



NEW HAMPSHIRE LIBERTY ALLIANCE

GOLD STANDARD

SB 52 YEA OTP/A
SB 60 YEA ITL
SB 92 NAY OTP/A
SB 136 YEA ITL



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SENATE SESSION - THURSDAY, MARCH 18, 2021

SB 136, relative to the state minimum hourly rate.

SB 136

Commerce: ITL 3-2

ANTI-LIBERTY: This bill establishes a state-dictated minimum wage of \$10 per hour on January 1, 2020, increasing to \$12 per hour on January 1, 2024.

YEA ITL

- 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 private sector 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.

SB 52, relative to city charter provisions for tax caps.

SB 52

Election Law and Municipal Affairs: OTP/A 3-2

PRO-LIBERTY: This bill requires city charter exclusions and ordinances that have the effect of a budget cap override to require a supermajority vote.

**YEA
OTP/A**

- New Hampshire municipalities derive the authority for their charters from legislative grants from the general court. This bill clarifies the existing grant of authority for a spending cap provision in city charters. This bill would require that votes or accounting practices that have the effect of redistributing budget items from within the limits of the cap to outside the limits of the cap shall be construed as the functional equivalent to an override and shall require the same supermajority vote as an override threshold.
- This bill, with the recommended committee amendment, retains the authority for a municipality to adopt a cap that excludes dedicated, enterprise, or self-supporting funds or accounts, capital reserve funds, grants, or revenue from sources other than local taxes and adds interest and principal payments on municipal bonded debt to the list of potential exclusions.

SB 60, prohibiting the transport of an open container of marijuana in a motor vehicle or OHRV.

SB 60

Judiciary: ITL 3-2

ANTI-LIBERTY: This bill allows the state to impose sanctions on individuals who are safely operating a motor vehicle or Off-Highway Recreational Vehicle (OHRV) if an open container of a cannabis-derived medication is being transported.

YEA ITL

- This bill would put drivers and passengers of vehicles in legal jeopardy for transporting one limited class of medication that happens to be open even if neither the driver nor passenger is making use of the medication.
- No such medication restriction is applied to other legal pharmaceuticals.
- The bill is poorly worded with regard to transport in a vehicle or OHRV without a trunk as it requires the medication to be stored in a compartment "which is the least accessible to the driver." — this vaguely worded standard is open to abuse and puts both police and the general public in the difficult situation of weighing the relative accessibility and definition of each nook and cranny in the vehicle. This may encourage storage in locations where the medication is likely to be lost and later recovered by a minor.

NAY OTP/A

SB 92, relative to increasing the penalty for criminal mischief, the release of a defendant pending trial, and requiring law enforcement candidate background checks.

Judiciary: OTP/A 3-2

ANTI-LIBERTY: This bill further attacks an innocent defendant's ability to defend themselves against the state.

- This bill further encroaches on the fundamental principle that all defendants are innocent until *proven* guilty. This means the judicial behavior must be heavily biased in favor of freedom of the defendant to defend themselves, not in the convenience of the state.
- This bill also forces former/current employers of candidate police officers to furnish information related to their former/current employees or face civil liability. The employer may charge "reasonable fees" for this effort which will increase the costs for the municipal taxpayers.
- This bill increases the penalty for an expansive law "protecting" public property.