



New Hampshire Liberty Alliance

Gold Standard

NHLiberty.org

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HB1452	NAY/ITL	HB1449	NAY/ITL
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HB 1452, prohibiting the establishment of sobriety checkpoints.

Committee recommendation: Criminal Justice and Public Safety : ITL 12 - 1

This bill, which would eliminate driver sobriety checkpoints, is **pro-liberty**:

- NH constitution Article 19, Part I states, "Every subject hath a right to be secure from all unreasonable searches [...]"
- The US constitution's 4th Amendment clearly prohibits blanket checkpoints, which are warrantless searches for unlucky travelers.
- The fact that police at checkpoints randomly demand papers arbitrarily from drivers prima facie shows that the constitutional command is not being followed. The legislature can curb this abuse.

HB 1452

NAY ON ITL

HB 1297, relative to health care exchanges.

Committee recommendation: Commerce and Consumer Affairs : OTP-A 10 - 6

This bill as amended, prohibiting the implementation of a state health insurance exchange under Healthcare Reform, is **pro-liberty**:

- Healthcare Reform is a federal government takeover of health insurance that forces citizens to buy health insurance and manages health coverage decisions centrally via a federal bureaucracy.
- Imposes additional costs onto the State of New Hampshire.
- If New Hampshire creates a state exchange, the state will have voluntarily accepted the unconstitutional terms of Healthcare Reform.
- By prohibiting the establishment of a state health insurance exchange, New Hampshire is contributing to a national 10th Amendment effort that forces the federal government's hand.

HB 1297

YEA ON OTP/A

HB 1348, relative to playing mind sports for money.

Committee recommendation: Commerce and Consumer Affairs : ITL 15 - 1

This bill, which would allow individual to play mind sports for money, is **pro-liberty**:

- Playing games that harm no one should never be a crime, regardless of incentives.
- Defines certain parimutual (collectively pooled winnings) based games that are predominantly skill based to be excluded from RSA 647:2, V [Gambling Offenses].
- Would effectively make it legal for 8 friends to sit around a table and play poker.

HB 1348

NAY ON ITL

HB 1590, requiring the disclosure to patients and prospective patients of the charges for medical procedures.

Committee recommendation: Commerce and Consumer Affairs : ITL 15 - 2

This bill, which requires additional mandates in NH businesses, is **anti-liberty**:

- Government should not put mandates on private businesses. Presently, these businesses provide this information when asked.
- It is unrealistic for anyone to create a written estimate for a patient who has not yet been seen by the provider. In situations other than routine services or tests, a provider would have no way of determining the course of treatment for a patient based on a phone conversation. An auto mechanic will not do this for anything other than routine service for a vehicle without first seeing and assessing the condition of the vehicle.
- If there was a market demand for this, the market would produce it.

HB 1590

YEA ON ITL

HB 1700, requiring licensing requirements for money transmitters

Committee recommendation: Commerce and Consumer Affairs : ITL 11 - 6

This bill, requiring licensing requirements for money transmitters, is **pro-liberty**:

- Licensing of money transmitters in New Hampshire is a redundant burden. No substantive security benefit is enjoyed yet local businesses assume thousands in compliance costs, lawyer's fees, uncertainty, and opportunity costs.
- This bill opens up competition and enables companies working with new payment technologies to locate and thrive in the New Hampshire.

HB 1700

NAY ON ITL

CACR 11, relative to terms for state judges. Providing that all state judges be commissioned for renewable 5-year terms.

Committee recommendation: Constitutional Review and Statutory Recodification: OTP-A 10 - 5

This amendment, adding a renewable 7 year term to all future judicial appointments, is **pro-liberty**:

- This amendment would give the people of New Hampshire an effective method of judicial oversight.
- Our judges need to have more oversight than what the current peer review system provides.
- As a reappointment requirement, this amendment preserves the firewall between the judiciary and outside influence.

**CACR 11
YEA
ON OTP**

HB 1146, requiring pupils to stand during the pledge of allegiance.

Committee recommendation: Constitutional Review and Statutory Recodification: OTP 8 - 4

This bill, which requires pupils to stand during the pledge of allegiance, is **anti-liberty**:

- Violates Part 1, Article 4 of the NH Constitution: Rights of Conscience Unalienable.
- Violates Part 1, Article 5 of the NH Constitution: Religious Freedom Recognized due to the words "under God".

**HB 1146
NAY
ON OTP**

HB 1212, relative to resisting arrest

Committee recommendation: Criminal Justice and Public Safety : ITL 12 - 5

This bill, providing that resisting an unlawful arrest is not itself unlawful, is **pro-liberty**:

- The act of resisting arrest should not itself be a crime, unless the arrest is later deemed to be lawful.
- The existing infraction is self referential – resisting an unlawful arrest is itself an arrestable offense.
- Supports Article 10 Part 1 of the NH Constitution: Right of Revolution. The doctrine of nonresistance against arbitrary power, and oppression, is absurd, slavish, and destructive of the good and happiness of mankind.
- Upholds Article 19 Part 1 of the NH Constitution: Penalties to be proportional to offenses.

**HB 1212
NAY
ON ITL**

HB 1244, relative to firearms possession while trapping

Committee recommendation: Criminal Justice and Public Safety : OTP 12 - 5

This bill, which would allow people who are engaged in trapping to carry a larger caliber firearm for personal protection, is **pro-liberty**:

- The clear language of this bill will permit defensive weapons to be carried by trappers while checking traps.

**HB 1244
YEA
ON OTP**

HB 1318, relative to carrying firearms.

Committee recommendation: Criminal Justice and Public Safety: ITL 10 - 6

This bill, which allows people to arm themselves for defense without government permission, is **pro-liberty**:

- Vermont never licensed the carrying of firearms. Arizona, Alaska, and Wyoming have all removed the requirement.
- Statistically, the sort of people who carry guns have a crime rate that is 1/100th of the population at large.
- Laws only affect the law-abiding and criminals arm themselves without government permission.

**HB 1318
NAY
ON ITL**

HB 1449, requiring a search warrant for searches of privately-owned property.

Committee recommendation: Criminal Justice and Public Safety: ITL 8 - 5

This bill, requiring a search warrant for searches of private property, is **pro-liberty**:

- The US 4th Amendment and the NH 19th amendment define warrants and prohibit searches without them.
- The requirement of a warrant, and the definition of an acceptable warrant, is the balance between the rights of the individual and the interest of the broader public.

**HB 1449
NAY
ON ITL**

HB 1468, relative to seizure of personal property.

Committee recommendation: Criminal Justice and Public Safety: ITL 9 - 5

This bill, which prohibits the police from seizing personal property without a warrant, is **pro-liberty**:

- The US 4th Amendment and the NH 19th amendment define warrants and prohibits searches and seizures without them.

**HB 1468
NAY
ON ITL**

HB 1511, relative to felons possessing firearms.

Committee recommendation: Criminal Justice and Public Safety: ITL 14 - 2

This bill, reducing the list of prohibited weapons a felon may possess, is **pro-liberty**:

- Upholds Article 2 Part 1 of the NH Constitution “All men have certain natural, essential, and inherent rights among which are, the enjoying and defending life and liberty: acquiring , possessing and defending property... “.
- Upholds Article 18 Part 1 of the NH Constitution “All penalties ought to be proportional to the nature of the offense.”
- So many things are now technically felonies some have estimated that an average person can commit three felonies a day without even knowing it.
- Prosecution falls disproportionately upon minorities, especially for non-violent consensual acts which have been classified as 'felonies'.

**HB 1511
NAY
ON
ITL**

HB 1526, decriminalizing possession of less than one half ounce of marijuana.

Committee recommendation: Criminal Justice and Public Safety: OTP - A 9 - 7

This bill, which would reduce the penalties for possessing less than one half ounce of marijuana, 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 incarceration.
- 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 the expense of the criminal justice system and allow law enforcement to focus its efforts on serious crimes.

**HB 1526
YEA
ON
OTP/A**

HB 1532-FN, relative to trespass on land which is not posted.

Committee recommendation: Criminal Justice and Public Safety: OTP - A 14 - 2

This bill, granting officers with “probable cause to suspect” criminal activity unlimited access to private property, is **anti-liberty**:

- The US 4th Amendment and the NH 19th amendment define warrants and prohibit searches without them.
- The requirement of a warrant, and the definition of an acceptable warrant, is the balance between the rights of the individual and the interest of the broader public.

**HB 1532
NAY
ON
OTP**

HB 1651-FN, requiring the division of state police to equip special weapons and tactics (SWAT)units or teams with tactical cameras.

Committee recommendation: Criminal Justice and Public Safety: ITL 13 - 3

This bill, requiring a video recording of S.W.A.T Operations, is **pro-liberty**:

- S.W.A.T. (Special Weapons And Tactics) operations are the very edge of the sword of justice. No one can claim that any person could recollect with certainty what occurs during a surprise forced entry, especially if shots are fired.
- Requiring an accurate record where lethal force provides a method to review, refine, and judge such deployment in the future. This increases the safety of both officers and citizens.
- Weapons carried by S.W.A.T. officers are different in design and intent than defensive sidearms. Accommodations for additional equipment can be done in an unobtrusive manner.
- Small, uncomplicated, and relatively inexpensive cameras thus attached would satisfy the requirements of this bill.

**HB 1651
NAY
ON
ITL**

HB 1696-FN, limiting the offense of speeding to cases resulting in property damage or personal injury to another and excluding speeding offenses from the habitual offender status.

Committee recommendation: Criminal Justice and Public Safety: ITL 15 - 1

This bill, which limits penalties for victimless speeding, is **pro-liberty**:

- Supports Article 18 Part 1 of the NH Constitution: Penalties to be Proportional to the Offense. The punishment for speeding that causes no harm is too steep. Monetary fines and the threat of habitual offender (leading the the loss of driver's license) are too harsh.
- Responsible drivers should not have to feel like criminals while commuting to work a little late and a little fast.
- Would put \$8.9 million back into commuter's pockets.

**HB 1696
NAY
ON
ITL**

HB 1699-FN, relative to driving under the influence of drugs

Committee recommendation: Criminal Justice and Public Safety: OTP - A 8 - 5

This bill, which expands prohibitions on drivers to include all chemical substances, whether natural or synthetic, is **anti-liberty**:

- This bill will markedly increase state, county, and local expenditures per fiscal note.
- Without definitive tests and scientifically based maximum acceptable levels for the thousands of substances that would fall under the purview of this bill, this bill is virtually unenforceable and subjective.
- For example, a individual taking products that contain an anti-histamine (Benadryl and OTC cold medications) can be considered under the influence as these can impair driving. This would be sufficient grounds for bio-invasive tests of any or all of any combination of the following: blood, urine, or breath. If arrested, this could result in DUI charges.

**HB 1699
NAY
ON
OTP/A**

CACR 8, relative to education. Providing that the legislature shall have the power to authorize schools.

Committee recommendation: Education: OTP 12 - 5

This amendment, which clarifies local control of the curricula, and also provides that the State may supplement the local funding of schools, is **pro-liberty**:

- Consistent with Part 1, Article 6 of the NH Constitution, the constitutional guarantee of independence from State interference in our schools, whether public or private
- Allows the State legislature to supplement the educational provisions made by the towns and cities, resolving the Claremont crisis. This removes the Court from school funding and allows the Legislature to determine the amount of supplementary funding that is needed by individual towns and cities.

**CACR 8
YEA
ON OTP**