



NEW HAMPSHIRE LIBERTY ALLIANCE

GOLD STANDARD

HB 82 YEA OTP/A
HB 94 NAY OTP/A
HB 140 YEA OTP/A
HB 157 YEA OTP
HB 160 YEA OTP/A
HB 194 YEA OTP
HB 228 YEA OTP/A
HB 276 NAY ITL
HB 319 NAY OTP/A
HB 386 YEA OTP
HB 436 YEA OTP
HB 468 YEA OTP/A
HB 617 NAY ITL

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SENATE SESSION - THURSDAY, APRIL 20, 2017

HB 140-FN, relative to sales and samples provided by wine manufacturers.

Commerce: OTP/A 3-2

PRO-LIBERTY: This bill reduces barriers for wine manufacturers who wish to sell their product to consumers.

- Wine manufacturers should be permitted to sell their product where their potential customers are, not restricted to selling where grapes grow best.
- Allowing local businesses to showcase local products throughout the state benefits NH residents and helps the NH economy.
- Additional jobs will be created to run off-site retail outlets.

HB 140

**YEA
OTP/A**

HB 194, permitting employers to pay wages to employees weekly or biweekly

Commerce: OTP 3-2

PRO-LIBERTY: This bill permits employers to pay wages to employees weekly or biweekly.

- Employers and employees are perfectly capable of determining appropriate pay periods themselves without government interference.
- One size may not fit all. Certain businesses may have many part-time employees and therefore pay weekly, while others could have long-tenured full-time employees and want to enjoy the efficiency of biweekly pay.

HB 194

**YEA
OTP**

HB 436, exempting persons using virtual currency from registering as money transmitters.

Commerce: OTP 3-2

PRO-LIBERTY: This bill exempts persons using virtual currency from being licensed as money transmitters.

- Virtual currency technology is relatively new and still evolving at a rapid pace. The application of legacy money transmitter license requirements to this marketplace carries significant risk of stifling innovation and puts New Hampshire at a disadvantage to other states.

HB 436

**YEA
OTP**

HB 276, relative to student exemption from the statewide assessment.

HB 276

Education: ITL 5-0

PRO-LIBERTY: This bill provides students the opportunity not to participate in statewide assessments, without fear of penalty. Local school districts would also be protected from penalties over participation rates.

NAY ITL

- 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.
- The Every Student Succeeds Act (ESSA), which went into affect this year, provides that: *At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the local educational agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy regarding student participation in any assessments mandated by section 1111(b)(2) and by the State or local educational agency, which shall include a policy, procedure, or parental right to opt the child out of such assessment, where applicable.* — <https://goo.gl/lqOZq3>

HB 82, relative to hair braiding.

HB 82

Executive Departments and Administration: OTP/A 5-0

PRO-LIBERTY: This bill exempts hair braiding from regulation by the board of barbering, cosmetology, and esthetics.

YEA OTP/A

- Occupational licensing creates barriers that keep people out of work.
- Data from other states has shown that there are no public health issues with unlicensed braiding.

HB 468-FN, relative to licensure of mental health practitioners from other states.

HB 468

Executive Departments and Administration: OTP/A 5-0

PRO-LIBERTY: This bill reduces the barriers to entry for qualified mental health practitioners from other states who wish to practice in New Hampshire.

YEA OTP/A

- This bill specifies that the Board of Mental Health Practice shall license any applicant who is licensed in any other state, provided the other state's licensure requirements are substantially equivalent to or higher than those of New Hampshire.

HB 157, adding chronic pain to qualifying conditions under therapeutic use of cannabis.

HB 157

Health and Human Services: OTP 4-1

PRO-LIBERTY: This bill adds chronic pain to the qualifying conditions under therapeutic use of cannabis.

YEA OTP

- Cannabis has never been known to cause a fatal overdose, and many patients use it as an alternative to opioids for treating chronic pain. A comprehensive review of medical literature on cannabis recently published by the National Academies of Sciences, Engineering, and Medicine found that "There is substantial evidence that cannabis is an effective treatment for chronic pain in adults".
- Research indicates that patients are taking fewer opioids in states where medical cannabis is legal, and those states are experiencing lower rates of overdose fatalities as well (Johns Hopkins <https://goo.gl/vU0GvQ>).

HB 160

YEA
OTP/A

HB 94

NAY
OTP/A

HB 228

YEA
OTP/A

HB 617

NAY
ITL

HB 319

NAY
OTP/A

HB 160, adding post-traumatic stress disorder to qualifying medical conditions under therapeutic use of cannabis.

Health and Human Services: OTP/A 5-0

PRO-LIBERTY: This bill adds post-traumatic stress disorder to the qualifying medical conditions under therapeutic use of cannabis.

- Twenty-three states now allow doctors to recommend cannabis for post-traumatic stress disorder (PTSD), and several patients testified that they find it beneficial in alleviating their symptoms. Medical providers should be free to certify their patients for the use of therapeutic cannabis if they believe it may be helpful. There is no good reason for the state to continue to stand between medical providers and patients who may benefit from this treatment option.

HB 94-FN, prohibiting certain defenses in prostitution and human trafficking cases.

Judiciary: OTP/A 5-0

ANTI-LIBERTY: This bill prohibits certain defenses in prostitution and human trafficking cases.

- "Mens rea" — ill intent — is a fundamental principle of Anglo-American common law. This bill would undermine it.
- People should not be convicted of felonies they were provably unaware of having committed.

HB 228, relative to transportation of alcoholic beverages by a minor.

Judiciary: OTP/A 5-0

PRO-LIBERTY: This bill allows young adults to transport alcoholic beverages in a vehicle or boat when accompanied by certain family members.

- This bill reduces the risk of an inadvertent violation when a driver under the age of 21 is transporting alcohol along with an adult family member.

HB 617-FN, relative to penalties for violations of planning and zoning laws.

Public and Municipal Affairs: ITL 4-0

PRO-LIBERTY: This bill as amended removes the authority to charge each day of a continuing violation of planning and zoning laws as separate offenses.

- By allowing a separate violation for each day, municipalities can bypass the constitutional provision for jury trial where penalties exceed \$1500.
- RSA 502-A:15 provides that in cases in which the damages claimed exceed \$1,500, the defendant may file a written request for trial by jury, transferring the case from circuit court to superior court.
- The current statute allows municipalities to burden the circuit court with cases that would rise to the jurisdiction of superior court when multiple days of fines accumulate.
- Excessive fines and penalties should be open to judgment by a jury of one's peers.

HB 319, relative limiting 20-day registration plates.

Transportation: OTP/A 5-0

ANTI-LIBERTY: This bill as amended would subject NH drivers to administrative suspension and/or revocation of a NH driver's license without due process.

- This bill mandates that the Director of Motor Vehicles suspend or revoke the license of a NH driver upon receipt of notice that the driver has had a license in another jurisdiction suspended or revoked. This subjects NH citizens to the legislative whim of other states.
- Arizona, Colorado, Florida, Louisiana, and Minnesota may suspend a license for a bounced check. (e.g. Florida 832.09)
- For many families, a driver's license suspension is the beginning of a descent into abject poverty.
- The 20-day plate is already limited per applicant. Limiting it also per vehicle may reduce the risk of abuse but it would negatively impact anyone legitimately buying a car that has been sold multiple times during the year.

PRO-LIBERTY: This bill makes modest improvements to the education tax credit statute.

- This bill makes technical changes to the tax credit statute including removing certain restrictions on carrying forward contributions, expanding the period for businesses to submit qualifying donations and tax-credit applications, and approving the use of scholarships for distance learning, tutors, and dual-enrollment classes.
- Though the impact of the technical changes is relatively small, the updates make it easier to utilize existing pro-liberty tax credits that give parents of all income levels more options to influence the education of their children.

YEA
OTP