



NEW HAMPSHIRE LIBERTY ALLIANCE

GOLD STANDARD

HB 250 Oppose
 HB 731 Oppose
 HB 1162 Oppose
 HB 1166 Oppose
 HB 1234 Oppose
 HB 1245 Oppose
 HB 1247 Oppose
 HB 1280 Oppose
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HOUSE SESSION - TUESDAY, JUNE 30, 2020

HB 250, (Second New Title) establishing a dental benefit under the state Medicaid program.

HB 250

Senate: RC 19Y-5N

ANTI-LIBERTY: This bill will increase state spending by providing adults in the Medicaid program with dental coverage.

Oppose

- This program provides able-bodied adults in New Hampshire with taxpayer-funded dental coverage.
- This will likely result in new costs of between \$6 million and \$11 million in state taxpayer funds and more than \$28 million of taxpayer funding overall when state and federal spending are considered. The bill provides no cap on annual per-patient expenses and therefore the total cost impact may be higher.

HB 731-FN, (Second New Title) relative to the state minimum hourly rate.

HB 731

Senate: RC 14Y-10N

ANTI-LIBERTY: This bill establishes a state-dictated minimum wage.

Oppose

- Minimum wage laws decrease the number of entry-level jobs and make it harder for people of low skill to get their start in the workforce.
- Higher wages for everyone are better accomplished through job creation — more jobs mean more competition to hire all workers.
- Employers and employees should be free to negotiate the terms of employment without interference.
- Economic conditions and cost of living vary dramatically across the state. A "one-size-fits-all" approach to a minimum wage will put unreasonable pressure on areas of the state with limited employment opportunities and lower costs of living.
- The very idea of a minimum wage is patronizing and demeaning as it implies that individuals don't know how much they're worth and are incapable of negotiating with an employer.

HB 1162

HB 1162, (New Title) relative to adoption and parentage; the office of the child advocate; reimbursement of court ordered services for juveniles; the legal representation of children in the juvenile justice system; the best interest of the child under RSA 169-C and the duties of the oversight commission on children's services; insurance coverage for children's early intervention services; expanding the family-centered early supports and services (FCESS) program to children under the age of 3 who are born substance-exposed; the child abuse and neglect central registry; establishing a kinship navigator program; missing children; dispositional hearings under RSA 169-B; and the rebuttable presumption of harm under the child protection act.

Senate: VV

ANTI-LIBERTY: This bill incorporates language from HB 377 that changes the purpose of the Child Protection Act from protection from abuse instead to the state determining the 'best interest of the child'.

- There is no objective standard to determine the best interest of the child. Under this bill, judicial prerogative to determine the child's best interest becomes the default, rather than a last resort reserved for when a parent has been proven unfit.
- According to the National Bureau of Economic Research (www.nber.org/digest/oct05/w11377.html) "Doubling the rate of religious attendance raises household income by 9.1 percent, decreases welfare participation by 16 percent from baseline rates, decreases the odds of being divorced by 4 percent, and increases the odds of being married by 4.4 percent." — should the state show a preference for removing a child from a non-religious parent and placing them with a religious family? Clearly not, and while such decisions are unlikely to become commonplace even with this bill, a decision to remove a child from a parent is not something that should be left to such a vaguely worded standard subject to judicial evolution of interpretation.

Oppose

HB 1166

HB 1166, relative to unemployment compensation, certain sanitary protections for COVID-19, extending the federal Family and Medical Leave Act for certain COVID-19 protections, and waiving cost sharing for testing and treatment for COVID-19.

Senate: RC 14Y-10N

ANTI-LIBERTY: This bill increases unemployment compensation rates to be a larger fraction of the individual's normal salary and mandates new paid benefits to be provided by employers.

- The increases in unemployment provided for in this bill are permanent and not limited to the response to COVID-19. Some employees will end up receiving more money on unemployment than they did while working. This is a disincentive to work and is ultimately harmful to individuals. For example, under the proposed amendment, an individual earning \$192 per week would be eligible for \$220 a week while unemployed.
- The committee amendment also requires unlimited paid time off for COVID-19 testing requested by the employee, as proposed 277:10-a indicates that only the employee request is required to trigger access to a test or time-off for the test.

Oppose

HB 1234

HB 1234-FN-A, (Second New Title) relative to state and local government administration.

Senate: VV

ANTI-LIBERTY: This bill is an omnibus bill that contains approximately 40 different topics, limiting the ability of the public to participate and comment and forcing legislators to accept unrelated provisions in a single vote.

- This bill raises protectionist barriers by preventing EMTs or paramedics who are nationally certified by the National Registry of Emergency Medical Technicians and licensed in their home state from being employed in New Hampshire without first completing NH's processes for licensing.
- New Hampshire is still in the midst of an opioid crisis and a medical state of emergency. Now is not the time to try a dangerous protectionist experiment that will complicate the process for businesses to attract qualified emergency personnel from other states.
- While the bill contains a number of positive or neutral provisions, the negative provisions and the limited time for public review of the amendment are unacceptable.

Oppose

HB 1245, (Second New Title) adopting omnibus legislation concerning state agencies.

HB 1245

Senate: VV

ANTI-LIBERTY: This bill contains approximately 36 different topics, limiting the ability of the public to participate and comment and forcing legislators to accept unrelated provisions in a single vote. It grants the state the ability to infringe on private property rights and raises the tobacco possession/sale age to 21.

Oppose

- While portions of this this bill are attempting to address public safety, there are insufficient protections for property rights. Unelected state officials are given the right to enter on any property, public or private, for the purpose of investigating the condition, construction, or operation of any potentially hazardous dam or associated equipment, facility, or property to take emergency actions without even a simple review by a judge. It allows property entry if there is a flood warning issued by the National Weather Service but does not require the flood warning to be in a region that is associated with the dam. History has shown that vague emergency powers will be broadly interpreted beyond the original stated intent.
- This bill bans the sale and possession of tobacco and e-cigarette products by young adults in NH by increasing the age for most provisions from 19 to 21.

HB 1247, (Second New Title) relative to sexual assault, sexual misconduct in institutions of higher education, and the rights of victims of crime.

HB 1247

Senate: RC 14Y-10N

ANTI-LIBERTY: This bill prohibits a landlord from filing a possessory action based on nonpayment of rent that became due during the state of emergency unless the renter has been provided with a written offer to allow payment over a 6 month period that begins from the date of the written offer.

Oppose

- This bill provides a one-size-fits-all solution to the complexities the economic hardships created by the COVID-19 pandemic and the associated state actions. Small landlords, who themselves may have felt impacts from the state of emergency, may lose their property, which may also have unforeseen negative consequences for the tenants.

HB 1280-FN, (New Title) relative to copayments for insulin, establishing a wholesale prescription drug importation program, establishing a New Hampshire prescription drug affordability board, establishing the prescription drug competitive marketplace, relative to the pricing of generic prescription drugs, relative to prior authorization for prescription drug coverage, and requiring insurance coverage for epinephrine auto-injectors.

HB 1280

Senate: RC 24Y-0N

ANTI-LIBERTY: This bill eliminates the option for individuals to access policies with deductibles for insulin and grants the state the power to import drugs from Canada while not providing the same freedom to private individuals or businesses.

Oppose

- While it may be comforting to feel as if we are saving individuals money, each new mandate we add increases the total cost for insurance and may end up making the difference between a family being able to afford insurance and not being able to afford it.
- Deductibles in medical insurance policies allow insurers to offer policies at lower costs because it helps ensure that the customer takes total cost into account. This bill changes the incentive structure so that there is no reason for someone to choose a lower cost and potentially equally effective generic equivalent since their costs will be the same. This will further drive premium increases.
- Reducing barriers to accessing potentially lower cost medicine from Canada (or other sources) is commendable; however, the state does not belong in the business of being the sole wholesaler or providing a special grant of privilege to a single wholesaler.

Oppose

Oppose

Oppose

HB 1454, (New Title) relative to alternative learning credit rules of the state board of education.

Senate: RC 15Y-9N

ANTI-LIBERTY: This bill increases the complexity for organizations looking to offer alternative "Learn Everywhere" for-credit programs by allowing local school boards to reject alternative learning or work-based programs.

- Ultimately parents are in the best position to determine what is best for the education of their children. Under current law, parents and alternative learning providers can work with the state board of education to ensure that alternative programs meet education standards. This bill would increase complexity for parents and educators by allowing the local school board to reject the work-based program credit even if it is not executing within the geographic region covered by the board and is supported by the parent.

HB 1558-FN, (Second New Title) relative to discipline of students, addressing students' behavioral needs, and making an appropriation therefor; kindergarten funding; violence in schools; policies for students with head injuries; child sexual abuse prevention education and training; authorizing the issuance of bonds or notes by a municipality; adding the chancellor of the university system of New Hampshire to the department of business and economic affairs council of partner agencies; change of school or assignment due to manifest educational hardship; school board expenditure of year-end fund balances; a children's system of care; student wellness; and criminal background checks for bus drivers.

Senate: VV

ANTI-LIBERTY: This bill covers 19 different areas related to education including municipal bonds, school funding, and background checks.

- This bill allows a school board or charter school board of trustees the ability to extend a suspension for mere possession of a paint ball gun without any requirement that the possession take place on or near school grounds.
- This bill decreases the town vote threshold from 2/3 to 3/5 for bonds and other long term debt, allowing towns to more easily shift the burden for current spending to future taxpayers.

HB 1582-FN, (New Title) relative to free tuition at colleges and universities for children of veterans who are totally and permanently disabled; programs to aid veterans' access to employment, housing, health care, and college degrees; educational assistance for members of the New Hampshire national guard; tuition waivers for children in state foster care or guardianship; and prohibiting higher education institutions from discriminating on the basis of military, law enforcement, or veterans status.

Senate: VV

ANTI-LIBERTY: This bill spends state taxpayer dollars on special programs for veterans, performing functions that in many cases are already covered by federal programs.

- Many local employers already offer beneficial treatment for hiring and training veterans — it is unclear that additional state spending in the area of job training and apprenticeship will have any positive outcome.
- Proposed changes relative to reducing barriers to employment created by the state's excessive occupational licensing framework are admirable but likely ineffective. Veterans and all New Hampshire residents would be better served by reductions to state-sponsored protectionist legislation.
- While improved outcomes for veterans from this legislation are uncertain, what is certain is that this bill will increase spending and result in higher taxes for everyone, including New Hampshire's veterans.

ANTI-LIBERTY: This bill covers 17 different topics. Among these are a new insurance mandate for potentially ineffective antibiotics therapy, as well as raising barriers to competition and growth in the healthcare market.

- Traditionally, where we have had insurance coverage mandates, they were for therapies where there was the highest degree of scientific consensus recommending it, considering efficacy, safety, and cost-effectiveness. This is not the case here. The CDC explicitly recommends against long-term antibiotic treatments for tick-borne illnesses such as Lyme, saying it has outcomes that are no better than a placebo (www.cdc.gov/lyme/postlds/index.html), but brings risks of serious, sometimes deadly complications. The Infectious Disease Society of America also notes that such treatment is ineffective and presents a harm to public health, due to the creation of antibiotic-resistant bacteria.
- Although we support the "right to try" for patients, and would not ban long-term antibiotic treatments for Lyme, neither should we mandate that insurance plans cover this treatment.
- The bill would also require any new ambulatory surgical center, hospital, walk-in-care center (and other similar health care facilities) that would be located within 15 miles of an existing critical access hospital to inform the hospital and allow it to object to the new nearby competition. While this is not a full return to the failed certificate of need mechanism of years past, it does raise new barriers to competition and potentially limits growth in the healthcare sector. Just months ago, experts predicted a shortage of testing facilities and hospital beds and now the legislature is considering raising new barriers to expansion.

Oppose