



GOLD STANDARD

HB 1127 YEA OTP
HB 1214 YEA ITL
HB 1221 NAY ITL
HB 1576 NAY ITL
HB 1446 NAY ITL
HB 1697 NAY OTP/A

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HOUSE SESSION - WEDNESDAY, FEBRUARY 4, 2016

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HB 1127, relative to qualifications of referees in the superior courts and circuit courts.

HB 1127

Judiciary Committee Recommendation: OTP 10-8

YEA OTP

PRO-LIBERTY: This bill improves accountability for court referees.

- This bill requires that court referees who are not former judges become justices of the peace.
- Currently, referees, as state employees, cannot be impeached if they decide beyond their proper authority, By contrast, justices of the peace can be impeached if necessary.
- The requirement is not arduous. JP is easy to obtain, and allows a five year term before requiring re-approval by the governor and council.

HB 1214, allowing towns and cities to authorize an additional surcharge on hotel occupancy under the meals and rooms tax.

HB 1214

Municipal and County Government Committee Recommendation: ITL 10-6

YEA ITL

ANTI-LIBERTY: This bill allows cities and towns to create an additional local surtax.

- Taxes are too high already; further raising taxes on rooms and meals would have an adverse effect on tourism.
- Allowing municipalities to create an entirely new kind of local tax, which is likely to grow over time, sets a dangerous precedent.

HB 1221, relative to excluding certain one-time expenditures from the default budget in official ballot municipalities.

HB 1221

Municipal and County Government Committee Recommendation: ITL 12-4

NAY ITL

PRO-LIBERTY: This bill helps prevent inclusion of one time expenditures in default budgets.

- This bill helps prevent one-time expenditures from being carried over into a default budget. By clarifying what is considered to be a one-time expenditure, this bill reduces the likelihood of misinterpretation, either accidental or intentional.
- Revisiting one time budget items helps ensure that they are visible, and are still supported by the populace.
- The majority report asserts that this bill is “yet another attempt to define what items are one time expenses”. This is a prejudicial characterization of the change which is more correctly described as a refinement of the existing definition. The argument that new language may work for one district but not for another could just as easily be applied to the existing law.

HB 1576-FN-LOCAL, repealing the licensure of dogs.

HB 1576

Municipal and County Government Committee Recommendation: ITL 12-3

PRO-LIBERTY: This bill respects the privacy and property rights of dog owners.

- Private organizations do a better job finding the owners of lost dogs than the state does. Micro chipping and other private forms of ID are a good voluntary alternative to pet licenses.
- Few dog owners who would refuse to comply with rabies shot requirements, comply with license requirements anyway. Furthermore, some dog owners may be currently deterred from obtaining rabies shots for their pets, because doing so subjects them to dog license fees or fines.
- This bill will save the time and money would otherwise be spent tracking down unlicensed dog owners.
- The original purpose of dog license fees was to fund compensation to farmers for damage to their livestock by dogs. This is no longer a significant problem.
- The United Kingdom already abolished mandatory dog licensing in 1987 with no significant adverse effects.

NAY ITL

HB 1446, relative to enforcement of the prohibition on the use of mobile electronic devices while driving.

HB 1446

Transportation Committee Recommendation: ITL 15-3

PRO-LIBERTY: This bill makes driving with a cell phone a secondary offense.

- Police shouldn't stop people who are not a danger and driving perfectly. This bill would help focus the police's attention on providing actual public safety.
- The current ban overreaches, by prohibiting speaking on a cell phone even while stopped in traffic or at a red light.
- Studies show that bans on use of handheld devices while driving have had no effect on accident rates. (e.g. NE Burger, DT Kaffine, B Yu Transportation research part A: policy and practice 66, 162-172, and IIHS Status Report, Vol. 45, No. 2)
- Handheld phone bans cause some drivers to hide their phone use, by placing the phone in their lap and taking their eyes off the road, which is far more dangerous.

NAY ITL

HB 1697-FN, relative to the operation and insurance of transportation network companies.

HB 1697

Transportation Committee Recommendation: OTP/A 14-2

ANTI-LIBERTY: This bill creates new statewide mandates on rideshare companies.

- This bill writes Uber's business model into law, shutting out competitors and granting Uber an effective monopoly.
- Many localities currently allow free competition in the rideshare market. This bill tramples local control for no good reason, by creating a new statewide regulatory scheme.
- HB1697 is based on Uber model legislation, meaning Uber effectively wrote the core of bill.
- Requires mandatory minimum insurance coverage of \$1M, far greater than most current insurance requirements for taxis.
- The \$5,000 license fee creates a barrier to entry for startups and smaller competitors.

NAY OTP/A