



NEW HAMPSHIRE LIBERTY ALLIANCE

GOLD STANDARD

HB 112 YEA ITL
HB 124 YEA OTP
HB 133 YEA OTP
HB 145 YEA ITL
HB 223 NAY ITL
HB 227 NAY ITL
HB 333 YEA ITL
HB 365 YEA OTP
SB 12 YEA OTP



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HOUSE SESSION - THURSDAY, FEBRUARY 9, 2017

HB 112, requiring child resistant packaging for electronic cigarette cartridges.

Commerce and Consumer Affairs: ITL 16-2

HB 112

ANTI-LIBERTY: This bill expands the definition of "e-cigarette", and creates new requirements for packaging of cartridges.

YEA ITL

- Federal code 16 C.F.R. section 1700.15 concerns packaging requirements for poisons. To apply these standards to e-cigarette cartridges, which "may or may not" contain nicotine at all is inappropriate, and would place an undue burden on manufacturers.

SB 12-FN, repealing the licensing requirement for carrying a concealed pistol or revolver.

SB 12

Criminal Justice and Public Safety: OTP 12-8

PRO-LIBERTY: Makes NH pistol/revolver license optional; replaces vague term of "suitable" with "not prohibited by state or federal law"; extends license minimum period from 4 to 5 years.

YEA OTP

- New Hampshire voters affirmed our inherent right to self-defense in 1982 with the adoption of Article 2-a. of the state Constitution: *All persons have the right to keep and bear arms in defense of themselves, their families, their property and the state.*
- A requirement to have a license to carry a concealed firearm is an infringement on an individual's right to self-defense. This bill restores the right of law-abiding citizens to carry protection discreetly.
- Our neighbors Vermont and Maine, two states that allow concealed carry without a license, rank among the safest places in the country.
- This bill eliminates unnecessary and obscure definitions of "open" versus "concealed" carry, which are difficult to interpret, have led to several lawsuits, and unfairly criminalizes law-abiding citizens.
- This bill replaces the subjectivity of the phrase "suitable person", which has in the past been used by biased officials for ethnic, racial, and gender discrimination, with the objective and easily understood phrase of *not prohibited by state or federal law.*
- By making the license optional, this bill eliminates a vulnerability period that has prevented persons who may feel threatened (e.g. a woman with a stalker) from carrying discreet protection when needed. It also facilitates license reciprocity requirements between NH and other states.
- Other states that have enacted constitutional carry have seen either no statistically significant change in violent crime, or a slight downward trend.
- There is no evidence that the current NH pistol license provides a necessary benefit to public safety.

HB 133, relative to a jury's determination as to the applicability of law.

HB 133

Judiciary: OTP 10-8

PRO-LIBERTY: This bill directs courts to inform juries on their right to judge the facts and the application of the law in relation to the facts in controversy.

YEA OTP

- This bill does not create any new power for juries - it simply provides mechanisms for them to be informed and educated on their longstanding rights to judge both fact and law in cases before them.
- While existing law already allows jurors to be informed, this bill provides clear language that will help to ensure that jurors receive consistent and clear instructions.

HB 365-FN, relative to awarding attorneys fees under the right-to-know law.

Judiciary: OTP 10-8

PRO-LIBERTY: This bill awards attorney's fees when a petitioner is successful in a right-to-know lawsuit where it is ruled the lawsuit was necessary in order to enforce compliance with the provisions of the right-to-know law or to address a purposeful violation.

- This right-to-know law is supposed to increase transparency in our government. It should be accessible to all NH citizens and not just the few who have the means to fund legal battles in the event of a bureaucratic mistake.
- This is a small but important change to the current law. It will make government more accountable for abuses of RSA 91:A and may provide better training to the people who hold our public records as a result.

HB 365

YEA OTP

HB 145, requiring municipal approval for siting high voltage transmission lines.

Municipal and County Government: ITL 16-0

ANTI-LIBERTY: This bill requires municipal approval for siting high voltage transmission lines.

- This bill would require a 2/3 vote of the entire governing body of any city or a majority of those voting in a town vote to allow siting high voltage transmission lines within the boundaries of a municipality.
- This would potentially control the private property of others without regard for any adjudicated actual impact to surrounding property and places an unreasonable burden on the use of private property.

HB 145

YEA ITL

HB 124-FN, repealing certain aircraft registration fees.

Transportation: OTP 15-3

PRO-LIBERTY: This bill repeals several aircraft registration fees.

- Existing aircraft registration fees are significantly non-competitive with surrounding states.
- Competitive registration fees will contribute to increased registration of aircraft in New Hampshire potentially increasing economic activity in the state.

HB 124

YEA OTP

HB 227, relative to aftermarket tinting on side windows.

Transportation: ITL 12-6

PRO-LIBERTY: This bill removes the current prohibition on aftermarket tinting of side windows.

- 46 other states already allow tinted side windows, with no widespread problems reported.
- NH law enforcement already encounters tinted windows on the thousands of tourist vehicles that visit NH each year. No widespread problems have been reported with these vehicles either.
- It is unfair to allow out-of-state visitors to drive with tinted windows, but prohibit them to NH residents.

HB 227

NAY ITL

HB 333-FN, removing the exemption for premium cigars from the tobacco tax.

Ways and Means: ITL 18-3

ANTI-LIBERTY: This bill removes the exemption from the tobacco tax on premium cigars.

- This bill would directly erode the New Hampshire advantage. NH presently has no tax on cigars. That fact has specifically drawn multiple cigar companies to NH; several moved here when MA imposed its cigar tax in 1996.
- Per the fiscal note, this would likely raise taxes by \$340k. HB333 seeks to raise revenue for the state, but will ultimately fail in doing so as the business taxes paid by cigar sellers and other businesses that benefit from the out of state traffic the sales generate would be lost due to decreased premium cigar sales.

HB 333

YEA ITL

PRO-LIBERTY: This bill expands the current prohibition on lobbying by recipients of state funds to cover those who receive county or municipal funds.

- Taxpayers should not be forced to pay for lobbyists that they may oppose.
- The local towns and city employees have the same opportunity to contact legislators as citizens do. County and municipal employees should not be allowed use taxpayer funds for activism. It's a clear conflict of interest.
- The state already restricts lobbying by entities that receive state funds under RSA 15:5. This bill simply expands the restriction to cover county and municipal funds while retaining the responsible exemptions from the prohibition that have served the state for more than 10 years.

NAY ITL