



GOLD STANDARD

SB 316 YEA OTP
 SB 342 YEA OTP/A
 SB 372 NAY OTP
 SB 448 YEA ITL
 SB 499 NAY ITL
 SB 553 NAY OTP/A
 SB 556 YEA OTP/A



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HOUSE SESSION - THURSDAY, APRIL 19, 2018

SB 316, relative to the regulation of online auctions.**SB 316****YEA
OTP****SB 499****NAY ITL****SB 556****YEA
OTP/A****SB 372****NAY
OTP****Commerce and Consumer Affairs: OTP 11-6****PRO-LIBERTY: This bill exempts auctions conducted over the Internet from the requirements of RSA 311-B.**

- This bill gives NH residents an advantage over other states that attempt to regulate online auctions.
- 23 states do not require a license to buy or sell in an auction.
- NH does not have the resources to enforce the licensing requirement. This bill will help clarify when licensing is required.

SB 499, relative to the applicability of certain DWI prohibitions.**Criminal Justice and Public Safety: ITL 13-6****PRO-LIBERTY: This bill clarifies that sleeping in a vehicle is not considered driving and should not be arrestable under the DWI statute.**

- As amended, this bill would exclude safe activity such as sleeping/resting or sheltering in place in a legal parking zone from being considered an attempt to drive. This common sense definition reduces the risk of facing a DWI charge for activity that poses no threat to the public.
- Arresting people who do the right thing by not driving while intoxicated does not make the roads any safer. This bill clarifies that sleeping in a vehicle or being outside of a vehicle is not considered driving and should not be arrestable under the driving while intoxicated statute.

SB 556-FN, relative to changes in bail procedures and procedures for annulment of a criminal record.**Criminal Justice and Public Safety: OTP/A 17-2****PRO-LIBERTY: This bill revises the procedures for the granting of bail and revises the procedure for annulment of violations and class B misdemeanors.**

- The bill prohibits the court from setting a bail so high (as compared to the defendant's ability pay the bail or bond fee) that a person is forced to remain in jail while awaiting trial. This will save the state at least \$3200/month per individual who no longer is held for months while awaiting trial — higher if medical costs are considered.

SB 372-FN-A, establishing positions in the office of professional licensure and certification and making an appropriation therefor.**Finance: OTP 25-0****ANTI-LIBERTY: This bill permanently increases state spending to administer programs designed to limit a competitive free market for labor.**

- The need for additional staff is due to New Hampshire's excessive use of occupational licenses.
- New Hampshire requires a license to perform 34 low-to-moderate income jobs — many of which are safely performed in other states without a license. According to the Institute for Justice, eleven of the occupations NH licenses are licensed by less than half of the other states. For example, NH is one of only 16 states that licenses sign language interpreters. Laws requiring licensing of these kinds of occupations, which most other states are doing fine without licensing, are candidates for reform (ij.org/report/license-to-work/ltw-state-data/?state=nh).
- We should look to reform and reduce existing professional licensing laws rather than expand an office that should be contracting.

SB 553-FN, (New Title) establishing a commission to study the incidence of post traumatic stress disorder in first responders and whether such disorder should be covered under workers' compensation.

SB 553

Labor, Industrial and Rehabilitative Services: OTP/A 11-9

ANTI-LIBERTY: This bill establishes a biased commission to study legislation for lowering the burden of proof for a workers' compensation Post Traumatic Stress Disorder (PTSD) claim.

- As the minority of the committee noted, this committee would study mental health issues with no mental health professionals from the state or the Governor's Commission on Disability.
- PTSD is a serious and real condition but it is also a finding that has been subject to growing abuse (edition.cnn.com/2014/02/24/justice/new-york-ptsd-9-11-scam).
- According to the minority of the committee, first responders can already seek help through workers' compensation on mental health issues.

**NAY
OTP/A**

SB 342, (Second New Title) requiring identification of specific items in the default budget.

SB 342

Municipal and County Government: OTP/A 14-5

PRO-LIBERTY: This bill adjusts the default budget such that funding for positions that were eliminated in the the proposed budget are removed from the default budget.

- The default budget automatically goes into effect should the proposed operating budget fail in SB2 towns or SB2 school districts. This bill helps to ensure that some potential cost reductions for the proposed budget are reflected in the default budget.

**YEA
OTP/A**

SB 448, establishing a commission to study the establishment of a state department of energy.

SB 448

Science, Technology and Energy: ITL 12-8

ANTI-LIBERTY: This bill would establish a commission to study the expansion of the size and power of the state.

- State involvement in the electric market is part of the reason why New Hampshire ended up with some of the highest electric rates in the nation.
- The minority expresses concern that "*There's no central place responsible for implementing a coordinated energy policy for NH, one that will do long-term planning to address all our energy needs.*" Centrally-planned economies produce shortages and increase costs. The lack of central responsibility for implementing a state-mandated energy policy is a feature of liberty — not a bug.

YEA ITL