



GOLD STANDARD

HOUSE SESSION - WEDNESDAY MARCH 4, 2015

CACR1 NAY ITL
HB 206 YEA OTP/A
HB 404 NAY ITL
HB 463 YEA OTP/A
HB 638 YEA ITL
HB 136 NAY OTP
HB 476 YEA OTP/A
HB 203 YEA OTP/A
HB 315 YEA OTP/A
HB 689 YEA OTP/A
HB 409 YEA ITL
HB 543 NAY ITL
HB 302 NAY ITL
HB 228 NAY ITL
HB 665 NAY ITL

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CACR 1, Providing that a 3/5 vote is required to impose new or increased taxes or fees.

CACR 1

Ways and Means Committee Recommendation: ITL 18-1

- PRO-LIBERTY:** This bill protects taxpayers by requiring a 3/5 vote to impose new or increased taxes.
- This amendment reduces the risk that taxes will be raised for frivolous, transitory reasons, and helps ensure bipartisan support for any tax increase.
 - 16 states already require a supermajority to raise taxes
 - This amendment codifies New Hampshire's long tradition of being fiscally responsible.

NAY ITL

HB 206, relative to non-academic surveys or questionnaires given to students

HB 206

Education Committee Recommendation: OTP/A 17-4

- PRO-LIBERTY:** This bill requires notification of a parent and respects their right to opt out.
- Requiring districts have an opt out policy is respectful of parental rights.
 - Children should not be subjected to surveys that pry into non-academic, non-school related matter for the purpose of data gathering without parental notification.
 - Too many non-academic surveys and questionnaires are being given to students without parental notification.
 - Requiring districts to make surveys and questionnaires available to parents prior to distribution to students is consistent with federal law.

YEA OTP/A

HB 404, Relative to showing a ballot.

HB 404

Election Law Committee: ITL 14-2

- PRO-LIBERTY:** This bill removes an unconstitutional statute that violates the first amendment.
- The legislature doesn't need to wait for judicial action before rectifying an unconstitutional statute.
 - There is no evidence to show that a problem exists in New Hampshire with citizens being coerced into showing their ballot. If someone attempts such a crime other statutes would be sufficient to prosecute.
 - This bill creates a maximum penalty for unlawfully showing a ballot to be no more than ten dollars.

NAY ITL

HB 463, Relative to state agency communications.

HB 463

Finance Committee Recommendation: OTP/A 19-5

- PRO-LIBERTY:** This bill improves oversight of state administrative agencies.
- The legislative budget assistant needs the necessary information to conduct performance and fiscal audits.
 - Administrative agencies' refusal to provide the legislative budget assistant with needed documents makes effective oversight difficult or impossible. HB 463 helps correct this problem.
 - HB463/A does not require disclosure of HIPAA protected information, or other individually identifiable medical information.

YEA OTP/A

HB 638, Reestablishing the catastrophic illness program & appropriating funds.

HB 638

Finance Committee Recommendation: ITL 14-10

- ANTI-LIBERTY:** This bill resurrects an inefficient redistributive program.
- The department of HHS asserts that the reinstatement of this program would imply hiring an additional administrator at a cost of \$75,000 per year.
 - The last two years the catastrophic illness program operated, it expended only \$107-122K per year, implying a very wasteful ratio of disbursements to overhead.

YEA ITL

HB 136, Prohibiting tanning facilities from tanning persons under 18 years of age.

Health and Human Services Committee Recommendation: OTP 14-0

ANTI-LIBERTY: This bill infringes on the rights and responsibilities of parents to make decisions about the well being of their children.

- Some teens need photo-light therapy, which they can currently get at a tanning salon. If this is banned, they would have to use a dermatologist's office, who would charge much more than the neighborhood tanning salon.
- It's not possible or appropriate for the government to mandate every aspect of responsible parenting.
- If this bill passes:
 - A teenager who is seventeen could join the military (with parental consent) but would be banned from getting a tan. It would be possible to get a tan while deployed in Iraq but not at the tanning salon.
 - A teenaged woman could get an abortion *without* parental consent but would be banned from tanning.
 - A parent would be deprived of the opportunity to use good judgement & prohibit a child from tanning.

HB 136

NAY OTP

HB476, Amending the definition of "qualifying medical condition" in the therapeutic cannabis law.

Health and Human Services Committee Recommendation: OTP/A 10-3

PRO-LIBERTY: This bill recognizes the right of patients with certain serious illnesses to obtain the medicine they need.

- This bill will help patients who are suffering get treatment and relief.
- Bureaucrats and politicians should not get between patients and doctors in determining courses of treatment.
- Natural cannabis has demonstrable medical benefits as a treatment to certain symptoms and diseases, that no other drug (including synthetics) can match.

HB 476

YEA OTP/A

HB 203, Relative to the unauthorized practice of law.

Judiciary Committee Recommendation: OTP/A 7-6

PRO-LIBERTY: This bill allows trusts and property owners greater control in choosing their representation in a court of law.

- If they so choose, trusts and owners have a right to be represented by an unlicensed individual, who may have intimate knowledge about the issues at hand.
- This law merely makes existing statute more consistent, by extending to trusts and property owners the same rights that are already granted to businesses.

HB 203

YEA OTP/A

HB 315, Relative to termination of tenancy.

Judiciary Committee Recommendation: OTP/A 11-7

PRO-LIBERTY: This bill protects a landlord's property rights.

- Under current law, a landlord cannot seek eviction even if a tenant has pets or additional persons on the property, in direct violation of the lease or rental agreement. This is a clear violation of the landlord's property rights.
- Good renters and tenants end up paying more to cover the costs incurred by bad renters and tenants. Better recognizing the rights of landlords to manage their own property leads to lower rental costs and overall cost of living.

HB 315

YEA OTP/A

HB689, Relative to adoption of a default budget.

Municipal & County Government Committee Recommendation: OTP/A 10-6

PRO-LIBERTY: This bill allows local voters greater control over town and school budgets.

- Current law allows voters in SB2 jurisdictions to vote only on the proposed budget. If the proposed budget is voted down, the default budget takes effect. Problematically, however, the default budget is often very similar to the proposed budget, effectively taking the decision making power out of the hands of the voters.
- HB689 addresses this problem by allowing a $\frac{3}{5}$ majority of voters in SB2 jurisdictions to choose to allow votes on the default budget as well as the proposed budget. If both fail, a town meeting would be held to choose the budget.
- Voters should have the power to choose the budget -- budgets should not be pre-determined by administrators or committee members.

HB 689

YEA OTP/A

HB 409, Banning corn-based ethanol as an additive to gasoline in New Hampshire.

HB 409

Science, Technology and Energy Committee Recommendation: ITL 17-1

ANTI-LIBERTY: This bill infringes on fuel producers and consumers' right to choose use ethanol.

- This bill creates a new prohibition on an entirely legal and ethical product.
- This bill will harm the related businesses which manufacture and sell ethanol blended gasoline including many small and family-owned gas stations.
- The bill discriminatorily only bans corn-based products, not all ethanol additives. Banning manufacture & sale of only corn-based ethanol creates an artificial preference for ethanol produced from other sources.
- 0% corn ethanol gasoline is not widely consumed in New England. Passage of HB409 would cause a significant increase in fuel costs for NH consumers.

YEA ITL

HB 543, Repealing the electric renewable portfolio standard.

HB 543

Science, Technology and Energy Committee Recommendation: ITL 17-2

PRO-LIBERTY: This bill removes unfair mandates on how electricity must be produced.

- Electricity costs are already very high in NH. Current law exacerbates this problem by mandating that electricity be produced using expensive energy sources.
- HB 543 recognizes the property rights of energy producers and consumers.

NAY ITL

BILLS REMOVED FROM THE CONSENT CALENDAR

HB 302, requiring a public hearing prior to submission of grant applications by the DOE

HB 302

Education Committee Recommendation: ITL, 18-2

PRO-LIBERTY: This bill provides needed transparency and public feedback.

- There are no checks and balances prior to the submission of a federal grant application, only afterwards in terms of fiscal accountability. Open government requires transparency.
- These grant applications make multiple year commitments with the federal government, potentially restricting local control of school districts.
- There is no time to delay on this bill: the upcoming No Child Left Behind Waiver is a four year commitment starting in June 2015, not a two year commitment like the last NCLB Wavier, which introduced many controversial reforms without any transparency.

NAY ITL

HB 228, relative to showing or specially marking a ballot.

HB 228

Election Law Committee Recommendation: ITL, 16-0

PRO-LIBERTY: This bill removes an unconstitutional statute that violates the first amendment.

- This bill repeals the entire section pertaining to showing a ballot (RSA 659:35) and references to other statutes regarding signage at the polling place, and is therefore more comprehensive than HB 404.
- The legislature doesn't need to wait for judicial action before rectifying an unconstitutional statute.
- There is no evidence to show that a problem exists in New Hampshire with citizens being coerced into showing their ballot. If someone attempts such a crime other statutes would be sufficient to prosecute.

NAY ITL

HB 665, relative to nomination papers.

HB 665

Election Law Committee Recommendation: ITL, 15-1

PRO-LIBERTY: This bill reduces the nomination requirement to 1/10th of 1% or about 600 signatures.

- Protects the rights of minor party and independent candidates by allowing them an easier path to the ballot.
- Potentially gives voters more choice on election day
- Protects freedom of association by allowing candidates to run under the label they choose, instead of feeling forced to run as a candidate of a major party

NAY ITL