



SPECIAL ORDER

HB 1445 – Eliminating the meals and rooms tax on campsites.

Committee report: Ways & Means: ITL (10–9) Our recommendation: **NAY on ITL**

This bill, which reverses application of the meals and rooms tax on campsites, is **pro-liberty**:

- Last year's implementation of this new tax on campsites without a public hearing should be rescinded, and any such change should be subject to public commentary and scrutiny.
- This newly imposed tax will cause untold number of potential visitors to reconsider their visits to New Hampshire and go elsewhere or stay home, depriving the state's economy of the economic activity generated by such tourism.
- Campsite rentals are short-term rentals of real property, quite unlike hotel stays. There are no rooms or meals provided.

HB 1628 – Establishing guidelines for neighborhood notification upon release of a sexual offender.

Committee report: Criminal Justice & Public Safety: OTP (16–3) Our recommendation: **NAY on OTP**

This bill, which requires the Department of Safety to create rules for neighborhood notification of resident sex offenders, is **anti-liberty**:

- Neighborhood notification, while well-intentioned, frequently results in stirring up a lynch-mob mentality against the offenders.
- Many sex offenders have families, too. Notification of their status results in their own children being harassed and humiliated by their peers. A recent WMUR story covered just such a situation at Fall Mountain High School, and another has recently taken place in Hooksett, where a sex offender's information was shown at a school assembly alongside his daughter's Facebook page.
- This state's sex offender registry tiers are based on the crime charged, not a proper risk assessment. Dangerous sex offenders may plead down, placing themselves in Tier I, whereas teenagers who have consensual sex with their underage partners may end up in Tier III, meant to be for the worst of offenders. Until this is fixed, notification schemes for serious offenders is premature.

HB 1400 – Requiring all colleges and universities to report crimes to the local law enforcement agency.

Committee report: Education: OTP/A (19–1) Our recommendation: **NAY on OTP/A**

This bill, which requires that crimes committed on college campuses be reported to the local police, is **anti-liberty**:

- This bill creates an unnecessary level of additional bureaucracy for both educational institutions and police departments.
- One-size-fits-all legislation is not appropriate for every learning institution, from UNH to Colby-Sawyer to St. Anselm College.
- This mandate and its new reporting requirements will distract colleges from teaching and police departments from fighting crime.
- Campus security should be allowed the discretion to punish—or choose not to punish—infractions at individual colleges. For example, reporting to the police a minor violation could potentially damage the permanent record of the student or the school, even in the case of a consensual or victimless crime.

HB 1411 – Requiring notice of the decision against rehiring be provided to educational support personnel.

Committee report: Education: Without recommendation Our recommendation: **YEA on OTP/A (0812h)**

This bill, which requires notification to educational support personnel if their employment will continue in the fall, is **pro-liberty**:

- This mandatory notification would be anti-liberty if non-public schools or other employers were required to do so. However, placing this mandate only on the state and its political subdivisions is simply good government, and sets a proper high standard for the way employees should be treated.
- The notification is only of intent, not a commitment for employment, and the employer can define any special circumstances that may have a bearing on the intent.
- The NHLA **does not support** passage of this bill in its original form. The amendment removes the section of HB 1411 that rendered it anti-liberty, concerning increased unemployment benefits for educational support personnel.

BILLS REMOVED FROM CONSENT CALENDAR

HB 1647 – Relative to residency restrictions for certain sexual offenders and ...

Committee report: Criminal Justice & Public Safety: ITL (16–0) Our recommendation: **YEA on ITL**

This bill, which prohibits sex offenders from residing within 25 miles of their victim or the victim's family, is **anti-liberty**:

- This bill is yet another attempt to create sex offender residency restrictions, which the legislature already rejected by overwhelmingly killing HB1442, 253–88, just last week, and passing HB1484 on voice vote two weeks ago.
- Such restrictions are an infringement upon fundamental private property rights and do nothing to actually protect victims.
- A sex offender would be required to keep track of where the victim and the victim's family live in order to comply with this law.

HB 1653 – Decriminalizing possession of one quarter of an ounce or less of marijuana.

Committee report: Criminal Justice & Public Safety: OTP (16–2) Our recommendation: **YEA on OTP/A**

This bill, which converts possession of ¼ ounce or less of marijuana from a criminal misdemeanor to a \$200 violation, is **pro-liberty**:

- In a free society, individuals should not be harshly punished for peaceful activities which do not harm others. Thus, it is more appropriate to punish simple marijuana possession with a citation and a fine than with a criminal conviction and possible jail time.
- Modeled after laws in other states, this bill would help avoid the unintended consequences associated with marijuana prohibition. By reducing the extent to which an individual's life is disrupted by a minor marijuana arrest, it would reduce costs in the criminal justice system and allow law enforcement to focus its efforts on serious crimes.
- **Part I, Art. 18** of the N.H. Constitution states, in part: "All penalties ought to be proportioned to the nature of the offense. ... Where the same undistinguishing severity is exerted against all offenses, the people are led to forget the real distinction in the crimes themselves, and to commit the most flagrant with as little compunction as they do the lightest offenses."

REGULAR CALENDAR

HB 1555 – Adding an exemption from immunization for conscientious beliefs.		
Committee report: Health & Human Services: ITL (12–7)	Our recommendation:	NAY on ITL
<p>This bill, which exempts conscientious objectors from compulsory immunization, is pro-liberty:</p> <ul style="list-style-type: none"> • No vaccine or other medical treatment should be forced on any person. This is a human rights and personal health choice issue. • The current religious exemption is an “all or nothing” exemption. The state of Texas recently added a conscientious belief exemption and saw their vaccination rates increase because the new exemption allowed individuals to choose vaccines they had skipped because of the “all or none” nature of the religious exemption. • This bill will uphold citizens’ rights as protected by Part I, Art. 4 of the N.H. Constitution: “Rights of Conscience Unalienable.” • It will not repeal RSA 141-C:20-d, which requires unvaccinated children to remain home from school in the event of an outbreak. 		
HB 1623 – Requiring certain patient identification for a pharmacist to dispense a schedule II or III controlled drug.		
Committee report: Health & Human Services: OTP (10–7)	Our recommendation:	NAY on OTP
<p>This bill, which requires customers to present ID to pharmacists to purchase certain controlled drugs, is anti-liberty:</p> <ul style="list-style-type: none"> • This bill adds unnecessary regulations to an area of commerce which is already over-regulated. It also discourages customers from patronizing local pharmacies, because it only applies to them and not to mail-order sales. 		
HB 1564 – Relative to the regulation of attorneys by the supreme court ...		
Committee report: Judiciary: ITL (11–8)	Our recommendation:	NAY on ITL
<p>This bill, which gives sole authority to regulate attorneys to the N.H. Supreme Court, instead of the N.H. Bar Association, is pro-liberty:</p> <ul style="list-style-type: none"> • The Bar Association, by requiring membership therein to be mandatory for all attorneys who seek to practice law in the state, and subjecting them to its rules, is a monopoly in violation of Part II, Art. 83 of the N.H. Constitution. • This power of monopoly conferred on the Bar has effectively led to control of the legal system by a private corporation whose officers are not accountable to the people, and whose policies and rules are not subject to constitutional limitations. 		
HB 1655 – Relative to persons with mental illness and the corrections system.		
Committee report: Judiciary: OTP (11–5)	Our recommendation:	YEA on OTP
<p>This bill, which reduces the time period for trial in cases where the defendant is incarcerated, is pro-liberty:</p> <ul style="list-style-type: none"> • This bill will reinforce a jailed defendant’s right to a speedy trial. • This may ease the workloads of corrections staff, reduce county expenditures due to shorter periods of inappropriate incarceration, and free space for more dangerous criminals. 		
HB 1147 – Excluding value attributed to unexercised approvals in determining [property taxes].		
Committee report: Local & Regulated Revenue: ITL (14–3)	Our recommendation:	YEA on ITL
<p>This bill, which excludes the value of unexercised approvals from property tax land value assessments, is anti-liberty:</p> <ul style="list-style-type: none"> • The current definition of “market value” in RSA 75:1 means “the property’s full and true value as the same would be appraised in payment of a just debt due from a solvent debtor.” This is a fair definition. • Adding special exceptions provides a tax break for a few individuals and increases the burden on the rest of the taxpayers. 		
HB 1126 – Relative to the Hooksett police commission.		
Committee report: Municipal & County Government: ITL (11–6)	Our recommendation:	NAY on ITL
<p>This bill, which allows the Town of Hooksett to expand its police commission from three to five members, is pro-liberty:</p> <ul style="list-style-type: none"> • This bill would empower the people of Hooksett to more effectively oversee law enforcement in their community. 		
HB 1343 – Establishing a joint committee on the constitutionality of [acts of the U.S. government].		
Committee report: State–Federal Relations: ITL (10–7)	Our recommendation:	NAY on ITL
<p>This bill, which creates a joint committee to review the constitutionality of acts, etc., by the U.S. government, is pro-liberty:</p> <ul style="list-style-type: none"> • Part I, Art. 7 of the N.H. Constitution states: “The people of this state have the sole and exclusive right of governing themselves as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, pertaining thereto, which is not ... by them expressly delegated to the United States of America in congress assembled.” As such, any power exercised by the federal government that was not <i>expressly delegated</i> is contrary to the Constitution. • While it is the duty of every legislator to review complaints of federal usurpation of our state’s sovereignty, each year the federal government creates thousands of pages of new laws—far too many for legislators to review. • For the same reasons that the N.H. legislature forms dedicated committees to review proposed N.H. legislation and recommend courses of action, it is prudent to form a dedicated committee to review federal legislation. 		
HB 1580 – Relative to home schooling.		
Committee report: Education: ITL (12–7)	Our recommendation:	NAY on ITL
<p>This bill, which exempts homeschooled children from compulsory attendance requirements, is pro-liberty:</p> <ul style="list-style-type: none"> • The compulsory attendance law was never intended to apply to parents who were instructing their children; it was directed at those few parents who were not undertaking their obligation to instruct their children in a responsible manner. • This bill does not prevent the state from using existing statutes to protect children from abusive or neglectful parents. • It restores due process, which includes equal treatment under the law, the presumption of innocence, and protection against searches or seizures without probable cause. • The current home education law, RSA 193-A, which presumes parents are guilty until proven innocent via annual evaluations, mandates something not required of any other educators in the state. • Despite recommending ITL, the House Education subcommittee concurred that the constitutional language in this bill is valid. • With the Board of Education set to approve rules (Ed 315) much like what was killed in HB368, this bill is even more necessary. 		

The New Hampshire Liberty Alliance is a non-partisan coalition of New Hampshire citizens working to increase individual freedom in the Granite State. Each year we compile voting records from a wide variety of legislation and release our Liberty Rating, grading our state legislators’ support of liberty. These Liberty Watchlists are an effort to highlight bills that, if passed, stand to substantially increase or decrease freedom in New Hampshire. Your vote on these bills may be used in our annual Liberty Rating.