnLmHk>, <http://goo.gl/EJbgBy>)

HB 1631-FN, relative to penalties for possession of marijuana

Criminal Justice and Public Safety Committee Recommendation: ITL 7-6

PRO-LIBERTY: This bill respects self-ownership, and reduces the harm of the drug war.

- The NH Constitution provides that "all penalties ought to be proportioned to the nature of the offense," but our state penalties for marijuana possession are no longer supported by public opinion and are far more severe than those of most nearby states.
- 60% of NH citizens support the legalization of recreational marijuana, and 72% support decriminalization (WMUR Poll 7/15)
- Legalization would not only prevent innocent people from having their lives significantly impacted by minor possession arrests, but would also reduce the expense of the criminal justice system, allowing police and prosecutors to focus on serious crimes where innocent people have been victimized.

HB 1632-FN, establishing a criminal penalty for providing a firearm to a person prohibited from possessing a firearm

HB 1632

Criminal Justice and Public Safety Committee Recommendation: ITL 7-6

ANTI-LIBERTY: This bill creates a new, unnecessary law.

- This bill attempts to create a prohibition that already exists. Pursuant to RSA 159:7: “No person shall sell, deliver, or otherwise transfer a pistol, revolver or any other firearm, to a person who has been convicted, in any jurisdiction, of a felony. Whoever violates the provisions of this section shall be guilty of a class B felony.”
- Current law is more than adequate.

YEA ITL

HB 1645, relative to carrying a pistol or revolver without a license

HB 1645

Criminal Justice and Public Safety Committee Recommendation: ITL 8-5

Support minority amendment 2016-0617h

PRO-LIBERTY: This bill, with amendment 2016-0617h, allows carry of firearms in vehicles.

- Many other open carry states allow carry in a car without additional licensing requirements.
- Loading and unloading firearms to get in and out of a car encourages swatting and potentially accidental discharges.
- A person has a right to carry a firearm in their vehicle, for personal protection, just as they may carry one in their home.
- This bill would not allow hunting from vehicles, which remains prohibited under RSA 207:7

NAY ITL

HB 1657-FN, prohibiting firearms in certain public places.

HB 1657

Criminal Justice and Public Safety Committee Recommendation: ITL 11-2

ANTI-LIBERTY: The bill would have effectively banned the sale and or carry of firearms in nearly every public place in NH

- Gun free zones do nothing to deter criminals with violent intent.
- The bill clearly infringes upon NH constitution Article 2-a, which recognizes the right of NH residents to keep and bear arms in defense of ourselves, our families, our property and the state.

YEA ITL

HB 1120, relative to teacher qualifications at charter schools.

HB 1120

Education Committee Recommendation: ITL 13-4

ANTI-LIBERTY: This bill mandates that all teachers at NH charter schools must be credentialed by the state.

- Currently, charter schools are permitted to consider non-traditional candidates for teaching positions. This allows school administrators to consider qualified non-traditional candidates who may bring a valuable and diverse perspective to the teaching profession, and 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 while a large pool of industry STEM experts without certification are available who could potentially do a better job than available candidates with an arbitrary certificate.

YEA ITL

HB 1229, prohibiting the inclusion of statewide assessment results in a student's transcript without consent

HB 1229

Education Committee Recommendation: OTP 10-8

PRO-LIBERTY: This bill gives control over assessment results to students and parents

YEA OTP

- Statewide assessments were designed to measure overall school performance, not students.
- Students should not be held accountable to an assessment that changes from year to year and may be based on standards that are not fully implemented.

HB 1231, relative to school district policy regarding objectionable course material.

HB 1231

Education Committee Recommendation: OTP/A 13-6

PRO-LIBERTY: This bill requires districts to notify parents before covering certain controversial or sensitive topics.

YEA OTP/A

- This bill also provides an opt-out for parents who do not wish their children to participate.
- This bill respects the right of parents to direct the education of their children.

HB 1232, relative to visits to schools by non-academic government or private organizations.

HB 1232

Education Committee Recommendation: OTP/A 13-5

PRO-LIBERTY: This bill requires districts to notify parents before outside, non-educational state agencies or private companies visit schools and classrooms.

YEA OTP/A

- This bill provides an opt-out for parents who don't wish their children to be part of the visit.
- This bill supports parental rights and improves privacy protections.

HB 1300, relative to the content of patriotic exercises in public schools.

HB 1300

Education Committee Recommendation: OTP/A 10-8

ANTI-LIBERTY: This bill requires public schools to dedicate up to two days each year to discuss the words, meaning and history of the Pledge of Allegiance and star Spangled Banner.

NAY OTP/A

- The legislature shouldn't be dictating curriculum from Concord. Local school districts are in a better position to understand the educational needs of their students.
- While the suggested topics are culturally significant, requiring the same discussion twice each year throughout a public school career crowds out other significant and relevant topics such as the declaration of independence, the constitution, or other relevant topics.

HB 1338, relative to student exemption from the statewide assessment.

HB 1338

Education Committee Recommendation: OTP 10-9

PRO-LIBERTY: This bill allows parents to opt their children out of the statewide assessment.

YEA OTP

- Parents have a right to direct the education of their children.
- 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 new federal law, ESSA, recognizes parents' right to opt out.

Education Committee Recommendation: ITL 11-10

PRO-LIBERTY: This bill improves government transparency.

- The Department received over \$8 million dollars to organize student level data into a state database, including statewide assessment scores for students.
- The legislature must review statewide assessment results for students receiving additional adequacy funding to ensure that scarce education funds are being used effectively.

**NAY
ITL**

Bills Pulled From Consent:

HB 1610 legalizing the possession and cultivation of marijuana for personal use.

HB 1610

Criminal Justice and Public Safety Committee Recommendation: ITL 9-4

PRO-LIBERTY: This bill respects self-ownership, and reduces the harm of the drug war.

- The NH Constitution provides that “all penalties ought to be proportioned to the nature of the offense,” but our state penalties for marijuana possession are no longer supported by public opinion and are far more severe than those of most nearby states.
- 60% of NH citizens support the legalization of recreational marijuana, and 72% support decriminalization (WMUR Poll 7/15).
- Legalization would not only prevent innocent people from having their lives significantly impacted by minor possession arrests, but would also reduce the expense of the criminal justice system, allowing police and prosecutors to focus on serious crimes where innocent people have been victimized.
- There is no evidence that reducing or eliminating marijuana penalties has led to negative outcomes in the states where it has been tried. In fact, harm reduction will be achieved by allowing adults to grow and share a much less harmful alternative to opioids and alcohol. When allowed as a substitute 68% of prescribed medicine users chose the less harmful option; cannabis.
- Contrary to often told story, cannabis is an 'exit' drug not a 'gateway'. It is a fact that opioid users, isolated due to the criminality of the drug, can and have used cannabis to break their addiction.
- This bill would take millions of dollars, not to mention many customers, out of the hands of illicit street dealers.
- This bill does not violate Federal law, it is in fact the law that has been in place in our nation's capital for the past year.
- The majority blurb is misleading and speaks mainly to a different bill.

**NAY
ITL**