



GOLD STANDARD



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HOUSE SESSION - THURSDAY, FEBRUARY 22, 2024

HB 1050 NAY OTP	HB 1322 Oppose	HB 1423 YEA ITL	HB 1583 NAY OTP/A	HB 1649 NAY OTP/A
HB 1111 YEA OTP/A	HB 1339 YEA OTP/A	HB 1472 Oppose	HB 1611 NAY OTP/A	HB 1674 YEA OTP/A
HB 1178 Oppose	HB 1377 Support	HB 1517 Support	HB 1630 YEA ITL	HB 1680 YEA ITL
HB 1186 YEA OTP/A	HB 1394 Oppose	HB 1577 YEA OTP/A	HB 1633 YEA OTP/A	HB 1689 YEA OTP
HB 1288 YEA OTP/A				

HB 1111, relative to the penalty for false reports of suspected abuse and neglect made to the division for children, youth, and families.

HB 1111

Children and Family Law: OTP/A 8-7

PRO-LIBERTY: This bill, with the proposed committee amendment, provides that reports of suspected abuse and neglect may include the name of the person making the report and that a report made maliciously or with the intent to cause harm may be subject to civil and criminal penalties.

- This bill enhances liberty by providing a measure of safeguarding against knowingly false accusations of child abuse from unidentified individuals. Additionally, the claimant may be informed of their liability in the case that the claim was made maliciously or with the intent to harm.
- The bill retains liability protections for those who make reports in good faith.
- In committee, DCYF reported that an average of 10,000 calls are received annually regarding child abuse and/or neglect, 50% of which are weeded out. The Parents Rights Foundation's national statistics show that of 20,000 calls annually, 10,000 are weeded out, and that 83% of reports of child abuse are false reports, which increases to 96% when there is no penalty against false reports.

YEA OTP/A

HB 1633, relative to the legalization and regulation of cannabis and making appropriations therefor.

HB 1633

Commerce and Consumer Affairs: OTP/A 17-3

PRO-LIBERTY: This bill legalizes cannabis in New Hampshire.

- This bill would increase personal freedom by allowing adults 21 and older to purchase, possess, transport, and give away (but not sell) up to four ounces of cannabis, ten grams of concentrated cannabis, and infused products with up to 2000 milligrams of THC.
- 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.
- Polls have consistently shown that a substantial majority of Granite Staters support legalizing cannabis (scholars.unh.edu/survey_center_polls/689).
- A federal judge has recently ruled that prohibitions on firearms ownership simply for the use of cannabis is unconstitutional. While it is likely that further court battles on the topic remain, concerns expressed over the potential impact to gun rights are paternalistic.

YEA OTP/A

HB 1649, relative to prohibiting certain products with intentionally added PFAS.

HB 1649

Commerce and Consumer Affairs: OTP/A 16-3

ANTI-LIBERTY: This bill, with the proposed committee amendment, restricts the use of per and polyfluoroalkyl substances in certain consumer products sold in New Hampshire.

NAY OTP/A

- Identified areas of groundwater PFAS contamination within New Hampshire are primarily the result of contamination primarily linked to industrial discharge from manufacturing facilities, fire stations, and military bases rather than the consumer products targeted for a ban under this legislation.
- This bill will lead to an unnecessary increase in the cost and lack of availability of common goods in New Hampshire as manufacturers will have to engage with the bureaucracy, decide whether or not to continue to provide the product, or update the product and generate custom processes to support this new law — all costs which will be passed on to the consumer.

HB 1674, relative to establishing the New Hampshire legal tender act and establishing a state bullion depository.

HB 1674

Commerce and Consumer Affairs: IS 14-5

PRO-LIBERTY: This bill designates specie legal tender as legal tender in the state of New Hampshire.

YEA OTP/A

- This bill, with the proposed amendment 2024-0373h, states that specie legal tender (specie coin issued by the United States or gold/silver as authorized by the New Hampshire state treasurer) is legal tender in New Hampshire.
- This bill enhances liberty by allowing a path for those who seek to exchange gold/silver instead of dollars to do so without risk of violating federal law. 18 U.S. Code § 486 states, "*Whoever, except as authorized by law, makes or utters or passes, or attempts to utter or pass, any coins of gold or silver or other metal, or alloys of metals, intended for use as current money, whether in the resemblance of coins of the United States or of foreign countries, or of original design, shall be fined under this title [1] or imprisoned not more than five years, or both.*"
- Vote NAY IS and then support YEA OTP/A.

HB 1050, relative to establishing a voluntary waiver of the right to purchase a firearm.

HB 1050

Criminal Justice and Public Safety: OTP 11-8

ANTI-LIBERTY: This bill establishes a gun registry in New Hampshire, which would prevent those people on it from legally owning firearms.

NAY OTP

- This bill attempts to create an end run around the Second Amendment by establishing a gun registry and establishing the bureaucracy to do so in New Hampshire, ostensibly to reduce suicide risk.
- The testimony in committee revealed that the potential consequence of this bill is that, in order to get healthcare, health insurance, or a variety of products required to function in society, citizens can be forced to renounce their Second Amendment rights by providers requiring them to be on this firearm registry.
- Humans are generally smart and resourceful, and although firearms are one common means that is used, reducing access to firearms does not necessarily result in lower suicide rates. South Africa's rate of suicide is 23.5 per 100,000 while the US rate is 16.1. (worldpopulationreview.com/country-rankings/suicide-rate-by-country). South Africa has significantly more strict controls on private firearm access.
- Once someone is placed on this registry, there is no legal recourse to have their name removed. Though the bill contains provisions that would appear to allow for removal, there is no way to require that the federal NICS system act upon a request for removal.

HB 1186, relative to firearm purchaser's privacy.

Criminal Justice and Public Safety: OTP/A 12-7

PRO-LIBERTY: This bill prohibits the assigning of a specific merchant code to the sale of firearms, ammunition, or firearm accessories, and provides a civil penalty for violations of this prohibition. This bill further provides a mechanism for enforcement of this prohibition.

- This bill, with the proposed committee amendment, protects the privacy of New Hampshire citizens by prohibiting payment processors from assigning a merchant category code that would denote that a firearm or accessory was purchased.
- This bill serves to stop the creation of a gun registry by banks who could then choose to defy the Second Amendment by denying the purchase of firearms and firearm implements, closing bank accounts, or preventing people on the registry from being banked.

HB 1186

**YEA
OTP/A**

HB 1339, relative to department of safety firearm background checks.

Criminal Justice and Public Safety: OTP/A 19-0

PRO-LIBERTY: This bill, with the proposed committee amendment, provides a procedure for conducting a discretionary background check prior to the return of firearms and/or ammunition in a court proceeding.

- This bill provides for a reasonable path for those whose firearms were seized by authorities to have them returned after passing a standard NICS background check.
- This bill reinforces the rights of the innocent by safeguarding their Second Amendment rights once the court finds that their case is resolved and can return confiscated property.

HB 1339

**YEA
OTP/A**

HB 1288, relative to establishing certain due process rights for students, student organizations, and faculty members facing disciplinary actions by state institutions of higher learning.

Education: Without Recommendation

PRO-LIBERTY: This bill, with the proposed amendment, establishes certain due process rights for students, student organizations, and faculty members facing disciplinary actions by state institutions of higher learning.

- This bill establishes a minimum floor for due process to be administered by the Community College System of NH (CCSNH) and University System of NH (USNH) regarding students, organizations, and faculty accused of wrongdoing.
- This bill enhances liberty by providing a floor of due process that may help alleviate abuse by some universities that in recent years have assigned guilt to students, whereas adhering to basic due process would have revealed the truth of their innocence.

HB 1288

**YEA
OTP/A**

HB 1517, relative to the statewide education property tax and excess revenue from games of chance.

Education: Without Recommendation

PRO-LIBERTY: This bill annually reduces the state education property tax by the amount of revenue paid to the state through games of chance in excess of the estimated amount paid in the 2023 fiscal year.

- This bill will reduce the statewide property tax, while offsetting the reductions with gambling tax funding. This will reduce people's taxes while not reducing education funding.
- This bill implements the intent of the finances collected from games of chance to supplement education funding with the revenue.

HB 1517

Support

HB 1583, relative to the per pupil cost of an opportunity for an adequate education.

Education: OTP/A 16-4

HB 1583

ANTI-LIBERTY: This bill increases the base annual cost of providing an opportunity for an adequate education. It also establishes relief aid funding and fiscal disparity aid.

- This bill, with the proposed committee amendment, would significantly increase multiple funding mechanisms to government-run schools, including base aid and differentiated aid. The total estimated new spending responsibility assigned to the taxpayer from this bill is approximately \$130 million year.
- The amount of money requested in this bill can be more readily sourced by harvesting efficiencies from reducing administrative costs, overhead, and waste and reducing the actual scope to that mandated in RSA 193-E:2.
- New Hampshire taxpayers already shoulder an incredibly high \$3.8 billion fiscal burden to educate children. There is no reasonable need to further increase this amount.

NAY OTP/A

HB 1577, relative to digital images of ballots.

Election Law: Without Recommendation

HB 1577

PRO-LIBERTY: This bill, with the proposed amendment, allows independent audits of ballot images.

- In the democratic process, it is important for people to be able to verify that the ballots cast actually match what the election results claim.
- Independent audits are common in many industries to ensure the quality of products and services. Open and honest elections should not run from audits, but welcome more transparency to provide voters confidence in NH elections.

YEA OTP/A

HB 1630, relative to extended producer responsibility.

Environment and Agriculture: ITL 12-8

HB 1630

ANTI-LIBERTY: This bill creates a new program requiring funding to enact extended producer responsibility for packaging.

- This bill assigns new bureaucracy and requirements to producers of most packaged goods.
- The great cost incurred by this program on producers and the creation of new state bureaucracy is a direct increase in costs and/or taxes to the New Hampshire resident. These programs aren't free, and it is only the people who pay.
- Most recycled plastic goods are not actually recycled in the US. Most are shipped to Canada, Mexico, and India where they can "recycle" the materials outside the domestic regulatory performance theater.

YEA ITL

HB 1680, relative to prohibiting the sale of dogs and cats by retail pet shops.

Environment and Agriculture: ITL 14-6

HB 1680

ANTI-LIBERTY: This bill prohibits the sale of dogs and cats by retail shops in New Hampshire.

- While the intent of the bill is likely to reduce support for breeders that utilize inhumane approaches to breeding and keeping dogs, it ultimately is likely to have the opposite effect. As written, the bill would prohibit the sale of cats and dogs in retail shops in the state of New Hampshire by prohibiting new shops and eliminating others through attrition. Ultimately, this will result in more cats and dogs being purchased from shelters that import pets from out of state. Rather than having pets be obtained from a mix of local and out-of-state breeders, this will ultimately increase the demand for out-of-state breeders where both the consumer and the state have less visibility into the conditions under which the pets were reared.
- Pet ownership is one of the joys of life that certain people have difficulty realizing with some species or breeds of pets. By outlawing pet stores' ability to sell dogs and cats, potential owners may be deprived of finding an appropriate pet to suit their needs.

YEA ITL

HB 1394, relative to licensure and regulation of music therapists and making an appropriation therefor.

HB 1394

Executive Departments and Administration: Without Recommendation

ANTI-LIBERTY: This bill expands occupational licensing in New Hampshire.

- Occupational licenses are permission slips from the government that routinely stand in the way of honest employment, and are designed to exclude entry into the marketplace. This bill creates a new license and prohibits individuals who do not have the license from the practice of music therapy.
- Consumers and employers, not the state, should decide who is qualified for which jobs.
- Music therapists already work in New Hampshire.

Oppose

HB 1689, relative to the use of personal identifying information by state agencies.

HB 1689

Executive Departments and Administration: IS 14-5

PRO-LIBERTY: This bill clarifies the law regarding how identifiable information contained within vital records is collected and reported to other state agencies.

- The bill limits state agencies' access to personal identifiers in vital records, ensuring individuals' privacy is protected against unnecessary government intrusion. This restriction underscores a commitment to safeguarding citizens' rights to privacy by minimizing the collection and use of sensitive personal information.
- This bill minimizes the risk of personal data misuse by ensuring that state agencies only access non-identifiable data for statistical purposes, thereby balancing public health research needs with individual privacy rights.
- With cyber attacks and data breaches becoming more common, the disclosure of personally identifiable information should be avoided at all costs.
- The bill's provisions empower individuals by ensuring that their personal information remains confidential and is not unnecessarily exposed to state scrutiny. By setting clear boundaries on the access and use of personal data, it reinforces the principle of personal liberty, emphasizing that individuals retain control over their own information in interactions with the state.
- Vote NAY IS and then YEA OTP.

**YEA
OTP**

HB 1178, relative to an employee's unused earned time.

HB 1178

Labor, Industrial and Rehabilitative Services: Without Recommendation

ANTI-LIBERTY: This bill requires an employer to pay an employee for unused earned time.

- Individuals should be free to make whatever legal arrangements they see fit with a potential employer. The people are more than capable of deciding if what an employer is offering is acceptable and choose to accept, negotiate, or turn down arrangements as they freely choose.
- This bill is an unforced error that will drive up the cost of employment in New Hampshire and cost potential jobs to people who are happy to accept the terms of employment with employers who don't conform to the mandates required in this bill.

Oppose

HB 1322, relative to the state minimum hourly rate.

HB 1322

Labor, Industrial and Rehabilitative Services: Without Recommendation

ANTI-LIBERTY: This bill establishes a state-dictated minimum wage.

- Minimum wage laws decrease the number of entry-level jobs and make it harder for people of low skill to get their start in the workforce. The well-meaning carve out for younger employees adds a further barrier to older unskilled staff entering the workforce, potentially putting a path to employment forever out of their reach.
- Securing higher wages for everyone is better accomplished through job creation — having more jobs available means more competition among businesses to hire workers, thereby driving up wages.
- Employers and employees should be free to negotiate the terms of employment without interference.
- Economic conditions and cost of living vary dramatically across the state. A "one-size-fits-all" approach to a minimum wage will put unreasonable pressure on areas of the state with limited employment opportunities and lower costs of living.
- The very idea of a minimum wage is patronizing and demeaning as it implies that individuals don't know how much they're worth and are incapable of negotiating with an employer.

Oppose

Labor, Industrial and Rehabilitative Services: Without Recommendation

PRO-LIBERTY: This bill prohibits collective bargaining agreements that require employees to join or contribute to a labor union and prohibits coercion and intimidation intended to compel an employee to join, affiliate with, or financially support a labor organization or to refrain from doing so.

- The federal National Labor Relations Act (NLRA) contains several coercive mechanisms that infringe upon the rights of workers and business owners. Among these are section 9a, which mandates exclusive representation by a single union and mandates that the union representative is given opportunity to be present at grievance adjustment between employers and employees even if the employee does not wish that the representative is present. In addition, it forces employers to recognize and bargain collectively with unions following a majority vote of their workforces.
- Right-to-work is the only way currently permitted under federal law to restore some of the freedom of dissenting workers and their employers to withhold support from unions with whom they disagree. While this bill interferes with freedom of contract, it does so in a way intended to remedy current, more egregious constraints on freedom of contract.
- Public sector collective bargaining is often more harmful than private sector collective bargaining because taxpayers are not directly represented in negotiations. "It is impossible to bargain collectively with the government," said Franklin D. Roosevelt, who opposed public sector unions. Public sector right-to-work reduces union density in government and reduces government spending and taxes (Ichniowski & Zax 1991).
- "...when it came to earning more than nonunion workers, union members in right-to-work states actually out-performed those in non-right-to-work states." (news.bloomberglaw.com/bloomberg-law-analysis/analysis-are-unions-really-weaker-in-right-to-work-states). This is potentially due to the incentive for unions to be more responsive to their members' needs when they are not compelled to join.
- Federal employees already have the option of joining or not joining the American Federation of Government Employees (AFGE). It is time to grant New Hampshire workers the same options that federal workers have had for decades. "The only federal employees who pay union dues are those who choose to do so. Each federal employee in a work unit that has voted for union representation chooses whether to join the union or not." (www.afge.org/take-action/lpc-dashboard/lobbying-tips/crippling-the-union-fast-facts/)

Support

HB 1423, requiring the commissioner of the department of natural and cultural resources to identify all old growth and mature forests on public land in the state of New Hampshire.

Resources, Recreation and Development: ITL 15-5

ANTI-LIBERTY: This bill would require taxpayer resources to be used to survey 1.5 million acres of mature and old growth forestland that is under public management.

- The fiscal note indicates that this would require seven new Environmentalist III positions for three years. In practice, it's likely that there would be a call to continue to find work for these new positions long beyond that. This is a labor-intensive and likely error-prone method of data gathering.
- Given the rapid pace of development of AI, it is likely that an airborne survey or analysis of existing imagery could provide the same data in the time frame envisioned by this bill and may provide other data which would be of value for the purposes envisioned by the minority.

YEA ITL

HB 1472, relative to rebates of energy efficiency funds for electric vehicles.

Science, Technology and Energy: Without Recommendation

HB 1472

ANTI-LIBERTY: This bill, with the proposed amendment, allocates \$1.5 million from proceeds from the energy efficiency fund to create a point-of-sale subsidy to manufacturers of electric vehicles.

- Although the mechanism for providing subsidies to EV manufacturers is accomplished by reducing the cost paid by a purchaser of the vehicle, the bill is nonetheless a subsidy to manufacturers, as it increases the base cost of a vehicle that a consumer can afford on the margins.
- When combined with other actions of the state legislature in recent years, this bill is a shell game that is designed to make citizens believe their government is helping them, when in fact it is only distorting market forces that are already driving down the costs of EVs. In 2023, as part of HB2, the legislature passed a new \$100 annual registration fee for EVs to offset the loss of fuel taxes for vehicles of this class. We now are considering a pre-purchase refund, paid for by NH utility ratepayers, and pretend to be "helping" as we shuffle dollars through a variety of state-controlled accounts.
- Reduced spending on RGGI ratepayer rebates, which will be offset by this bill, would increase the cost of electricity by \$1.5 million statewide.

Oppose

HB 1611, relative to establishing a child care workforce fund.

Special Committee on Childcare: OTP/A 8-0

HB 1611

ANTI-LIBERTY: This bill enables employers to pay below-market wages by creating taxpayer-subsidized childcare programs in the state.

- This bill would provide taxpayer subsidies in an attempt to increase the supply of daycare workers by providing taxpayer funds to provide benefits to childcare workers.
- As designed, the program would provide subsidies in a manner that could result in the upper middle class effectively receiving subsidized childcare at the expense of renters who can't even afford to start a family due to the total tax burden they face from state and local governments.
- The bill has perverse incentives that, on the margin, may require more families to choose to be dual income in order to pay taxes when they would otherwise have chosen to have one parent stay home. While this program falls short of universal taxpayer-funded daycare, it is reasonable to assume that the marginal impacts will be similar. A study on the effects of universal low-cost day care in the province of Quebec found that the participants were more anxious as children and committed more crimes as teenagers (www.mcgill.ca/epi-biostat-occh/files/epi-biostat-occh/baker_et_al_nber_wp-long_run_impact_of_quebecs_childcare_program.pdf).

NAY OTP/A