



HB 561 – Relative to insurance coverage for persons having deafness and hearing loss.

Committee report: Commerce: OTP (9–7)

Our recommendation:

NAY on OTP

This bill, which mandates that insurers cover hearing aids, is **anti-liberty**:

- This bill raises the cost of health care plans, possibly jeopardizing coverage for those already with health insurance.
- It forces employers either to pay higher premiums or pass those costs on to workers.
- Adding mandates like this is never a good idea, but doing so in the middle of an economic recession is the worst time.
- Hearing aids are regularly marked up 100–500% above cost by vendors. With this mandate, everyone will be responsible for paying this outrageous markup.
- Many hearing aids don't work: Giving people "free money" to buy them will encourage them to buy cheap ones that do not work, and are not used after a few months.
- New Hampshire would be one of the first states in the nation to pass such a mandate.
- It is not the role of government to mandate conditions of contracts between private parties.

SB 193 – Relative to the interest rate on small loans and relative to the definition of lender for purposes of regulating such loans.

Committee report: Commerce: ITL (9–7)

Our recommendation:

YEA on ITL

This bill, which caps interest rates and fees on small loans to 36%, and redefines "lender" to cover credit service organizations, is **anti-liberty**:

- This bill further limits credit availability by unnecessarily eliminating the few remaining companies providing short-term loans.
- It interferes with the right of private parties—borrowers and lenders—to engage in private business contracts.
- It expands current regulations placed on lenders to yet another business sector.
- It hurts small business who need short-term loans: An employer who needed to borrow \$4,000 for five days to cover their payroll would be prohibited from paying as little as \$20 in interest and fees combined.
- It does nothing to curb the the availability of payday loans over the Internet.

HB 160 – Relative to physical force in defense of a person.

Committee report: Criminal Justice & Public Safety: OTP/A (11–5)

Our recommendation:

NAY on OTP/A

YEA on OTP

This bill, which, *as originally introduced*, expanded the right of self defense to any place someone has a right to be, is **pro-liberty**:

- A person's right to self defense should not be limited by his or her location, nor should a person be required to retreat when deadly force is threatened.
- The committee amendment, while well-intentioned, lowers the pro-liberty impact of the bill, and may have unintended consequences. Therefore, the NHLA only supports this bill in its original form, and does not support the committee amendment (2009-2461h).

HB 523 – Requiring DNA testing of all persons convicted of a felony.

Committee report: Criminal Justice & Public Safety: OTP/A (15–0)

Our recommendation:

NAY on OTP/A

This bill, which expands DNA testing requirements to all persons convicted of a felony, is **anti-liberty**:

- There are a large number of non-violent crimes that are classified as felonies which do not justify this level of intrusion into one's personal privacy, for example, financial crimes involving as little as \$500, creation of "fraudulent communications paraphernalia" (RSA 638:5-a), mistreating a police dog (RSA 644:8-d), interference with a cemetery (RSA 635:6), improper disposal of asbestos (RSA 141-E), and bigamy (RSA 639:1).
- According to the fiscal note, this bill will cost nearly \$300,000 in FY 2010, and around \$150,000 each subsequent year.
- Whereas taking DNA samples in order to solve actual crimes is sensible, the state should not keep these records once a case is closed or a conviction secured.

HB 665 – Relative to driving under the influence of drugs.

Committee report: Criminal Justice & Public Safety: OTP/A (9–7)

Our recommendation:

NAY on OTP/A

This bill, which prohibits driving under the influence of any “chemical substance, natural or synthetic, or its metabolites,” is **anti-liberty**:

- It fails to assert specific measurements for any of these substances or metabolites, leading to arbitrary enforcement. As written, *any* amount of a substance could lead to criminal charges.
- Current statutes prohibiting “controlled drugs”—and simply distracted or reckless driving—are more than adequate to cover unsafe driving practices.
- According to the fiscal note, enforcement of this bill will be very costly for multiple departments and agencies.
- Due to the vague and overreaching nature of this bill, it could very likely lead to lengthy court challenges, further draining limited state resources.

HB 368 – Relative to annual goals in a home education program.

Committee report: Education: ITL (14–6)

Our recommendation:

YEA on ITL

This bill, which places numerous new regulations on homeschoolers, is **anti-liberty**:

- It lists onerous specific curriculum requirements which exceed the curriculum requirements of the public schools. This is not fair or equal under the law.
- The financial and resource burden to school administrative units will double because they will have twice the amount of material submitted for review.
- The evaluation and testing requirements will double educational costs to families without benefit to the students, home education programs, or participating agencies.
- It allows the Department of Education to make future changes to evaluation requirements without any legislative input, creating an undefined and moving target.
- It unreasonably forces test scores and evaluations to bypass families and go directly to participating agencies, effectively questioning the honesty of *all* home educators.

HB 304 – Relative to death with dignity for certain persons suffering from a terminal condition.

Committee report: Judiciary: ITL (14–3)

Our recommendation:

NAY on ITL
YEA on INTERIM STUDY

This bill, which would allow adults diagnosed with a terminal condition to request medication which would enable them to control the time, place, and manner of their death, is **pro-liberty in principle**:

- Adults have a fundamental right to make decisions about their bodies—whether it be smoking, eating *trans* fats, buckling a seatbelt, or choosing to end their pain and suffering from a terminal condition.
- Adults who currently choose to end their own lives should be able to have their loved ones present at the end without their risking felony charges (RSA 630:4).
- Adults who currently share their intention to end their lives with friends or family expose themselves to being confined or restrained under current law (RSA 627:6, VI).
- The easiest way to address “death with dignity” would be to simply repeal laws prohibiting the aiding of suicide, instead of creating additional bureaucracy.
- This bill, as introduced, presents potential conflicts of interest which could possibly lead to euthanasia, which is anti-liberty. Further study could resolve these conflicts.

HB 681 – Relative to aquatic resource compensatory mitigation.

Committee report: Resources, Recreation & Development: OTP/A (14–6)

Our recommendation:

NAY on OTP/A

This bill, which temporarily increases fees from 5% to 20% for aquatic resource compensatory mitigation, is **anti-liberty**:

- This is a 300% fee increase, solely for the purpose of hiring more state workers and enforcing this regulation.

*The New Hampshire Liberty Alliance is a non-partisan coalition of New Hampshire citizens working to increase individual freedom in the Granite State. Each year we compile voting records from a wide variety of legislation and release our **Liberty Rating**, grading our state legislators’ support of liberty. These Liberty Watchlists are an effort to highlight bills that, if passed, stand to substantially increase or decrease freedom in New Hampshire. Your vote on these bills may be used in our annual Liberty Rating.*