



NEW HAMPSHIRE LIBERTY ALLIANCE

GOLD STANDARD

HB 197 NAY ITL
 HB 582 YEA OTP
 HB 601 YEA OTP
 HB 605 YEA OTP/A
 HB 617 NAY ITL
 HB 1154 NAY OTP
 HB 1231 NAY ITL
 HB 1232 NAY ITL
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 HB 1644 NAY OTP

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SENATE SESSION - THURSDAY, APRIL 21, 2016

HB 197-FN, relative to sales and samples provided by wine manufacturers.

Commerce: ITL 3-0

PRO-LIBERTY: This bill allows wine manufacturers to establish up to 2 'off site' locations for sampling and purchase of their wines.

- Wine manufacturers should be permitted to sell their product where their potential customers are, not restricted to selling where grapes grow best.
- Allowing local businesses to showcase local products benefits NH residents and helps the NH economy.
- Additional jobs will be created to run off-site tasting rooms.

HB 197

NAY ITL

HB 601-FN, relative to cash dispensing machine requirements.

Commerce: OTP 3-0

PRO-LIBERTY: This bill reduces the annual cash machine notification renewal fee by \$45.

- The current fee is excessively high, going beyond covering the administrative costs of regulation.
- The NHLA would more strongly support the bill as originally introduced; eliminating annual notification requirements for cash dispensing machine operators entirely.

HB 601

YEA OTP

HB 1339, relative to the corporate governance annual disclosure act.

Commerce: OTP/A 3-0

ANTI-LIBERTY: This bill increases the regulatory burden on business and carves out an exclusion to pay practice laws for a single industry segment.

- This bill requires annual reporting of an insurer or insurance groups corporate governance structure, policies and practices to permit the commissioner to gain and maintain an understanding of the insurers corporate governance framework.
- This bill increases overhead and burden on insurance companies which will invariably be passed on to consumers through higher insurance rates.
- This bill contains non-germane amendment that carves out a special exception to existing law requiring that employees be paid for at least 2 hours of work for ski and snowboard instructional. Special case exclusions in the law are an indication that the law itself is flawed as it is unlikely that the legislature can be aware of all of the special conditions facing each employer. Piecemeal exclusions only serve to reduce the size of the constituency fighting the improper law without addressing the problems inherent in the law itself.

HB 1339

NAY OTP/A

HB 1340, relative to producer licensing.

Commerce: OTP 3-0

ANTI-LIBERTY: This bill requires that insurance producers complete certain education requirements every 2 years.

- This bill raises regulatory burdens on insurance producers by requiring biennial continuing education. This bill is a giveaway to schools providing the mandated education. There is no guarantee that the mandates will increase the productivity or ethics of insurance producers.
- If insurance producers want to increase their productivity, they can already seek out additional training. Additional regulatory burdens on licensed professions reduce the supply of providers, raising costs and limiting choice for consumers.

HB 1340

NAY OTP

HB 1231, relative to school district policy regarding objectionable course material.

Education: ITL 4-1

PRO-LIBERTY: This bill requires districts to notify parents before covering certain controversial or sensitive topics.

- The bill provides an opt-out for parents who do not wish their children to participate.
- This bill respects the right of parents to direct the education of their children.

HB 1231

NAY ITL

HB 1232, relative to visits to schools by non-academic government or private organizations.

Education: ITL 3-1

PRO-LIBERTY: This bill requires districts to notify parents before outside, non-educational state agencies or private companies visit schools and classrooms.

- This bill provides an opt-out for parents who do not wish their children to be part of the visit.
- This bill supports parental rights and improves privacy protections.

HB 1232

NAY ITL

HB 1644-FN, relative to screening and intervention for dyslexia and related disorders and establishing a reading specialist position in the department of education.

Education: OTP 5-0

ANTI-LIBERTY: This bill further increases state level spending on education.

- This bill creates an entirely new level of specialist within the DOE at more expense to the state.
- Programs already exist to identify students who need additional services; this bill is duplicative of services already in place.

HB 1644

**NAY
OTP**

HB 582-FN, repealing the license requirement for carrying a concealed pistol or revolver.

Judiciary: OTP 3-1

PRO-LIBERTY: House version of SB 116. Makes possession of a 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.

- 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 individuals 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.
- The language of current statute can be and has been selectively interpreted and enforced.
- This bill eliminates unnecessary and obscure definitions of "open" versus "concealed" carry, which are difficult to interpret, have led to several lawsuits, and unfairly criminalize 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 waiting 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 582

**YEA
OTP**

HB 605-FN, relative to mandatory minimum sentences.

Judiciary: OTP/A 4-0

PRO-LIBERTY: This bill repeals mandatory minimum sentencing for specific crimes.

- Mandatory minimums remove discretion from the courts, often forcing judges to impose sentences far longer than are appropriate for the situation and the crime. Restoring discretion enables the Judiciary to perform its constitutional role.
- Reducing use of excessively long minimum sentences will help slow the growth of prison populations.

HB 605

YEA OTP/A

HB 617-FN-A, requiring state police to wear a camera when interacting with the public.

Judiciary: ITL 4-0

PRO-LIBERTY: This bill establishes guidance for the use of Body-Worn Cameras by police.

- The use of BWCs as outlined in this bill will be a benefit to public safety, foster better interactions between police and members of the public, protect members of law enforcement, promote accountability and assist in investigations.
- BWCs protect both police and the citizens they interact with by providing objective evidence of encounters.
- Mandatory disclosure requirements protect civil rights and likely contribute to better behavior by all parties reducing the utilization of force.
- A 12 month study on the use of BWCs in Rialto, CA found use-of-force by officers wearing cameras fell by 59 percent and complaints against officers dropped by 87 percent compared to the previous years totals.

HB 617

NAY ITL

HB 1434-FN, relative to out-of-home placements under the child protection act.

Judiciary: ITL 2-2

PRO-LIBERTY: This bill as amended reinforces the requirement that the judges must provide a written finding to keep a child in out-of-home placement after the preliminary hearing of an abuse and neglect proceeding.

- Unwarranted interference in the parent child relationship is a harm to children, parents, and society as a whole. This bill helps ensure that removal is limited only to cases where a hearing has found that there are documentable instances of abuse or neglect.
- Clear documentation of findings supports rebuttal of unsubstantiated claims and in cases when the abuse is substantiated, it helps provide documentation that may be useful to all parties to determine the most appropriate path forward in future hearings.
- Documented findings are consistent with the NH Constitution Part 1 Article 15 which states "No subject shall be held to answer for any crime, or offense, until the same is fully and plainly, substantially and formally, described to him..."

HB 1434

NAY ITL

HB 1451-FN, relative to the annulment of certain criminal offenses.

Judiciary: OTP 4-0

PRO-LIBERTY: This bill reduces the injustice done to innocent, convicted persons.

- This bill as amended allows a person who was convicted of a criminal offense whose conviction was subsequently vacated by a court to petition for an annulment of the arrest record or court record or both.
- Having the option to petition for annulment allows a wrongly convicted individual to at least partially restore their official reputation.

HB 1451

YEA OTP

HB 1631-FN, relative to penalties for possession of marijuana.

Judiciary: ITL 4-0

PRO-LIBERTY: This bill respects self-ownership, and reduces the harm of the drug war.

- The NH Constitution provides that all penalties ought to be proportioned to the nature of the offense, but our state penalties for marijuana possession are no longer supported by public opinion and are far more severe than those of most nearby states.
- 60% of NH citizens support the legalization of recreational marijuana, and 72% support decriminalization (WMUR Poll 7/15).
- Legalization would not only prevent innocent people from having their lives significantly impacted by minor possession arrests, but would also reduce the expense of the criminal justice system, allowing police and prosecutors to focus on serious crimes where innocent people have been victimized.

HB 1631

NAY ITL

ANTI-LIBERTY: This bill violates personal privacy and civil liberties to travel freely.

- Blanket surveillance by the state government is rife with potential misuse and abuse. There is no way to ensure that the data won't be improperly shared.
- It has been shown in other states that there are many false positives on license readers, leading to infringements on driver freedom and personal liberty.
- In December 2013, the Boston police stopped using automated license plate readers. They found them ineffective, prone to error, open to hacking, and a waste of taxpayer dollars. Boston Police have no plans to resume using license plate scanners, as noted in the explosive media coverage of this failed program.
- The NH constitution clearly prohibits warrantless searches in Part I, Art. 19: "Every subject hath a right to be secure from all unreasonable searches and seizures of his person, his houses, his papers, and all his possessions...." The 4th Amendment to the US constitution gives the same restriction on the federal government.
- While the bill would impose a mandate that non-targeted plate data would be destroyed within 3 minutes, the need to have these devices networked to receive 'alarms' authorizing collections mean that the data will almost certainly be compromised. Large federal agencies including those charged with the responsibility of retaining detailed personal background data have shown that they are unable to prevent long-standing hacks and backdoors.

**NAY
OTP**