



New Hampshire Liberty Alliance

Gold Standard

HB 110 YEA/TABLE HB 430 NAY/OTPA
 NAY/OTPA HB 217 YEA/ITL
 HB 660 YEA/ITL HB 496 YEA/OTPA
 HB 597 NAY/OTPA HB 533 NAY/OTPA
 HB 582 NAY/OTPA HB 421 NAY/OTPA
 HB 249 YEA/ITL HB 658 NAY/OTPA
 HB 485 YEA/OTPA HB 685 NAY/OTPA
 HB 120 NAY/ITL

NHLiberty.org

January 22nd, 2014

Regular Calendar- Part II (continued)

HB 110, requiring persons who record cruelty to livestock to report such cruelty and submit such recordings to a law enforcement agency.

Committee recommendation: Environment and Agriculture: OTP/A 11-6

This bill, which would criminalize failure to report witnessed animal cruelty, is **anti-liberty**:

- The original intent of this bill was to stop certain animal rights activists from trespassing upon private family farms, or gaining employment there under false pretenses, and then fraudulently reporting animal cruelty to the public. This bill would have required such people to report to the *authorities* that they are witnessing such, which would have made them criminally liable themselves if they knowingly make false reports.
- The bill was intended to narrowly apply to farm workers and to deal with several genuine crimes— however, the way it was written, it had the unintended consequences described below, and for this reason the NHLA opposes the bill.
- This bill makes each of us an agent of the state with a duty to inform on our neighbor if we see animal cruelty. There is no current prohibition on reporting animal cruelty, and it should remain voluntary, not compulsory.

HB 110
YEA
ON
TABLE
NAY
ON
OTPA/A

HB 660, requiring the labeling of genetically engineered foods and agriculture commodities

Committee recommendation: Environment and Agriculture: ITL 12-8

This bill, which would increase regulations on business, is **anti-liberty**:

- If there is a widespread public outcry for such labeling, companies (both producers and retailers) will ultimately lead the change to satisfy customer demand.
- Consumers already have the ability to avoid foods with GM ingredients by purchasing products labeled as "100 percent organic".
- New labeling requirements would place an undue burden on retailers, wholesalers, and producers throughout the state and region.
- Suppliers could work around the mandate by labeling EVERYTHING as "May contain genetically engineered components." Such labels would satisfy the legal requirement but would be absolutely useless.
- The proper solution to this situation would be an independent third-party certification agency, which could freely state whether or not food does or does not contain GMO. As long as they are not-for-profit and not engaged in actual commerce, the FDA/USDA couldn't regulate their reports as it's free speech.

HB 660
YEA
ON
ITL

HB 597, relative to mandatory drug testing for certain health care workers.

Committee recommendation: Environment and Agriculture: OTP/A 18-0

This bill, as amended, would require a drug-free workplace policy, is **anti-liberty**:

- This is feel-good legislation in response to one incident, what we call "legislation by anecdote."
- This is a new, expensive regulation on health care providers.
- Providers may already have their own procedures and policies which are superior to these new ones, but may not be compliant. Better to let the institutions' insurance companies and management determine appropriate policies instead of one-size-fits-all regulations from 17 non-medical legislators on the committee.

HB 597
NAY
ON
OTPA/A

*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 Gold Standards 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.*

HB 582, repealing early offers for medical injury claims.

Committee recommendation: Judiciary: OTP/A 10-6

This bill, as amended, would modify a voluntary option for settling medical injury claims, is **anti-liberty**:

- The original bill would have repealed early offers, which are a voluntary alternative to lengthy, expensive court proceedings for medical malpractice.
- The committee amendment adds a very subjective element, i.e. lost earnings, to what was a simple, objective process; removes a penalty for wasting everyone's time if a court proceeding results in a smaller payout than the early offer; and disallows speedy settlement even when both sides agree.
- The early offer process is still too new to be tinkering with it.

HB 582
NAY
ON
OTP/A

HB 249, requiring employers to verify an employees eligibility to work in the United States.

Committee recommendation: Labor, Industrial, and Rehabilitative Services: ITL 11-8

This bill, which would give the federal government power to decide who can work, is **anti-liberty**:

- Deciding who is allowed to work or not is too much power to entrust to a federal government, which is all too capable of bureaucratic ineptness, and all too willing to hurt its political enemies.
- The E-verify system has mistakenly prevented completely legal citizens from taking a job.
- The system is a threat to privacy and is too much like RealID, which NH has rightly rejected.
- "Everyone has a natural right to choose that vocation in life which he thinks most likely to give him comfortable subsistence." -- Thomas Jefferson.

HB 249
YEA
ON
ITL

HB 485, establishing keno

Committee recommendation: Ways and Means: OTP/A 14-5

This bill, which allows small businesses to provide a gaming service to customers, is **pro-liberty**:

- Avoids the pitfall of granting a monopoly (or duopoly) by allowing small businesses to host Keno, as well as honoring the NH Constitution: "free and fair competition is an inherent right of the people".
- Raises at least \$9 million per year for the Education Fund in true NH-fashion: through voluntary means, consistent with other lottery games.
- NH Lottery estimates that Granite State citizens spend \$24 million annually at MA Keno outlets. This bill allows our citizens to spend that money locally. Five of the top ten MA Keno outlets are within ten minutes of the NH border. HB 485 increases consumer choice and freedom.

HB 485
YEA
ON
OTP/A

Regular Calendar- Part III

HB 120, relative to hours of sales by off-premises liquor licensees

Committee recommendation: Commerce: ITL 11-9

This bill, which extends the hours to purchase liquor, is **pro-liberty**:

- This bill clearly increases individual choice, and increases the ability of the free market to supply those choices. Would allow the option for people who get off from work after 11:45pm.
- It is an opt-in bill where local cities and townships can decide for themselves if they want to have later hours.
- Sales will now match the hours of the stores in Maine, as well as match the changes to on-premises serving hours for restaurants that were made last year.

HB 120
NAY
ON
ITL

HB 430, requiring insurance companies sending out solicitations for marketing purposes to include their insurance license number on such solicitation.

Committee recommendation: Commerce: OTP/A 11-9

This bill, which is an unfunded mandate on the insurance companies, is **anti-liberty**:

- Increases regulation as well as it increases the size of government by requiring more extensive involvement from both the Insurance Commission and the Attorney General's office.
- Representatives from the insurance industry said that it would increase marketing costs in this state just because separate materials would have to be prepared, and because of that, mailing costs would also increase.

**HB 430
NAY
ON
OTP/A**

HB 217, imposing an extended term of imprisonment for assault against a health care provider.

Committee recommendation: Criminal Justice and Public Safety: ITL 12-6

This bill, which would create a special class of persons, is **anti-liberty**:

- Violates Article 10, Part 1 of the NH Constitution - "Government being instituted for the common benefit, ...and not for the private interest or emolument of any one man, family, or class of men;..."

**HB 217
YEA
ON
ITL**

HB 496, relative to driving privileges for certain first-time DWI offenders.

Committee recommendation: Criminal Justice and Public Safety: OTP/A 16-1

This bill, which would allow first-time DWI offenders to drive to work, school or medical treatment, is **pro-liberty**:

- Freedom to travel is a sacred right in a free society.
- Punishing an offender by stripping him/her of the license to drive for 6 months or more can lead to even more problems, such as them losing his/her job or not being able to finish school. The economic costs can be catastrophic for some families.
- This is a humane approach to what some consider to be a mental health-related issue more than a criminal matter.
- We are concerned about privacy issues and data collection by firms outside New Hampshire through use of enhanced technology interlock devices, and thus strongly support Floor Amendment 2014-0012h (Rep. Warden). **YEA on Floor Amendment 2014-0012h.**

**HB 496
YEA
ON
OTP/A**

HB 533, relative to the mathematics requirement for high school graduation

Committee recommendation: Education: OTP/A 15-3

This bill, which downshifts cost to school districts, is **anti-liberty**:

- HB 533 downshifts costs to districts, violating Part I Article 28-A of the NH Constitution. This bill requires districts to pay for advanced math courses for students who complete existing courses available in the district.
- The state Board of Education sets minimum requirements under Ed 306, while school boards customize those requirements to meet local goals. School boards, not the legislature, currently determine graduation requirements.

**HB 533
NAY
ON
OTP/A**

HB 421, relative to regulation of real estate brokerage and sales by the real estate commission

Committee recommendation: Executive Departments and Administration: OTP/A 11-7

This bill, which increases requirements and penalties on real estate licensees, is anti-liberty:

- The imposition of a fine of minimum \$10,000 for holding oneself out as a real estate salesperson after having his/her license suspended is an inappropriately harsh penalty.
- There is no proof that attending more required classes leads to better understanding or professionalism. Experience, broker supervision, and personal ethics are more important than continuing education classes.
- Mandating the same increase from 12 to 15 hours of CEU courses for all licensees, regardless of their experience or area of specialization, is a misdirected approach to improving levels of professionalism or customer service.

HB 421
NAY
ON
OTP/A

HB 658, relative to registration for medical technicians

Committee recommendation: Executive Departments and Administration: OTP/A 13-5

This bill, which establishes a permanent board with the ability to set its own fees on medical workers, is anti-liberty:

- This bill effectively moves the taxing authority of the legislature out of their hands and places it in the hands of the executive branch. This is very bad policy and a violation of core constitutional principles.
- Maintains a database for 15 years that is published on a public internet site. Database maintains designation of active, inactive, suspended, revoked, or retired. The board is authorized to "Share information with appropriate in-state and out-of-state boards."
- The board can levy fines against employers that have technicians that aren't registered or haven't renewed and threatens to withhold Federal Medicaid money for non-compliant employers.

HB 658
NAY
ON
OTP/A

HB 685, relative to state agency communications under right-to-know law.

Committee recommendation: Judiciary: OTP/A 14-2

This bill, which places a barrier to open government, is pro-liberty:

- The bill sets up a commission stacked with members who would benefit by adding fees to 91-A requests. This places a barrier to open government.
- The bill was late to committee in the first part of the session and retained for work after the summer break, at the later part of session the AG's office floated this amended version which received little public hearing.
- The process getting to this amendment lacks transparency, which is counter to the goal of Right-to-Know.
- Expect a motion to divide the question and vote **ITL on the 2nd section**

HB 685
NAY
ON
OTP/A