



New Hampshire Liberty Alliance

Gold Standard

NHLiberty.org

June 6th, 2014

SB 405-FN, requiring the registration of radon mitigation system installers with the board of home inspectors.

SB 405

Our recommendation on the adoption of the Committee of Conference report:

This report, which requires certification for airborne radon installers, is **anti-liberty**.

- New Hampshire leads the nation in placing onerous licensing and certification requirements on businesses, which only serves to discourage and drive away small businesses. This bill creates yet another unneeded certification mandate.
- This new requirement would add compliance regulations on contractors and the board, raising the cost of doing business and raising prices to consumers.
- Such certification schemes grant unearned benefits to named, private certifiers and erect barriers to entry to new providers, depressing free-market forces.

NAY ON CONCUR

HB 421, relative to regulation of real estate brokerage and sales by the real estate commission.

HB 421

Our recommendation on the adoption of the Committee of Conference report:

This report, which increases requirements and penalties on real estate licensees, is **anti-liberty**:

- A minimum fine of \$10,000 for holding oneself out as a real estate salesperson after having his/her license suspended is an inappropriately harsh penalty.
- There is no proof that attending more required classes leads to better understanding or professionalism. Experience, broker supervision, membership organization rules, and personal ethics are more important than continuing education classes.
- Mandating an increase from 12 to 15 hours of CEU courses for all licensees, regardless of their career experience, is a blanket approach with no proven effect other than raising the cost of doing business and enriching a very small number of instructors.

NAY ON CONCUR

HB 498, permitting the use of firearms by military or veterans groups in the compact part of a town for military or veterans events, or national holidays.

HB 498

Our recommendation on the adoption of the Committee of Conference report:

This report, which grants special privileges for various classes of men, is **anti-liberty**:

- This bill seeks to exempt public safety workers, military veterans and historical re-enactors from the existing requirement that is applied to all other residents.
- The US and NH constitutions, along with sound public policy, demand equal treatment under the law and not discriminating against (or for) various classes of men.

NAY ON CONCUR

HB 532, relative to energy efficiency and clean energy districts.

Our recommendation on the adoption of the Committee of Conference report:

This report, which would allow towns or village districts to create special districts and borrow money to fund energy efficiency improvements in private property, is **anti-liberty**:

- Violates the New Hampshire Constitution, Part 2, Article 5, states “the general court shall not authorize any town to loan or give its money or credit directly or indirectly for the benefit of any corporation.”

HB 532

**NAY
ON
CONCUR**

HB 590, relative to the unauthorized practice of law.

Our recommendation on the adoption of the Committee of Conference report:

This report, which would allow landlords to represent themselves in circuit court, is **pro-liberty**:

- Some judges have interpreted the current law as prohibiting a landlord from representing themselves in multiple eviction cases.

HB 590

**YEA
ON
CONCUR**

HB 1135-FN, relative to penalties for driving without a license

Our recommendation on the adoption of the Committee of Conference report:

This report, which increases unlicensed driving from a violation to a class B misdemeanor, is **anti-liberty**:

- This report, as amended, would only increase the penalty for driving while NEVER having had a license. Driving with a license that is between 1 day and 1 year expired stays a violation for a first offense, but a class B misdemeanor for a second offense in that 12 month window. It eliminates the penalty for driving with a license that is more than 12 months expired.
- This crime has no victim and therefore the penalty is in violation of the Constitution, Part 1, Article 18 : “All penalties ought to be proportioned to the nature of the offense”.
- To pass this bill would require another bill next year to repair the flaws.

HB 1135

**NAY
ON
CONCUR**