



# Gold Standard

## LIBERTY WATCHLIST

VETO SESSION • OCTOBER 28, 2009

### HB443 – Relative to underground storage facility operator training and relative to requirements for guaranteed price plans and prepaid contracts for petroleum.

Last vote:	Senate: OTP/A (#1766s), VV; 2009-05-27	Notwithstanding the Governor's veto, shall HB443 become law? Our recommendation:	<b>NAY</b>
	House: Concurs with #1766s, VV; 2009-06-10		

This bill, which would prohibit companies from offering guaranteed pricing plans prior to May 1 of each year, is **anti-liberty**:

- This bill unnecessarily increases state bureaucracy by placing extensive new training and certification requirements on private businesses that own and operate underground oil storage facilities.
- It interferes with the rights of private citizens to freely contract with utility providers regarding pricing and service. Prohibiting suppliers from offering fixed pricing plans prior to an arbitrary date is pointless government meddling in, and micro-management of, a normal business transaction.

### HB648 – Relative to the use of marijuana for medicinal purposes.

Last vote:	House: CoC #2251 adopted, RC 232–108; 06-24	Notwithstanding the Governor's veto, shall HB648 become law? Our recommendation:	<b>YEA</b>
	Senate: CoC #2251 adopted, RC 14–10; 06-24		

This bill, which would make legal under New Hampshire law the use of marijuana only for the purpose of treating debilitating medical conditions, is **pro-liberty**:

- On October 19, the Obama Administration promulgated a three-page memo to federal prosecutors stating that **medical marijuana patients and their authorized suppliers will not be targeted for federal prosecution, in states that allow medical marijuana.**  
 "It will not be a priority to use federal resources to prosecute patients with serious illnesses or their caregivers who are complying with state laws on medical marijuana," Attorney General Eric Holder stated.
- This bill went through numerous revisions in order to address the Governor's concerns, passing both the House and Senate each time.
- Doctors and patients, not bureaucrats, should be the ones to make important medical decisions.
- Federal involvement in state medical law is not authorized by the U.S. Constitution, and is a violation of state sovereignty, as protected by **Part I, Art. 7** of the New Hampshire Constitution.

### HB655 – Extending senior active status to judges over 70 years of age.

Last vote:	Senate: OTP/A (#1535s), RC 15–9; 05-13	Notwithstanding the Governor's veto, shall HB655 become law? Our recommendation:	<b>NAY</b>
	House: Concurs with #1535s, RC 209–148; 06-10		

This bill, which provides for allowing judges over 70 years of age to serve temporarily as senior active status justices, is **anti-liberty**:

- This bill is explicitly unconstitutional: **Part II, Art. 78** of the New Hampshire Constitution prohibits judges from continuing to serve on reaching age 70.
- If the Legislature wants to eliminate this example of legalized age discrimination, the proper way to do so is to pass a constitutional amendment, not to merely amend a statute.