



New Hampshire Liberty Alliance

# Gold Standard

NHLiberty.org

March 14<sup>th</sup>, 2012

HB1630	YEA/OTPA	HB1440	NAY/OTPA
HB1308	YEA/OTP		#2012-0968h
HB1645	YEA/OTPA	HB1440	YEA/OTPA
HB1677	YEA/OTP		#2012-0645h
HB1303	NAY/ITL	HB1478	NAY/OTP
HB1674	NAY/ITL	HB1695	NAY/ITL
HB1416	YEA/OTPA	HB1418	YEA/OTPA
HB1438	NAY/ITL	HB1549	YEA/OTP
HB1531	NAY/ITL	CACR8	YEA/OTP
HB1492	YEA/ITL		

## HB 1617-FN, repealing the certificate of need law.

Committee recommendation: Health, Human Services and Elderly Affairs : OTP-A : 18 - 0

This bill, disbanding the Certificate of Need board, is **pro-liberty**:

- Certificates of Need boards were mandated of the states by unelected officials in the Social Security Administration under Section 1122 of the Social Security Act. Titled "LIMITATION ON FEDERAL PARTICIPATION FOR CAPITAL EXPENDITURES" it threatened to withhold statewide funds for "HEALTH INSURANCE FOR THE AGED AND DISABLED" and "GRANTS TO STATES FOR MEDICAL ASSISTANCE PROGRAMS" without a CONs planning board, and promised funds to create such a board.
- It is contrary to the entire human experience that an increase in the supply of a good leads to increases in price and demand for that good. Supply and Demand are inversely proportional, and pricing is related to the subject value.

**HB 1617**  
**NAY ON**  
**2012-0955H**  
**YEA ON**  
**OTP**

## HB 1308, relative to the definition of "public body" under the right-to-know law.

Committee recommendation: Judiciary : OTP : 10 - 3

This bill, requiring that publicly-funded organizations are subject to the right-to-know law, is **pro-liberty**:

- Money taken in taxes still rightfully belongs to the people and they have a right to know where it goes.
- A number of non-profit organizations have been set up by government agencies so that public money can be hidden from public view and spent without oversight.

**HB 1308**  
**YEA**  
**ON OTP**

## HB 1645-FN, prohibiting all public employees from participating in collective bargaining.

Committee recommendation: Labor, Industrial and Rehabilitative Services : OTP-A : 12 - 5

This bill, which prohibits collective bargaining for state employees, is **pro-liberty**:

- The general treasury should be guarded by our representatives, not defended as a prize for certain groups of citizens at the expense of others.
- Tax dollars taken from the many and distributed to the favored few does not create wealth. Such transfers can not be considered as supportive of a middle class.

**HB 1645**  
**YEA**  
**ON**  
**OTP-A**

## HB 1677, relative to choice as to whether to join a labor union and eliminating the duty of a public employee labor organization to represent employees who elect not to join or to pay dues or fees to the employee organization.

Committee recommendation: Labor, Industrial and Rehabilitative Services : OTP : 11 - 6

This bill, removing state coercion from future collective bargaining agreements, is **pro-liberty**:

- Makes explicit that collective bargaining agreements shall be a voluntary contract between all individuals, employees and employers.
- Imposes upon the employer to present notice to employees. This is as unwarranted and intrusive nuisance to businesses.

**HB 1677**  
**YEA**  
**ON**  
**OTP**

**HB 1303, amending certain requirements to obtain a local vendor license.**

Committee recommendation: Municipal and County Government : ITL : 16 - 1

This bill, repealing the requirement to obtain a federal background check, is **pro-liberty**:

- Equal application of the existing law would require girl scouts selling cookies to submit to a criminal records check and fingerprinting.

**HB 1303**  
**NAY ON**  
**ITL**

**HB 1674-FN, reducing the interest rate on late and delinquent property tax payments, subsequent payments, and other unpaid taxes.**

Committee recommendation: Municipal and County Government : ITL : 14 - 3

This bill, which allows towns to reduce the rate of property tax interest, is **pro-liberty**:

- Property owners are compelled to pay property taxes, their delinquency fees need not also be extortionate.
- It is hypocritical for someone to be opposed to high rates of interest on short-term loans; yet support usurious interest rates if someone is unable to pay their property tax.
- Private banks are currently charging 10% interest on uncollateralized personal loans with the risk of non-repayment. 18% is outrageously profitable for an organization that can place liens, confiscate real property, and eventually jail the debtor for non-payment.

**HB 1674**  
**NAY**  
**ON**  
**ITL**

**HB 1416-L, relative to a required fluoride statement.**

Committee recommendation: Resources, Recreation and Development : OTP-A : 13 - 2

This bill, requiring notice be made of the addition of fluoride to the public water supply, is **pro-liberty**:

- People have the right to know what anyone is putting into their drinking water.

**HB 1416**  
**YEA ON**  
**OTP-A**

**HB 1440, relative to driver education.**

Committee recommendation: Transportation : OTP-A : 14 - 2

This bill as amended with the minority amendment, allowing parent directed driver education, is **pro-liberty**:

- Expands driver education options for NH parents.
- Allows students and their parents a choice of affordable driver's ed via online training and parent-provided behind-the-wheel training vs. expensive (\$600-\$900) traditional driver's ed training.
- Brings competition into the driver education marketplace which will improve the driver education industry in the state.
- Increases the number of teens who are able to enter the job market since low-income teens will be able to afford driver education and will be able to get their license at age 16 instead of being forced to wait until age 18.
- Makes our roads safer by allowing teens to begin driver education as soon as they begin practicing driving with their parents, at age 15-1/2.

**HB 1440**  
**NAY ON**  
**#2012-**  
**0968H**  
**YEA ON**  
**#2012-**  
**0645H**

## HB 1478, relative to the definitions of resident for motor vehicle law purposes and domicile for voting purposes and relative to vehicle registration and driver's license requirements.

Committee recommendation: Transportation : OTP : 10 - 5

This bill, which would redefine election law residency through motor vehicle statues, is **anti-liberty**:

- Violates Part 1 Article 11 of the NH Constitution- "All elections are to be free, and every inhabitant of the state of 18 years of age and upward..."
- A motor vehicle registration has no bearing on a person's place of residence. To pretend otherwise ignores the constitutional right to vote and would lead to great inconvenient, bureaucracy, and selective enforcement of voting laws.
- Current law defines domicile for the sole purpose of insuring that voting is equally protected for all citizens.

# HB 1478

## NAY ON OTP

## HB 1695-FN, increasing certain speed limits.

Committee recommendation: Transportation : ITL : 15 - 1

This bill, which increases the allowable threshold for victimless speeding, is **pro-liberty**:

- Responsible drivers should not have to feel like criminals while commuting to work a little late and a little fast.
- Could put up to \$8.9 million back into commuter's pockets.

# HB 1695

## NAY ON ITL

## HB 1418-FN-A, increasing the threshold amounts for taxation under the business enterprise tax.

Committee recommendation: Ways and Means : OTP-A : 17 - 3

This bill, reducing taxes for small NH businesses, is **pro-liberty**:

- Decreasing taxes allows private companies more control over how to spend or reinvest their profits.
- It is estimated that every dollar taken in taxation removes 2.5 to 3 dollars from GDP. Lowering taxes is the best economic stimulus.
- Businesses do not in fact pay tax levied on them, they just pass it on to consumers in the form of higher prices, smaller sizes, or lower quality.

# HB 1418

## YEA ON OTP-A

## Bills removed from Consent calendar

## HB 1438, relative to confidentiality of police personnel files.

Committee recommendation: Criminal Justice : ITL : 16 - 0

This bill, which would require NH police to disclose exculpatory evidence, is **pro-liberty**:

- NH Const., Part I, Article 15. [Right of Accused.] Every subject shall have a right to produce all proofs that may be favorable to himself [...]
- NH Const., Part I, Article 8 [Public's Right to Know.] [...] To that end, the public's right of access to governmental proceedings and records shall not be unreasonably restricted.
- This bill adds one sentence to RSA 105:13-b [Confidentiality of Police Personnel Files]  
**"Nothing in this section shall be construed to limit a defendant's right to obtain exculpatory evidence."**
- Ensures that innocent NH citizens are not jailed because law enforcement officials choose to hide exculpatory evidence in their personnel records.

# HB 1438

## NAY ON ITL

## HB 1531-FN, relative to prosecution for victimless crimes.

Committee recommendation: Criminal Justice : ITL : 14 - 2

This bill, which creates an affirmative defense to any felony or misdemeanor victimless crime, is **pro-liberty**:

- NH Const. Part 1. Article 3. [Society, its Organization and Purposes.] When men enter into a state of society, they surrender up some of their natural rights to that society, in order to ensure the protection of others; and, without such an equivalent, the surrender is void.
- A crime that does not have a victim does not protect anyone person's rights. A person cannot surrender his right to engage in a victimless activity when the legislature's enactment does not protect him.
- Reducing sundry offenses conserves valuable judicial resources, minimizes waste in the judicial branch budget, and reduces case backlogs in the courts (because criminal cases have calendar priority over nearly all other cases).

# HB 1531

## NAY ON ITL

## HB 1492-FN, requiring employers to verify an employee's eligibility to work in the United States.

Committee recommendation: Labor, Industrial and Rehabilitative Services : ITL : 14 - 1

This bill, which would compel businesses to use the voluntary federal E-Verify system, is **anti-liberty**:

- Citizens and legal residents should not be required to obtain a permission slip to work.
- This legislature is responsible for determining labor law in New Hampshire, it should not surrender that responsibility to the federal government.
- E-Verify lacks meaningful due process protections. Workers injured by data errors will need a means of quickly and permanently resolving data errors so they do not become presumptively unemployable.
- The Social Security Administration itself reports that approximately 17.8 million of its files contain incorrect data, 12.7 of which concern U.S. Citizens.

# HB 1492

## YEA ON ITL

## HB 1549, prohibiting the adoption of a requirement that employers participate in the E-Verify system and the use of motor vehicle records for the E-Verify system.

Committee recommendation: Executive Departments and Administration : OTP : 11 - 1

This bill, prohibiting the requirement for employers to participate in the E-Verify system, is **pro-liberty**:

- Forces citizens and legal residents to get a permission slip to work. Expanding E-Verify would require every employer in the United States to verify the eligibility to work of every current and prospective employee using a flawed system that is riddled with errors. This will guarantee that millions of Americans will be barred from working.
- Relies on error-ridden government databases.
- All pending legislative proposals lack sufficient due process provisions to aid workers who are wrongly denied the right to start their next job.

# HB 1549

## YEA ON OTP

## CACR 8, relative to education. Providing that the legislature shall have the power to authorize schools.

Committee recommendation: Education: OTP 12 - 5

This amendment, which clarifies local control of the curricula, and also provides that the State may supplement the local funding of schools, is **pro-liberty**:

- Consistent with Part 1, Article 6 of the NH Constitution, the constitutional guarantee of independence from State interference in our schools, whether public or private.
- Allows the State legislature to supplement the educational provisions made by the towns and cities, resolving the Claremont crisis. This removes the Court from school funding and allows the Legislature to determine the amount of supplementary funding that is needed by individual towns and cities.

# CACR 8

## YEA ON OTP