



GOLD STANDARD

HB 1218 NAY OTP/A
HB 1549 NAY OTP/A
HB 1580 NAY OTP
HB 1642 NAY ITL
HB 1647 YEA OTP/A
HB 1662 Oppose



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HOUSE SESSION - THURSDAY, JUNE 11, 2020

HB 1580, (New Title) regulating the use of unmanned aircraft systems.

Criminal Justice and Public Safety: OTP 17-3

ANTI-LIBERTY: This bill prohibits anyone from weaponizing drones and prohibits private individuals from collecting images from a drone if they contain pictures of individuals without the consent of everyone in the images even if the individuals are in a public place without any expectation of privacy.

- Invasions of privacy are already a crime under RSA 644:9. This bill goes beyond criminalizing invasions of privacy in that it would prohibit private individuals from collecting recognizable photographs of individuals in public places even if they have no expectation of privacy in that location.
- The limitations on use by police for surveillance without a warrant are laudable; however, the exclusions for "law enforcement investigations" 422-D2 II(a) and exceptions for (images) "derived from lands owned by or under the control of the government entity" (422-D:3) weaken this protection.
- This bill would make it a class A felony for someone to mount a flamethrower on a drone — even if this was done on a large private property for purposes of pest control.

HB 1580

NAY OTP

HB 1662, relative to the purchase, use, and possession of tobacco products and e-cigarettes.

Criminal Justice and Public Safety: IS 11-9

ANTI-LIBERTY: This bill bans the sale and possession of tobacco and e-cigarette products by many adults in NH.

- This bill extends the current prohibition on tobacco products to adults under 20 years of age and extends the ban on the sale and possession of rolling papers to adults under 21 years of age.
- While tobacco products are harmful, applying restrictions on their use to adults is paternalistic.
- Any OTP motion (should one appear) should be opposed. No explicit NHLA recommendation is made with respect to either the committee majority or minority approach to avoid passage of the bill.

HB 1662

Oppose

HB 1549, establishing the office of school counseling and psychology, establishing the position of school counselor coordinator, and making an appropriation therefor.

Finance: OTP/A 13-9

ANTI-LIBERTY: This bill with the committee amendment creates a new office within the department of education and a new counselor coordinator position for that office.

- Costs for education continue to rise in the state. Often, these increased costs are at least partially due to continued expansion of bureaucratic infrastructure positions that have no direct role in education. This bill continues the expansion of overhead positions.
- While the amendment defers determination of the funding of the new position to a future biennium, creating a new mandate with deferral of funding allows a future spending increase to claim that the state is 'simply fulfilling an earlier mandate' which diffuses accountability.

HB 1549

NAY OTP/A

HB 1647, relative to post-conviction DNA testing.

Finance: OTP/A 13-9

PRO-LIBERTY: This bill amends the statute governing post-conviction DNA testing procedures so that it applies to individuals on probation, parole, or anyone whose liberty is otherwise restrained.

- While exoneration via DNA testing is most critical for the falsely convicted who are still in custody, any time an inhabitant's rights are improperly restrained by the state a great injustice is being done with potentially long-term and multi-generational impacts.

HB 1647

YEA OTP/A

HB 1642, (New Title) prohibiting the state or a state official from using a face recognition system.

HB 1642

Judiciary: ITL 12-7

PRO-LIBERTY: This bill prohibits the state, its political subdivisions, and officials from utilizing facial recognition systems or associated facial recognition system data.

- State use of facial recognition poses a significant threat to our privacy and could hamper First Amendment protected protests and other legal activities.
- A false match can lead to lengthy interrogations and increase the risk of negative outcomes with improperly initiated police encounters.
- As recently as December of 2019, there have been well-publicized concerns from federal studies that showed "Facial-recognition systems misidentified people of color more often than white people" (www.washingtonpost.com/technology/2019/12/19/federal-study-confirms-racial-bias-many-facial-recognition-systems-casts-doubt-their-expanding-use/).
- The committee minority amendment 2020-1255h, while not offering protection as strong as the original bill, is still a step in the right direction.

NAY ITL

HB 1218, (New Title) relative to net energy metering limits for customer generators and the purchase of output of limited electrical energy producers.

HB 1218

Municipal and County Government: OTP/A 12-6

ANTI-LIBERTY: This bill would increase costs for New Hampshire ratepayers.

- This bill subsidizes businesses and municipalities that choose to operate large scale energy generation facilities by increasing the subsidized net metering cap from the current 1 megawatt limit up to 5 megawatts.
- The recipients of these subsidies will get millions more at the expense of others without providing any substantial benefits to the grid, as the energy from these systems may be intermittent or unreliable.
- Net metering subsidies for renewables may no longer make sense as studies claim that solar energy is cheaper than fossil fuels. If this is true, then operators of these facilities already have a significant competitive advantage and would not require subsidy to be profitable.
- This bill has essentially no impact on individual homeowner use of net metering as the existing threshold of 1 megawatt is already approximately 100 times larger (as compared to a 10 kilowatt system) than what a typical homeowner is capable of generating via rooftop solar (www.solarreviews.com/blog/10kw-solar-systems-are-becoming-very-popular-here-is-why).

NAY OTP/A