



# GOLD STANDARD

HB 120 NAY OTP  
HB 124 NAY ITL  
HB 172 NAY ITL  
HB 282 NAY ITL  
HB 399 YEA OTP



NHLIBERTY.ORG

HOUSE SESSION - THURSDAY, JANUARY 31, 2019

**HB 282, relative to the authority of fish and game officers to search without a warrant.**

**Criminal Justice and Public Safety: ITL 15-5**

**PRO-LIBERTY: This bill requires that the Fish and Game conservation officers seek a warrant before executing a search.**

- With the exception of Fish and Game officers, all other law enforcement officers need to meet the basic requirements of probable cause and they must obtain a warrant prior to a search.
- In 2014, SB 389 expanded the authority of Fish and Game officers to oversee motor vehicle laws, effectively giving them greater authority than the state troopers.
- All law enforcement officers, regardless of the department that they represent, should be required to follow the constitutions of both the United States and the State of New Hampshire.

**HB 282**

**NAY ITL**

**HB 399, relative to annulment of arrests or convictions for possession of a certain quantity of marijuana.**

**Criminal Justice and Public Safety: OTP 18-2**

**PRO-LIBERTY: This bill establishes a procedure for annulment of arrests or convictions for activities which are no longer a crime in New Hampshire.**

- This bill provides a process for those with criminal records for arrests or convictions for possession of 3/4 of an ounce or less of marijuana prior to September 16, 2017 to have those convictions and arrests annulled.

**HB 399**

**YEA  
OTP**

**HB 124, repealing the law relative to the buffer zones to reproductive health care facilities.**

**Judiciary: ITL 14-4**

**PRO-LIBERTY: This bill repeals a violation of the First Amendment.**

- Whereas the NHLA has a policy of not taking positions on the issue of abortion in general, this bill's restoration of freedom of expression protected by the First Amendment merits our taking a position in support of this bill.
- This bill repeals the "buffer zone" created by SB 319 (2014) restoring the right of people to peacefully assemble, as provided by the protections of the First Amendment.
- This law has been in place for nearly 5 years and appears to be unenforced. Buffer zones are reminiscent of the abhorrent "free speech zones" at presidential events.
- Many of the complaints SB 319 looked to resolve are already covered by existing statutes.

**HB 124**

**NAY ITL**

**HB 172, relative to driver education.**

**Transportation: ITL 15-2**

**PRO-LIBERTY: This bill allows a waiver to institutional driver's education if a parent provides instruction.**

- The current driving instruction option requires that parents drive with their children to and from these mandatory courses and then the parents wait in the parking lot during the course, taking time that could be better used for one-on-one instruction with their children.
- This bill would not do away with driving schools but it will provide a choice for parents allowing them to focus their efforts on the approaches that are most effective for their children.
- Who has the greater interest in a child being well-taught in driving: an instructor or a parent?

**HB 172**

**NAY ITL**

**ANTI-LIBERTY: This bill establishes licensure and inspection practice for body art establishments.**

**NAY  
OTP**

- Body art practitioners are already licensed and regulated. This is primarily a service industry that is labor intensive, so the quality of their labor is much more important than where the actual services are performed.
- The extra license fee will do nothing to protect the public; rather, it will force businesses to close permanently or go underground, or as often happens, it will just make the cost to the consumer more expensive without any real benefit.