



# GOLD STANDARD

SB 1 YEA OTP  
SB 2 YEA OTP/A  
SB 125 NAY OTP/A  
SB 155 NAY OTP/A  
SB 105 YEA ITL  
SB 162 YEA ITL  
CACR 5 YEA OTP/A



NHLIBERTY.ORG

SENATE SESSION - THURSDAY, MARCH 19, 2015

NHLIBERTY.ORG

## SB 1 & SB 2, reducing the rate of the business profits tax & the business enterprise tax.

Finance Committee Recommendation: OTP, 4-2

### PRO-LIBERTY: These bills protect the property rights of business owners by reducing taxes.

- NH's ability to attract new businesses and retain existing businesses is vital to the health of our economy. Low unemployment benefits everyone.
- High business tax rates impede NH's ability to attract and retain businesses.
- When profits are not heavily taxed they can be re-invested to hire more staff, create more robust R&D, or invested in capital equipment.
- Enterprise taxes are a tax on compensation. Lowering these taxes directly enables businesses to increase compensation to employees.

**SB 1**  
**SB 2**  
**YEA**  
**OTP**

## SB 125-FN, relative to certification and licensure for mold remediation services.

Finance Committee Recommendation: OTP/A, 5-0

### ANTI-LIBERTY: This bill creates yet another hurdle for business owners.

- Licensing often creates unintended consequences, increasing the behavior it ostensibly intends to limit -- in this case amateur work. As hiring a certified and licensed professional becomes more expensive, more homeowners will attempt to do the work themselves or neglect the problem to save money.
- A test or licensing fee is no replacement for references and reputation. Some licensed service providers are incompetent & many unlicensed service providers are highly competent. Licensing creates a false sense of security for consumers, and reduces the overall quality of work provided, by raising barriers to entry, and reducing competition.
- Licensing makes it more difficult even for experienced, competent workers to start small businesses. We should be reducing the already significant regulatory load on small businesses, not increasing it.

**SB 125**  
  
**NAY**  
**OTP/A**

## SB 155-FN-A, establishing a recovery fund for victims of the Financial Resources Mortgage (FRM) fraud and continually appropriating a special fund.

Finance Committee Recommendation: OTP/A, 3-2

### ANTI-LIBERTY: This bill would require taxpayers of the State of New Hampshire to take partial responsibility for the losses of investors in the FRM debacle.

- Perpetrators should be funding compensation to victims of fraud. It is inappropriate and unjust to force uninvolved taxpayers to do so.
- SB 155 sets a bad precedent for investors looking to have taxpayers bail them out of bad investments. The lesson: If an investment doesn't work, find a friendly legislator to pass a bill granting a bail-out.
- The State only has liability for actions carried out in its name. Therefore, unless an officer of the State has been found guilty of malfeasance or maladministration in office for failing to intercede in such a case of fraud can the State, and the taxpayers be found to bear financial responsibility.

**SB 155**  
  
**NAY**  
**OTP/A**

## SB 105, revising the indoor smoking act.

# SB 105

Health and Human Services Committee Recommendation: ITL, 3-2

**ANTI-LIBERTY: This bill prohibits private property owners from allowing use of e-cigarettes, even in designated smoking areas.**

- Business owners have a right to set rules for their own property. The appropriate recourse for a customer or worker who objects to the use of e-cigarettes is to refrain from doing business in locations where it is permitted.
- E-cigarettes emit water vapor, not smoke, which studies show to be vastly safer than traditional smoking. (e.g. Roswell Park Cancer Institute found e-cigarette toxicant levels to be 9 to 450 times lower than those in cigarette smoke). There is no credible evidence that there is danger from secondhand e-cig water vapor.
- This bill is fundamentally intolerant, even eliminating reasonable exceptions to current law, for designated smoking rooms in hotels, private social clubs, and more.

# YEA ITL

## SB 162, prohibiting smoking in motor vehicles with a passenger under the age of 18.

# SB 162

Health and Human Services Committee Recommendation: ITL, 3-2

**ANTI-LIBERTY: This bill tries to legislate good parenting.**

- The state should not attempt to micromanage good parenting and common sense with legislation.
- This is a slippery slope toward controlling what one does in his or her own home. If a parent is banned from smoking in a car with his child, next he'll be banned from smoking in his own home.
- The dangers second hand smoke in a car are exaggerated. Simply smoking in a car does not necessarily create an overly toxic environment. Appropriate ventilation would limit second-hand smoke for passengers to levels similar to that found in a smoking household.

# YEA ITL

## CACR 5, relating to legal actions. Providing that taxpayers have standing to bring actions against the government.

# CACR 5

Judiciary Committee Recommendation: OTP/A, 5-0

**PRO-LIBERTY: This bill restores the right of taxpayers to petition the courts for redress.**

- Taxpayers have an inherent interest in seeing the most effective use of their money which funds state government. Therefore, they ought to have legal standing in *any* suit against the government which concerns disbursements from the treasury.
- In many cases unlawful actions by government officials have gone unchallenged for too long because of difficulty finding a plaintiff with standing. This bill better holds government accountable to the constitution and to the law.

# YEA OTP/A