



GOLD STANDARD

HB 206 YEA OTP
HB 323 NAY OTP/A
HB 332 YEA OTP/A
HB 603 NAY ITL
HB 391 NAY OTP/A
HB 216 NAY OTP/A
HB 463 YEA OTP
HB 219 YEA OTP/A
HB 476 YEA OTP/A
HB 403 YEA OTP
HB 486 NAY OTP/A
HB 171 YEA OTP
HB 681 NAY OTP

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SENATE SESSION - THURSDAY, MAY 14, 2015

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

HB 206

Education Committee Recommendation: OTP/A, 4-0

PRO-LIBERTY: This bill requires notification of a parent and respects their right to opt out.

YEA OTP

- **NAY on committee and floor amendments. Support the bill as passed by the House.**
- Children should not be subjected to surveys and questionnaires that pry into non-academic, non-school related matter for the purpose of data gathering without parental notification.
- Requiring districts have an opt out policy is respectful of parental rights.
- Requiring districts to make surveys and questionnaires available to parents prior to distribution to students is good policy and consistent with federal law.

HB 323, relative to the administration of the statewide assessment program.

HB 323

Education Committee Recommendation: OTP/A, 4-1

ANTI-LIBERTY: This bill grants legislative authority to the Department of Education commissioner to redesign & regionalize the statewide assessment program.

NAY OTP/A

- No legislation is needed to establish the SATs as the designated statewide assessment for grade 11. No legislation was ever needed to establish the NECAPs or Smarter Balanced as designated statewide assessments for over a decade. Legislation is only needed to transform the current statewide assessment program into a Regional system of weekly K-12 PACE (Performance Assessment Competency Education) assessments.
- The US ED approved two-year waiver on March 5, 2015 based upon commissioner's "intent" to transition all districts to a "single statewide system" using the PACE program anchored to Smarter Balanced Achievement Level Descriptors, which are aligned to Common Core.
- PACE does not reduce testing; it significantly increases testing and re-testing under its Department-approved "State Graduation Competency" K-12 pilot program from 7 end-of-year assessments to over 400 weekly mini-assessments.
- PACE is a Regionally-implemented and Regionally-scored assessment program under the direct control of the Department of Education.
- If the transition to PACE is unsuccessful, no federal funding will be lost; all districts simply revert back to the existing statewide system with Smarter Balanced assessments, where informed parents can refuse the tests.
- PACE integrates its assessments into the student's day-to-day work in opposition to state law, RSA 193-C:1 VI. This integration makes it impossible for parents to effectively refuse the Smarter Balanced mini-assessments. This integration undermines the mission, independence, and integrity of Charter School curricula and day-to-day operations.
- Requiring Departmental approval for weekly PACE assessment program violates RSA 193-H:5 "Nothing in this chapter shall be construed to permit either the department of education or the state board of education to take control of the daily operations of any local public school."

HB 332, relative to school district policy regarding objectionable course material.

HB 332

Education Committee Recommendation: OTP/A, 3-2

PRO-LIBERTY: This bill ensures transparency when controversial materials are used in school.

YEA OTP/A (1559S)

- **Nay on committee amendment 1261s. YEA on floor amendment 1559s which requires a policy with a clear method of notification to parents.**
- Ensures that parents can review controversial materials on the school website two weeks prior to their use in the classroom.
- Encouraging open communication between schools and parents builds trust and cooperation.
- This bill allows parents an opportunity to engage their children in conversations on sensitive issues before it's discussed in class.

HB 603, relative to student exemption from the statewide assessment.

Education Committee Recommendation: ITL, 3-2

PRO-LIBERTY: This bill respects a parent's right to refuse state assessments for their child.

- This bill makes it clear that there is no penalty for students exempted by parents from statewide assessments.
- This bill is necessary to refute the Commissioner's Technical Advisories which school districts are inappropriately using to bully and intimidate parents.
- No state or school district has lost federal funding due to lower participation rates.
- Parents' rights should not be compromised in order to chase federal dollars.

HB 603

NAY ITL

HB 391-FN, applying the E911 surcharge to prepaid cellular telephones.

Energy and Natural Resources Committee Recommendation: OTP/A, 4-1

ANTI-LIBERTY: This bill would increase taxes.

- The collection method in this bill is complex, inaccurate, and imposes costs on businesses.
- Lower income residents disproportionately use prepaid cell phones (e.g. a poll by Opinion Research Corporation showed 65 percent of those who relied on just a prepaid cell phone had household incomes less than \$35,000). This tax would be regressive, raising the costs of prepaid cell cards for the most financially vulnerable.
- This tax is difficult to enforce. Many NH residents do not have a NH cell number. Prepaid cards can be purchased out of state or online to avoid this new tax and would hurt local NH retailers.

HB 391

NAY OTP/A

HB 216-FN, relative to recovery of certain investigatory costs by regulatory boards and commissions.

Executive Departments and Administration Committee Recommendation: OTP/A, 5-0

ANTI-LIBERTY: This bill incentivizes more numerous and expensive investigations by licensing and regulatory boards.

- Charging targets of investigations for the costs of the investigation could encourage numerous and expensive investigations of minor infractions.
- Passage of this provision would increase the likelihood of a board or commission to continue an investigation until they found some act of misconduct so that the licensee would have to pay the costs of the investigation.
- Charges for expensive investigations may be vastly exceed what is reasonable for the severity of the misconduct, in violation of part one article 18 of the NH constitution.
- NH licensing and regulatory requirements are already far too arduous. In order to improve the NH economy, and encourage innovation of entrepreneurship, legislators should be working to lessen licensing requirements and regulatory burdens.

HB 216

NAY OTP/A

HB 463, relative to state agency communications.

Executive Departments and Administration Committee Recommendation: OTP, 3-2

PRO-LIBERTY: This bill improves oversight of state administrative agencies.

- The legislative budget assistant needs certain information in order to conduct effective 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.

HB 463

YEA OTP

HB 219-FN, relative to the use of electronic benefits transfer (EBT) cards.

Health and Human Services Committee Recommendation: OTP/A, 3-2

PRO-LIBERTY: This bill prohibits gross misuse of taxpayer funds.

- It is wrong to force taxpayers to fund gambling, or purchases of non-essential goods like tobacco, alcohol, lottery tickets, or adult entertainment.
- HB 216 is common sense. The recipients of taxpayer money, which is intended to help purchase basic necessities, should be prohibited from buying guns, porn, and tattoos with that money.
- While it is not currently, nor will it ever be possible to detect all instances of fraud, it is still important for the legislature to clarify that these clear abuses of taxpayer money are unlawful.

HB 219

YEA OTP/A

HB 476-FN, amending the definition of “qualifying medical condition” in the therapeutic cannabis law.

HB 476

Health and Human Services Committee Recommendation: OTP/A, 4-0

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

**YEA
OTP/A**

- This bill will help patients who are suffering get treatment and relief.
- Bureaucrats and politicians should not stand 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 synthetic alternatives) can match.

HB 403-FN, repealing the law relative to providing certain parameters for access to reproductive health care facilities.

HB 403

Judiciary Committee Recommendation: OTP, 3-1

PRO-LIBERTY: This bill restores freedom of speech on public ways or sidewalks.

**YEA
OTP**

- Freedom of speech should not be restricted on public land paid for by taxpayers.
- The current law is unconstitutional and will cost the state too much to enforce.
- An almost identical Massachusetts law was struck down as unconstitutional by all 9 Supreme Court justices last summer. The plaintiffs in that case were awarded \$1.24 million in legal fees.
- A vote against repeal is a vote to charge taxpayers for an expensive lawsuit the state is expected to lose.

HB 486, authorizing towns and cities to establish special assessment districts.

HB 486

Public and Municipal Affairs Committee Recommendation: OTP/A, 3-1

ANTI-LIBERTY: This bill would allow for additional taxes.

**NAY
OTP/A**

- This bill would be used to further raise taxes on people who are already struggling to pay property taxes, by allowing the majority of their neighbors to create special taxing districts for improvements.
- Could create a double tax for municipal services that are already being paid for, but not received.
- There is no requirement that all residents receive notice of a proposed district during the collection of signatures or the submission of an "improvement plan". The first residents and owners may hear of a proposed plan is when receiving notice of the hearing, putting those who would seek to oppose a plan at a significant disadvantage.

HB 171, relative to rebating.

HB 171

Ways and Means Committee Recommendation: OTP, 5-0

PRO-LIBERTY: This bill will allow insurance companies to hold contests with payouts greater than \$1000.

**YEA
OTP**

- Insurance producers should be able to market their services through contests, sweepstakes, raffles, or drawings and not be limited to an arbitrary amount.
- This bill will put insurance companies on equal footing with other companies already allowed to hold contests, sweepstakes, raffles, or drawings.

HB 681-FN-A, increasing the marriage license fee.

HB 681

Ways and Means Committee Recommendation: OTP, 3-2

ANTI-LIBERTY: This bill would make getting permission to be married more expensive.

**NAY
OTP**

- Unfairly penalizes peaceful people, who choose to marry, for the violent actions of others.
- It would be more appropriate for domestic violence perpetrators to fund prevention programs, not innocent couples.
- This is not a user-fee. Should car registration fees pay for road-rage therapy or dog license fees pay for the K-9 Unit?