



NEW HAMPSHIRE LIBERTY ALLIANCE

GOLD STANDARD

HB 103 YEA OTP
HB 591 YEA ITL
SB 65 YEA OTP
SB 82 YEA ITL
SB 107 YEA ITL
SB 159 YEA OTP
SB 244 YEA OTP
SB 249 NAY OTP



NHLIBERTY.ORG

SENATE SESSION - WEDNESDAY, MARCH 29, 2017

This issue contains voting recommendations for March 29th and 30th.

Bills Scheduled for Wednesday, March 29

SB 82, relative to labeling for maple syrup.

Commerce: ITL 3-0

ANTI-LIBERTY: This bill mandates the relative font size and content of labels for maple syrup.

- The state should not be mandating labels and font sizes. Local stores already do a good job of highlighting local products with large endcap signs.
- The bill goes into effect 60 days after passage and contains no provisions for stores to exhaust current supplies. This will require small retailers to manually modify labels on existing stock in order to remain in compliance with the law.

SB 82

YEA ITL

HB 591-FN, relative to suction dredging in the surface waters of the state.

Energy and Natural Resources: ITL 4-0

ANTI-LIBERTY: This bill bans small scale suction dredging in the surface waters of the state.

- RSA 482-A:3 XI compliant suction dredging is a small scale hobby in NH with little to no environmental impact. Further restricting this hobby is unnecessary due to the lack of impact.
- The existing RSA already limits suction dredging to a 5 hp motor and a 4 inch tube. This has worked well in the past at keeping the environmental disturbance to a minimum.
- Spring runoff already results in turbidity that far exceeds the small scale impact that the suction dredging used in the state has.

HB 591

YEA ITL

SB 65, relative to vaccines administered by pharmacists.

Health and Human Services: OTP 4-0

PRO-LIBERTY: This bill adds several common vaccines to the list of vaccines approved for administration to adults by pharmacists.

- Reduces cost and increases convenience for adults who choose to receive certain vaccines.
- Adults should not be required to wait for a more expensive doctor's visit in order to receive these common vaccines.

SB 65

YEA OTP

SB 159, relative to qualifying medical conditions for the purposes of therapeutic cannabis.

Health and Human Services: OTP 4-0

PRO-LIBERTY: This bill adds Ehlers-Danlos syndrome to the list of qualifying conditions for therapeutic cannabis.

- Ehlers-Danlos syndrome (EDS) is a group of disorders that affect the connective tissues in skin, bones, blood vessels, and other tissues. Pain is a common manifestation of EDS. It can range from mild to severe, and can become chronic.
- Medical providers should be free to certify their patients for the use of therapeutic cannabis if they believe it may be helpful. There is no good reason for the state to continue to stand between medical providers and patients who may benefit from this treatment option.

SB 159

YEA OTP

**NAY
OTP**

SB 249, relative to procedures related to the disclosure of exculpatory evidence by police officers.

Judiciary: OTP 5-0

ANTI-LIBERTY: This bill allows criminal defendants to be prosecuted without the benefit of potentially exculpatory evidence while administrative remedies at the police administrative level are being pursued.

- In *State v. Laurie*, 139 N.H. 325 (1995), the Supreme Court of New Hampshire found: *In New Hampshire, criminal defendants have an explicit right "to produce all proofs that may be favorable to [them]." N.H. CONST. pt. I, art. 15. As a practical matter, the prosecutor decides which information must be disclosed to a defendant in compliance with constitutional mandates, and hence to decide which favorable proofs are available to the defendant.* This bill creates a window of vulnerability for criminal defendants who are being prosecuted (potentially measured in months to years) while an officer is pursuing administrative remedies at the police administrative level.
- While this bill is attempting to strike a balance between unfounded accusations against police officers and the rights of the accused, it goes too far by denying prosecutors information about potentially exculpatory evidence.
- Providing a process for the removal of an improper finding of a Laurie determination against an officer is appropriate, but impeding access to potentially exculpatory evidence goes too far and may result in both overturned convictions and improper imprisonment of innocent defendants.

This issue contains voting recommendations for March 29th and 30th.

Bills Scheduled for Thursday, March 30

HB 103

**YEA
OTP**

HB 103, relative to school district policies regarding objectionable course material.

Education: OTP 3-2

PRO-LIBERTY: Under this bill parents may temporarily remove their children from a classroom rather than having to argue for the removal of objectionable materials.

- This bill addresses the notification gap in RSA 186:11 IX-c that allows parents to select alternative materials for their children at their own expense. It does not censor the entire class' materials.
- This does not present any new or additional costs to districts as they already have notification systems in place that may be used, including but not limited to beginning-of-the-year course syllabi and material lists.
- This bill allows parents to make informed decisions regarding their children's education, and brings choices closest to the student for the best educational fit.

SB 107

**YEA
ITL**

SB 107, establishing an independent redistricting commission.

Election Law and Internal Affairs: ITL 3-2

ANTI-LIBERTY: This bill creates a politically-connected redistricting commission to prepare a plan of apportionment of representative and senatorial districts following each decennial census.

- The makeup of the commission is designed to ensure that politically-connected individuals are appointed to this commission. While the stated purpose is to achieve a measure of independence, as designed the commission is little more than a shell game devised to shield legislators from accountability as the only options are to vote up or down the recommendation of the commission.
- According to the the Secretary of State, the single largest group of registered voters in the state is "Undeclared": 279,044 (D), 305,368(R), 403,816(U). In allowing appointment by majority and minority leaders, this bill forms a commission that will have a bias to limit the emergence of alternate parties.

SB 244

**YEA
OTP**

SB 244-FN-A, relative to exemption of income from taxation under the tax on interest and dividends.

Finance: OTP 4-2

PRO-LIBERTY: This bill increases the tax exemption for interest and dividends from \$2,400 to \$10,000.

- The existing threshold was last changed more than 20 years ago in HB56 (1995). Due to inflation, the net result has been the potential for a greater number of taxpayers to be subject to the tax and is an effective year-over-year tax increase as inflation erodes the spending power of the legacy exemption.