



GOLD STANDARD

SB 1 NAY OTP/A
SB 19 NAY OTP/A
SB 193 NAY OTP/A
SB 196 NAY OTP/A
SB 249 NAY OTP



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SENATE SESSION - THURSDAY, FEBRUARY 14, 2019

SB 19, relative to the privacy of certain information concerning public employees.

Commerce: OTP/A 3-2

ANTI-LIBERTY: This bill enables the disclosure of personal information held by the state to a private organization.

- This bill allows the state to release the home address, email, and personal phone numbers of state employees to labor unions without regard for whether the employee wishes this data to be released to the organization.
- In 2018, a constitutional amendment passed with 81% of the vote stating "An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent." — this bill would undermine this constitutional right.
- Employees who wish to share this information with their union may already do so voluntarily — for example www.seiu1984.org/2017/10/25/coming-soon-a-new-email-system.

SB 19

**NAY
OTP/A**

SB 193, prohibiting the sale of certain furniture and carpeting with flame retardant chemicals.

Commerce: OTP/A 3-2

ANTI-LIBERTY: This bill bans the sale and distribution of new upholstered furniture and carpeting for residential purposes that have been treated with flame-retardant chemicals while still allowing their use in public facilities, including schools.

- This bill enacts a broad ban against treatment of furniture and carpeting with all current and future chemicals that offer flame-retardant properties. This is a legislative overreaction to incomplete science on a specific subset of chemicals by preemptively banning all future uses of treatments with flame-retardant properties.
- The public already has an increasing number of options available for purchasing flammable furniture, including options at NH retailers such as Ethan Allen (www.ethanallen.com/en_US/faqs.html).
- Flame retardants were initially added to furniture in 1975 due to government overreach in California. More than 40 years later and 6 years after California lifted the initial requirement, we are still suffering the long-term consequences of this overreach.
- The Business and Institutional Furniture Manufacturers trade organization has already issued guidance (www.bifma.org/page/advocacyareas) supporting removal of dangerous fire-retardant chemicals previously added under state mandate. Additional overly broad and confusing government regulation is not needed.

SB 193

**NAY
OTP/A**

SB 249, including the legislature as a public employer under the public employee labor relations act.

Commerce: OTP 3-2

ANTI-LIBERTY: This bill would make the legislature less able to respond to the will of the people.

- This bill establishes the legislature as a public employer under the public employee labor relations act and provides procedures for collective bargaining by a defined group of legislative employees. The legislative branch is a political body and the leadership of both chambers and all political parties must have the option of having the people around them that support representing the positions of the voters who elected them.
- The legislature would be required to negotiate "terms and conditions" of employment for these employees which would potentially place restrictions on staff changes for future legislatures.

SB 249

**NAY
OTP**

SB 196, relative to non-academic surveys administered by a public school to its students.**Education and Workforce Development: OTP/A 4-1****ANTI-LIBERTY: This bill dramatically erodes parental influence in a child's participation in non-academic surveys.**

- Prior to SB 43, which passed in Feb. 2017, schools would routinely require students to complete non-academic surveys and questionnaires to assess their attitudes, values, decision making, and behaviors without the explicit consent of parents — this bill undermines the important parental rights protected by current law.
- Parents should be fully informed on non-academic surveys being given to their children and should have the ability to have their children not participate. This bill, as amended, would undermine that ability by requiring an opt-out rather than explicit parental consent to participate in these non-academic surveys.
- Active consent, as required in current law, is consistent with the federal Protection of Pupil Rights Amendment (PPRA) and carves out an exception for the Youth Risk Behavior Survey created by the CDC, allowing passive consent.
- The committee amendment, #0313s, which requires school districts to notify families about the non-academic survey via "email or text in addition to any written notice given via the student", does not address the fundamental concern. This is a school-choice issue because public school students should not be subject to increased intrusiveness or privacy violations, nor should their families forfeit their rights to direct their children's education simply because children attend their local district schools.

**NAY
OTP/A****SB 1, relative to family and medical leave.****Finance: OTP/A 4-2****ANTI-LIBERTY: This bill creates a new tax on employee wages of at least 0.5% to implement a new family medical leave program.**

- Employees and employers should be free to negotiate benefit programs such as paid family and medical leave insurance without the state forcing all to participate.
- The commissioner of the Department of Employment Security will be empowered to raise the tax rate or lower the benefits without legislative approval (amendment caps this to 10%).
- There is a cap on benefits at 85% of the average salary, so workers who make over the average salary will be paying for benefits that they cannot collect and are disproportionately impacted by the legislation.
- The current short-term disability insurance market will be negatively impacted by government interference in the insurance marketplace.
- Long term, the fiscal note for the program estimates that the state of NH will need 43+ additional employees and \$6.6 million per year that would need to be subsidized by the participants.

SB 1**NAY
OTP/A**