



NEW HAMPSHIRE LIBERTY ALLIANCE

GOLD STANDARD

SB 217 YEA ITL
 SB 352 NAY OTP/A
 SB 402 YEA OTP/A
 SB 403 NAY OTP
 SB 417 YEA OTP/A
 SB 418 NAY OTP
 SB 440 YEA OTP/A
 SB 505 NAY OTP
 SB 510 YEA OTP/A
 SB 558 YEA IS



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HOUSE SESSION - THURSDAY, MAY 23, 2024

SB 558, relative to insurance coverage for infertility treatments, protection from discrimination during IVF treatments, parental leave, and adoption.

SB 558

Commerce and Consumer Affairs: IS 18-0

ANTI-LIBERTY: This bill increases everyone's health insurance costs by requiring companies to cover fertility treatments.

YEA IS

- People who do not want fertility treatment should not be forced to pay for the treatment of those who do.
- Health insurance companies don't pay for medical care; they pool money and attempt to control the services available to people who need access to those funds. This bill therefore inflates everyone's costs for the benefit of a small few.
- This bill promotes irresponsible behavior by encouraging the false belief that people can typically wait decades into middle and old age to have children without repercussion.
- While a vote of YEA IS is acceptable, a vote of ITL is preferred.

SB 418, (New Title) relative to refusal of consent to testing to determine alcohol concentration and penalties for aggravated driving while intoxicated.

SB 418

Criminal Justice and Public Safety: OTP 12-8

ANTI-LIBERTY: This bill dramatically increases penalties for refusing a blood alcohol test to one year (from 180 days).

**NAY
OTP**

- The state can seek and achieve a conviction for driving under the influence without a blood test and is already able to introduce into evidence the fact that an individual has refused a test into evidence during trial.
- The existing RSA 265-A:14 and this enhanced penalty-without-conviction update allow police to request a blood test and institute the penalty upon refusal to take a test that is "offered" under duress. In Mitchell v. Wisconsin, the U.S. Supreme Court found that implied consent laws that included blood tests (but not breathalyzer tests) are an unconstitutional violation of the 4th Amendment, as a blood test is more invasive and reveals more information than a breathalyzer and accordingly requires a warrant.

SB 440, relative to the board of optometry and the regulation of optometry.

SB 440

Executive Departments and Administration: OTP/A 14-6

PRO-LIBERTY: This bill, with the proposed committee amendment, modestly expands the procedures that qualified optometrists are allowed to perform.

**YEA
OTP/A**

- During the public hearings, testimony was provided indicating that optometrists have been performing the procedures permitted in this bill in multiple states for more than 40 years with safe and effective outcomes. This bill increases consumer choice and removes protectionist barriers that are not shown to change patient safety.
- Retaining current barriers to optometrists performing procedures also comes with its own risks, as patients either delay procedures or have to travel out of state to have a procedure performed that cannot be done in a timely manner — potentially resulting in negative outcomes that are directly as a result of the state artificially limiting the ability of a subset of qualified professionals to offer services.

SB 217, establishing a rural and underserved area educator incentive program for higher education and making an appropriation therefor.

SB 217

Finance: ITL 13-12

ANTI-LIBERTY: This bill establishes the rural and underserved area educator incentive program and makes an appropriation therefor.

YEA ITL

- This bill is unnecessary, as no part of New Hampshire is educationally underserved due to the universal geographic access of Education Freedom Accounts.
- Increasing the unnecessary bloat of the already-overfunded public education department creates an unjust burden on everyone forced to pay taxes.
- There is very limited actual incentive created by this bill, as the federal government is already forgiving billions in college education loans.

SB 352, establishing an early detection cancer screening pilot program for active and retired firefighters.

SB 352

Finance: OTP/A 25-0

ANTI-LIBERTY: This bill establishes an early detection cancer screening pilot program in the Department of Safety, Division of Fire Standards and Training and Emergency Medical Services, for retired and full-time active firefighters in New Hampshire.

**NAY
OTP/A**

- New Hampshire already heavily subsidizes the healthcare insurance of first responders in New Hampshire.
- This bill is the start of a large, new program whose ongoing price tag is to be assumed by the New Hampshire taxpayer.
- First responders who believe they are at an increased risk of cancer can consult with their professional medical doctors and decide on an appropriate course of action to be covered by the health insurance they currently have.
- The pilot program is not powered to provide meaningful statistics in the form of a randomized controlled trial to determine if spending the additional funds makes first responders better off or if it instead subjects them to needless screenings and invasive follow-up procedures with no overall survival or quality-of-life benefits.

SB 403, (New Title) relative to the health care workforce.

SB 403

Finance: OTP 25-0

ANTI-LIBERTY: This bill creates a new certification for certified community health workers with vague responsibilities that increases Medicare and Medicaid costs to the taxpayer.

**NAY
OTP**

- This bill creates a formal certification for "community health workers" and expands Medicaid coverage so that tax dollars will be used to pay for their services. The bill defines the responsibilities of community health workers to include "informal and motivational counseling" and "other services that the commissioner defines by rules".
- This extraordinarily vague definition puts taxpayers on the hook to fund a broad range of activities that are not specified in the bill, but which could be introduced later without adequate vetting by the legislature.
- This bill has the consequence of potentially raising the costs shouldered by New Hampshire taxpayers by untold millions as ill-defined benefits can be loosely interpreted to mean anything.

SB 417, relative to out-of-home placements for children.

Finance: OTP/A 13-12

PRO-LIBERTY: This bill, with the proposed committee amendment, helps to ensure that children are able to stay with a parent who has not been charged with abuse or neglect.

- With the proposed committee amendment, this bill ensures that the non-custodial parent who seeks custody and has not been charged with abuse or neglect is deemed fit unless clear and convincing evidence demonstrates that the parent is not fit to have custody. Further, should the court find that the child needs to be removed from custody and placed out of state, the amendment instructs the court to give preference to out-of-state placements that are in proximity to the child's family and/or kin, who are able to participate in family and/or reunification services.
- As initially introduced in the senate, this bill would have changed the criteria that a court must use to support a decision to award custody to an individual other than a parent from a determination that the parent "has abused or neglected the child or is otherwise unfit" to a set of criteria that went far beyond abuse and neglect. While there are no error-free solutions to family situations that have deteriorated enough that reasonable people would assume the need for community intervention, the senate version of the bill would have shifted the balance of power too far toward the state in adding criteria that encourage outside-of-family placement for cases that go beyond the safety of the child.
- Vote YEA OTP/A for this bill. If the committee amendment fails, vote NAY OTP.

SB 417

YEA OTP/A

SB 402, (New Title) relative to allowing pharmacists to administer influenza, COVID-19, and other FDA licensed vaccines without explicit approval from the general court.

Health, Human Services and Elderly Affairs: OTP/A 14-6

PRO-LIBERTY: This bill allows New Hampshire residents the ability to choose to receive vaccines from a pharmacist, pharmacy intern, or licensed advanced pharmacy technician under the supervision of an on-site immunizing pharmacist without first getting permission from the legislature.

- Under current New Hampshire law, the legislature must explicitly grant the authority for individuals to have the right to receive vaccines of their choice from pharmacists. Absent explicit grant of permissions in law, individuals are prohibited from receiving vaccination from a pharmacist. Such restrictions are paternalistic and presume that individuals are unable to make choices on their own.
- This bill saves the consumer time and money, since pharmacy-administered vaccines are typically less-expensive and are often more convenient than a trip to the doctor.

SB 402

YEA OTP/A

SB 505, relative to the prohibition on the sale of hemp products containing certain levels of THC.

Health, Human Services and Elderly Affairs: OTP 15-5

ANTI-LIBERTY: This bill makes the current temporary ban on the sale of hemp products containing greater than 0.3% THC permanent.

- Under current New Hampshire law, the sale of hemp-derived products that contain natural or synthetic tetrahydrocannabinol (THC) greater than 0.3% is banned. This ban is set to expire in October of 2024. This bill repeals the sunset provision, making the ban effectively permanent.
- Adults should be free to make their own choices about what they put into their bodies, as long as they're not harming others. Prohibiting hemp-derived THC products infringes upon an individual's right to make informed decisions about their own health and wellness.
- Prohibition often leads to a thriving black market, which is often associated with criminal organizations and violence. If hemp-derived THC products were legalized, the black market would shrink, the illegal drug trade would be disrupted, and consumers would be able to pursue civil action if products were fraudulently marketed in terms of purity.

SB 505

NAY OTP

PRO-LIBERTY: This bill, with the proposed committee amendment, eliminates the requirement that a retail motor vehicle dealer submit a form notifying the New Hampshire Department of Motor Vehicles of the sale of a vehicle to a Massachusetts resident, allows new vehicles purchased in the model year or before to be inspected in the second year after purchase, and reduces requirements for vehicle inspection.

**YEA
OTP/A**

- The current processes of requiring notification for a vehicle sold to a Massachusetts resident place a burden on both customers and dealers because vehicles purchased by Massachusetts residents cannot be taken home until they are registered by the dealer. This is a holdover from when Massachusetts did not have a temporary license plate system in place. Now that this is not the case, this bill streamlines the vehicle purchase process by allowing Massachusetts residents to take home their vehicles with temporary license plates issued by automobile dealers.
- Furthermore, the bill contains a commonsense section that recognizes that a brand new car doesn't need to be inspected for safety as soon as it is purchased — saving time and money.
- Finally, the bill provides slightly more time for residents to inspect their vehicle. The bill also allows for vehicles with body rust and rust on brakes to pass inspection. In addition, a cracked headlight, directional signal, or tail lens will now pass inspection by using a color-matching automotive lens tape.