



# GOLD STANDARD



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HOUSE SESSION - THURSDAY, FEBRUARY 8, 2018

HB 413 NAY Reconsider	HB 1328 NAY ITL	HB 1710 YEA ITL	HB 1783 YEA ITL	HB 1822 NAY ITL
HB 427 NAY ITL	HB 1566 YEA ITL	HB 1749 NAY IS	HB 1793 YEA ITL	SB 33 YEA IS
HB 628 YEA ITL	HB 1581 YEA OTP/A	HB 1771 YEA ITL	HB 1797 YEA ITL	SB 205 YEA IS
HB 636 YEA IS	HB 1628 NAY ITL	HB 1773 YEA ITL	HB 1817 NAY OTP/A	

### Bills for Reconsideration

**HB 413FN-A-L, relative to payment by the state of a portion of retirement system contributions of political subdivision employers.**

## HB 413

House: ITL 172-166

**ANTI-LIBERTY: This bill requires the state to pay 15 percent of the normal and accrued liability contributions of political subdivision retirement system employers for group I (teachers) and group II (police and fire) members.**

### NAY Reconsider

- This bill will increase state spending by over \$40 million every year.
- Political subdivisions such as towns, counties, and school districts should be responsible for their own employees.
- Residents of prudent and fiscally responsible towns/cities would now be forced, through state taxation, to pay for the liabilities of irresponsible local governments.
- Centralizing funding for local expenditures is bad policy. Citizens need accurate and easy-to-understand financial information to make informed decisions.

### Part One

**HB 628-FN, relative to a family and medical leave insurance program.**

## HB 628

Commerce and Consumer Affairs: ITL 11-9

**ANTI-LIBERTY: This bill establishes a tax on income with dubious opt-out provisions.**

### YEA ITL

- Employees can opt-in anytime, but can only opt-out when starting employment and the opt-out requires an onerous use of a notary.
- The minority amendment increases the tax rate by 33% before the program has even been adopted.
- Employees and employers should be free to negotiate benefit programs such as paid family and medical leave insurance without the state crowding out market solutions.
- Employees that do not opt-out are prohibited from opting out in the future unless they quit their job and work elsewhere.
- This bill adds more than 40 state employees, increasing the size of state government, and spends nearly \$10 million over 4 years on salaries alone, before providing any benefits to citizens.
- **This bill will be weighted very heavily on the NHLA annual scorecard.**

**HB 1793-FN-A, establishing a New Hampshire single payer health care system.**

**Commerce and Consumer Affairs: ITL 10-8**

**ANTI-LIBERTY: This bill dramatically expands spending and control over the economy by establishing a single payer health care system administered by the state.**

- This bill would result in a dramatic increase in state spending that would require broad-based tax increases.
- Vermont investigated the feasibility of a single payer health care system and ultimately rejected it as unaffordable.

**HB 1793**

**YEA ITL**

**HB 1773-FN-A, relative to campaign contributions and expenditures.**

**Election Law: ITL 16-3**

**ANTI-LIBERTY: This bill increases state spending by creating a government-funded campaign finance system for Governor, Executive Councilor, and State Senator.**

- Taxpayers should not be forced to pay for the campaign activities of any candidate, particularly those with whom they vigorously disagree.

**HB 1773**

**YEA ITL**

**HB 636-FN, (New Title) establishing a department of military and veterans services.**

**Executive Departments and Administration: IS 15-2**

**ANTI-LIBERTY: This bill establishes a department of military and veterans services to coordinate and oversee the veterans benefits and services offered by organizations within the state of New Hampshire.**

- There are multiple public and private organizations already available that provide assistance to veterans. There is not a demonstrated need for this department.
- The fiscal note estimates potential salary and benefit costs of between \$107,000 and \$118,000 annually for a new Commissioner of Veteran's Affairs. As is the case with most state departments, it is reasonable to assume that once the department is established, it will begin to lobby for additional resources.
- While the appropriate vote is ITL, IS is acceptable.

**HB 636**

**YEA IS**

**HB 1771-FN-A, relative to hiring a state toxicologist and making an appropriation therefor.**

**Executive Departments and Administration: ITL 11-8**

**ANTI-LIBERTY: This bill creates a new position of State Toxicologist within the Department of Health and Human Services.**

- The duties of this position are largely covered by existing state and federal agencies.
- Creating a new (and unfunded) position now increases the risk of budget failure in future years as the position would need to be funded in upcoming budgets.

**HB 1771**

**YEA ITL**

**HB 1817-FN, establishing the position of state demographer and a commission on demographic trends; requiring state agencies to prepare a 10-year current services budget; and requiring demographic impact notes on legislation.**

**Executive Departments and Administration: OTP/A 19-0**

**ANTI-LIBERTY: This bill creates a new position of State Demographer.**

- Creating a new (and unfunded) position now increases the risk of budget failure in future years as the position would need to be funded in upcoming budgets.

**HB 1817**

**NAY  
OTP/A**

**HB 1783-FN, relative to newborn screening for Krabbe Leukodystrophy.**

**Health, Human Services and Elderly Affairs: ITL 15-6**

**ANTI-LIBERTY: This bill mandates screening all newborn children for a rare but serious recessive genetic disease.**

- Universal mandates interfere in the doctor/patient relationship and increase healthcare costs. The decision about whether to perform these types of tests should be between the doctors and parents.

**HB 1783**

**YEA ITL**

**HB 1822-FN, making hormonal contraceptives available directly from pharmacists by means of a standing order.**

**HB 1822**

**Health, Human Services and Elderly Affairs: ITL 13-8**

**PRO-LIBERTY: This bill modestly reforms regulation restricting patient access to contraceptives.**

**NAY ITL**

- This bill allows pharmacists to dispense hormonal contraceptives pursuant to a standing order entered into by health care providers.
- Under this bill, patients would still consult with a health care provider for initial hormonal contraceptive prescription and would remain free to consult with their providers if there is a change in their health needs. Studies indicate that women are able to accurately self-screen for contraindications for oral contraceptive use ([www.ncbi.nlm.nih.gov/pmc/articles/PMC2615461](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2615461)).
- Research indicates that even women who have access to oral contraceptives without prescription continue to receive preventive health screenings at a high rate ([www.ncbi.nlm.nih.gov/pubmed/22520645](http://www.ncbi.nlm.nih.gov/pubmed/22520645)).

**HB 1749-FN, relative to the state's authority to prohibit or regulate firearms and relative to the selectmen's authority to manage town property.**

**HB 1749**

**Municipal and County Government: IS 18-2**

**PRO-LIBERTY: This bill would hold local officials accountable for violating state law.**

**NAY IS**

- Vote NAY IS and then support OTP/A on floor amendment 2018-0408h which appeared in the house calendar.
- Current statutes prohibit local municipalities from creating their own firearm laws. Under this bill, elected officials who do so would face a civil fine for violating our liberties.
- This bill provides an enforcement mechanism for existing law that prevents local municipalities from implementing ordinances that would create a complex patchwork of restrictive firearms regulations across the state. The penalties in the amended version have been reduced from \$5,000 to \$500, being fair to all parties.

**HB 1797-FN-A, adding a 50 percent charge to all amounts assessed to persons liable for costs of containment, cleanup, and remediation of water, air and soil pollution.**

**HB 1797**

**Resources, Recreation and Development: ITL 15-4**

**ANTI-LIBERTY: This bill mandates additional penalties/fees for environmental cleanup activities.**

**YEA ITL**

- The penalty imposed by this bill is anti-business and counterproductive as it increases costs involved in accidents when there is public identification and cleanup. Existing penalties are sufficient to provide an incentive to reduce the risks of accidents, and restitution to directly impacted parties is a better solution than enriching the state's general fund.

**HB 1328-FN, relative to motor vehicle inspections.**

**HB 1328**

**Transportation: ITL 11-4**

**PRO-LIBERTY: This bill would reduce the burden on NH citizens by making motor vehicle inspections biennial.**

**NAY ITL**

- 33 states, including states with much harsher winters than NH (e.g. Michigan, Wisconsin, North Dakota, and Minnesota), do not require any periodic safety inspections. Another 6 states require only biennial inspections.
- According to the Department of Transportation, only 1.2% of accidents are caused by a problem with the vehicle itself, leading to loss of control. The same study found that in only 6.8% of accidents was vehicle condition a factor at all, of which almost all were cases of tire/wheel damage (e.g. vehicle runs over a nail). Most accidents are caused by driver error or negligence.
- Yearly inspections are a special hardship on those with older vehicles and lower incomes, who often need the vehicle in order to get to work. Vehicles often fail for causes that have no material impact on safety.
- A comprehensive study by Brigham Young University concluded "This finding strongly suggests that vehicle safety inspection programs are no longer necessary, and are simply a form of residual government oversight." (<https://goo.gl/D9rxE7>)

**Ways and Means: IS 23-0**

**ANTI-LIBERTY: This bill forces existing businesses and taxpayers to subsidize the commercial ventures of small businesses who are adept at navigating the requirements of a bureaucratic program and not necessarily proficient at meeting the needs of their customers.**

**YEA IS**

- The state should not be in the business of choosing winners or losers; all businesses should be allowed to compete fairly in a free market.
- Broad-based tax rate reductions are superior to focused tax credits as they reduce state-induced market distortions that limit the effectiveness of voluntary interaction.
- The Department of Resources and Economic Development (DRED) indicates that at least one staff person will be required to manage the program. This will result in a permanent increase in state spending along with the liability of additional future pension costs.
- While the appropriate vote is ITL, IS is acceptable.

**Part Two**

**HB 427, allowing hobby distillation of liquors.**

**HB 427**

**Commerce and Consumer Affairs: ITL 12-1**

**PRO-LIBERTY: This bill would remove state restrictions on hobby distillation of liquors leaving only federal law to infringe upon the rights of those who would seek to enjoy this hobby.**

**NAY ITL**

- While the majority is correct that this change would not affect federal law, there is no compelling reason for New Hampshire law to help uphold unwise federal laws.
- Home distilling has only federal restrictions in at least 8 US states including Massachusetts and Maine (<https://www.hobbydistillersassociation.org/index.php/legalization/state-laws-by-state>).

**SB 33, relative to the definition of political advocacy organization.**

**SB 33**

**Election Law: IS 18-2**

**ANTI-LIBERTY: This bill defines a political advocacy organization so broadly as to potentially be interpreted as applying to individuals.**

**YEA IS**

- This bill requires civic groups, news sources, and potentially individuals to register as political advocacy organizations, and disclose sources of income if they spend more than \$5,000 in a year and mention by name any candidate during the 60 days prior to the election.
- The bill contains language that states: "Political advocacy organization" means any entity, including, but not limited to, an organization described in RSA 664:2, III'. This unbounded definition may have unintended consequences and may infringe upon the freedom of speech of individuals.
- While the appropriate vote is ITL, IS is acceptable.

**Part Three**

**HB 1566, prohibiting open carry of a firearm in certain public places.**

**HB 1566**

**Criminal Justice and Public Safety: ITL 12-8**

**ANTI-LIBERTY: This bill prohibits the open carrying of a firearm in multiple places including private property where property owners are already free to determine their own policy.**

**YEA ITL**

- The language in this bill is so broad that it would prohibit a person from carrying or storing in their car a firearm in a number of places that they typically travel to during daily activities, including locations like retail drug stores, and most restaurants.
- Forcing citizens to store firearms in cars parked off site of these establishments could lead to a rise in firearm theft from vehicles.
- Possession crimes by their very nature make law-abiding citizens criminals where no actual crime has been committed.

**HB 1581, relative to commencement of an administrative license suspension.**

**Transportation: OTP/A 11-4**

**PRO-LIBERTY: This bill requires that a driver's license revocation or suspension resulting from a hearing commence no sooner than the day of the hearing at 11:59 PM.**

- The current law interferes with the ability of the accused to attend the trial. The bill and the amendment ensure that the citizen has the right to be at the hearing and return home before loss of license.

**HB 1581**

**YEA  
OTP/A**

**HB 1628-FN, relative to number plates for motor vehicles.**

**Transportation: ITL 11-4**

**PRO-LIBERTY: This bill removes the requirement for vehicle owners to install a state-mandated front license plate on passenger vehicles.**

- Many vehicle types do not include mounting brackets for a front plate, which requires owners to damage/drill into the bumper to install a mount. The state should not require owners to damage their vehicles.
- 19 states in the US and 9 (of 13) Canadian jurisdictions do not require front license plates at all while another 7 states do not require them depending on certain circumstances. Vermont no longer requires an unique front plate as of 2012. Rear-plate-only vehicles are already on our roads.
- Support Floor Amendment 2018-0462h which removes the requirement for an E-Z Pass transponder from the bill.

**HB 1628**

**NAY ITL**

**HB 1710-FN-A, relative to the provision allowing operators to retain a portion of meals and rooms taxes collected and the appropriation of meals and rooms tax revenues to school building aid.**

**Ways and Means: ITL 20-3**

**ANTI-LIBERTY: This bill effectively increases taxes on businesses that collect the meals and rooms tax by capping the amount that they can withhold to administer the collection of these taxes.**

- This increases taxes on business and will likely result in higher prices as these costs are passed on to consumers.

**HB 1710**

**YEA ITL**