



NEW HAMPSHIRE LIBERTY ALLIANCE

GOLD STANDARD

HOUSE SESSION - THURSDAY, MARCH 21, 2024

HB 1002 Oppose
 HB 1115 NAY ITL
 HB 1246 NAY ITL
 HB 1281 NAY ITL
 HB 1283 YEA OTP/A
 HB 1479 YEA OTP/A
 HB 1584 NAY ITL
 HB 1611 YEA ITL
 HB 1650 Oppose
 HB 1654 Oppose
 HB 1683 YEA OTP/A



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HB 1650, relative to the approval of alternative programs for granting credit leading to graduation.

HB 1650

Education: Without Recommendation

ANTI-LIBERTY: This bill requires all alternative learning programs for granting credit leading to graduation to comply with state and federal anti-discrimination laws, and establishes a committee to evaluate applications for alternative programs.

- This bill incorrectly assigns power to the Department of Education on a matter it is not intended to or capable of solving. Private institutions and businesses are already required to comply with state and federal anti-discrimination laws.
- This bill creates an unnecessary annual cost to the state budget to support a committee of public school employees to perform a function for which they are neither educated nor competent.
- This bill is trying to solve a problem that doesn't exist in order to assign even more authority to a failed public education system that is dominated by incompetence, particularly in matters of responsibly managing finances.

Oppose

HB 1654, relative to review of education freedom account service providers.

HB 1654

Education: Without Recommendation

ANTI-LIBERTY: This bill requires the State Board of Education to annually review Education Freedom Account service providers for continued compliance with all state and federal anti-discrimination laws.

- Education Freedom Accounts are for families who strive for excellent educational outcomes for their children. Parents use Education Freedom Accounts because the public school system has failed their families. Public education employees are not qualified, objective toward, or competent with respect to understanding and appropriately treating Education Freedom Accounts.
- Private institutions, businesses, and schools are already required to comply with state and federal anti-discrimination laws.
- Given the extra and unnecessary red-tape this bill generates, it will likely drive away outstanding private education services from New Hampshire, an outcome which would indeed satisfy those who care about the government institutions over children's education.

Oppose

HB 1683, relative to coverage of circumcision under the state Medicaid plan.

HB 1683

Health, Human Services and Elderly Affairs: OTP/A 14-6

PRO-LIBERTY: This bill provides that the state Medicaid plan shall not include circumcision unless the child has a specific diagnosis for which the procedure is determined to be medically necessary.

- This bill reduces spending by protecting the Medicaid program from medically unnecessary circumcisions.
- The rights of bodily autonomy, personal choice, and consent are subverted when babies who are unable to give consent are subjected to and, unless medically necessary, indeed permanently harmed by this unnecessary medical procedure.

YEA OTP/A

HB 1002, relative to fees for records under the right-to-know law.

HB 1002

Judiciary: IS 11-9

ANTI-LIBERTY: This bill allows a public body to charge fees for records made available under RSA 91-A.

Oppose

- We oppose the bill as well as the minority amendment (2024-0930h) printed in the calendar.
- People have a right to know how their money is being spent and what policies are being enacted in their name. Pragmatically, transparency is required in order to keep corruption and waste in check. While it is always challenging for the public to hold officials accountable, without reliable information it is nearly impossible.
- Public bodies already have a very strong upper hand in denying unreasonable records requests: they can simply deny the request and force the party seeking records to sue. If a request is indeed unreasonable the court will easily affirm.
- This bill will have a chilling effect on transparency by enabling public bodies to provide high estimates for access to public data, or worse, to take explicit actions that would indeed result in *actually* higher labor costs to recover the data. For example, the city of Nashua delayed the processing of a 91-A request long enough that relevant emails had been purged from the system and were only available on backup tape (www.unionleader.com/news/courts/nh-supreme-court-sides-with-nashua-resident-in-right-to-know-case/article_7f1f10ab-3519-52f3-b982-8366fe4b1d73.html), requiring the NH Supreme Court to take action directing the city to recover the records.
- The bill will have unintended consequences of growing the cost of government in an attempt to mitigate costs. Under current law, public bodies have some incentive to optimize data storage and retrieval systems and make data easily available to constituents. With this bill, even with the proposed amendment 2024-0930h, public bodies are incentivized to retain antiquated and labor-intensive systems.
- Floor amendment 2024-1173h makes a good faith effort to address the concerns listed above by enabling automation to allow for lower cost transparency and allows for broad access to communications with no fee in many cases. While the protection for requests in the public interest could be clearer to explicitly cover citizen journalism, **floor amendment 2024-1173h or language substantially similar to it is acceptable.**

HB 1115, relative to the termination of tenancy at the expiration of the tenancy or lease term.

HB 1115

Judiciary: ITL 12-8

PRO-LIBERTY: This bill adds the expiration of the term of a lease or tenancy that is over 6 months as grounds for an eviction.

NAY ITL

- Common sense would lead a person to believe that at the end of a lease, with proper notice, a landlord would be able to reclaim their property, and if necessary, evict the tenant; however, courts have found that given current New Hampshire law, the end of a lease that is not renewed is not sufficient grounds for eviction.
- A lease agreement is a contract between two parties to provide safe access to a property for a pre-determined period of time. Absent this bill, the time provisions of a lease are not meaningful.

HB 1283, relative to end of life options.

HB 1283

Judiciary: OTP/A 13-7

PRO-LIBERTY: This bill, with the proposed committee amendment, establishes a procedure for an individual with terminal illness to receive medical assistance in dying through the self-administration of medication. The bill establishes criteria for the prescription of such medication and establishes reporting requirements and penalties for misuse or noncompliance.

YEA OTP/A

- This bill ends the state's coercion and interference that currently prohibits physicians from prescribing medication for a competent, terminal, fully-informed adult who voluntarily requests the medication to self-ingest that will allow them to die with dignity, peacefully and without pain.
- To protect the terminally-ill patient, this bill allows two unassociated, voluntarily-participating health care providers to assess and agree that the individual met the stringent guidelines, and to then prescribe medication that the individual may later choose to take.
- This bill protects and emphasizes the freedom of bodily autonomy. It essentially legalizes a group of drugs under stringent requirements to be used to provide an option of relief from the terminally chronic pain a dying person may experience.

HB 1246, relative to allowing for payment of wages in gold or silver.

Labor, Industrial and Rehabilitative Services: ITL 11-9

PRO-LIBERTY: This bill, with the proposed minority amendment, allows for wages to be paid in gold or silver provided that both the employee and employer have agreed to such payment in writing.

- Under current NH law, employers do not have the option of paying employees in gold or silver even if it is the preferred method of the employee for receiving compensation. This is an unnecessary restriction on the ability of two parties to come to mutually-acceptable terms for engaging in commerce, which this bill would address.
- While it is unlikely that a significant number of employers/employees would choose this option at the current time, there is little reason to retain the existing prohibition on such arrangements.
- RSA 275:43 I (a) already allows for wages to be paid in "lawful money of the United States" (i.e. cash) and therefore any additional concerns that gold and silver specifically would not have electronic evidence of transfers of value are unfounded.
- When debt-based U.S. dollars are used, employees find it impossible to know exactly how many goods and services they will be able to purchase with the dollars. The value of the dollar drops continuously, sometimes dramatically. Employees might find that the salary they negotiated at the start of the year is worth substantially less by the time they go to pay their increasing property taxes.

HB 1246

NAY ITL

HB 1479, relative to prohibiting the use of federal, state, or local funds for lobbying activities.

Legislative Administration: Without Recommendation

PRO-LIBERTY: This bill, with the proposed amendment, regulates the use of public funds for lobbying activities and establishes certain additional enforcement mechanisms.

- This bill protects the political process by preventing politicians with access to public monies from manipulating those monies into supporting their campaigns.
- This bill protects citizens from funding (via taxes and fees paid to the state) political campaigns to which they are opposed.
- This bill requires lobbying entities to offer independent lobbying and non-lobbying services, to secure fund segregation disclosures from certain clients and affirm those disclosures, and to report different statement information where a contract provides for only non-lobbying services. It also specifically exempts clients with non-lobbying service contracts from having to segregate funds.

HB 1479

YEA OTP/A

HB 1281, relative to zoning restrictions on residential rental property.

Municipal and County Government: ITL 12-6

PRO-LIBERTY: This bill protects private property rights by preventing local governments from restricting the number of occupants in a residential rental property to fewer than two occupants per bedroom.

- Some jurisdictions try to force college students or working young adults out of certain neighborhoods with aggressive regulations on the number of unrelated people who may live together.
- The bill safeguards private property rights in land use and makes rental housing more accessible.

HB 1281

NAY ITL

HB 1584, relative to home day care licensing requirements.

HB 1584

Special Committee on Childcare: ITL 5-4

PRO-LIBERTY: This bill will help ease the demand on the decreasing supply of licensed childcare providers by providing a low-cost alternative for many NH families.

- This bill promotes more affordable and accessible childcare options for families, as it allows for one additional child to be cared for in a private home without the need for a daycare license, which can be costly and time-consuming to obtain.
- The bill respects the autonomy of parents in choosing the best childcare arrangements for their children without unnecessary government interference.
- The bill may encourage the growth of small, home-based childcare businesses, which can provide more personalized and flexible care options for families.
- The increased capacity for children in private homes may also help alleviate the shortage of childcare options in some areas, making it easier for parents to find suitable care arrangements for their children.

NAY ITL

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

HB 1611

Ways and Means: ITL 10-8

ANTI-LIBERTY: This bill enables employers to pay below-market wages by creating subsidized childcare programs in the state which, while receiving no explicit taxpayer funds in this bill, is designed to enable taxpayer subsidy in the next budget.

- This bill enables taxpayer subsidies in an attempt to increase the supply of childcare 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 at 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 daycare 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).

YEA ITL