



NEW HAMPSHIRE LIBERTY ALLIANCE

GOLD STANDARD

SB 324 NAY OTP/A
SB 340 YEA OTP
SB 369 YEA ITL
SB 400 NAY OTP/A
SB 426 YEA ITL
SB 437 YEA ITL
SB 459 NAY OTP/A



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SENATE SESSION - THURSDAY, MARCH 17, 2022

SB 324, establishing a condominium, homeowners' association, and cooperative dispute resolution board and relative to the authority of homeowners' associations.

SB 324

Commerce: OTP/A 5-0

ANTI-LIBERTY: This bill creates state-mandated dispute resolution procedures for homeowners' associations.

**NAY
OTP/A**

- This bill seeks to insert the state into contracts present and future that are between private parties conducting business with homeowners' associations.
- The state is attempting to mandate the 'due diligence' that is expected of any person considering investment in a property under contractual obligation with a condo or homeowners' association.

SB 340, relative to the direct to consumer shipment of alcohol to New Hampshire residents.

SB 340

Commerce: IS 5-0

PRO-LIBERTY: This bill removes arbitrary regulations on to direct-to-consumer shipments of alcohol to New Hampshire residents.

**YEA
OTP**

- This bill removes the arbitrary cap that limits the quantity of liquor and wine that may be shipped to a consumer's address.
- It also removes the requirements placed on micro breweries, pubs, etc. regarding the quantity of beer that they are allowed to ship to a consumer's address.
- Additionally, it eliminates the state-mandated invasion of privacy that requires beverage manufacturers to keep records of the names and addresses of the purchasers to whom alcoholic beverages were shipped.
- Consumers who purchase alcohol at physical stores, including state liquor stores, are not subject to limits or invasive recordkeeping. The New Hampshire Constitution Part 1, [Art.] 2-b. states "[Right of Privacy.] An individual's right to live free from governmental intrusion in private or personal information is natural, essential, and inherent." The government mandate to create these records is a governmental intrusion in private or personal information.
- Reject the committee recommendation of Interim Study and move for Ought to Pass.

SB 426, relative to the adequate education grants for fiscal year 2023.

SB 426

Education: ITL 3-2

ANTI-LIBERTY: This bill changes the formula for calculating state grants to school districts to be based on the highest average daily membership in residence for the past three years.

YEA ITL

- This bill is a backdoor tactic for appropriating more than \$30 million of taxpayers' money for school districts to compensate for their losses from the voluntary withdrawal of students from the public school system.
- Education funding should be based on the number of individual students enrolled in the current year, not a past year that saw a different number of students enrolled.

SB 400

NAY OTP/A

SB 369

YEA ITL

SB 459

NAY OTP/A

SB 437

YEA ITL

SB 400, relative to training and procedures for zoning and planning boards and relative to financial investments and incentives for affordable housing development.

Election Law and Municipal Affairs: OTP/A 5-0

ANTI-LIBERTY: This bill changes statutes such that instead of land use boards being authorized to provide *voluntary* incentives to certain property owners to develop "affordable housing", land use boards will now be authorized to *require* certain property owners developing their property to produce "affordable housing".

- Under current law, the state defines "inclusionary zoning" to include land use/regulatory powers that provide "a voluntary incentive or benefit to a property owner in order to induce the property owner to produce housing units which are affordable to persons or families of low and moderate income". This bill would shift to more coercive language by enabling land use boards to "require a property owner to produce, as part of a development which meets certain characteristics, housing units which are affordable to persons or families of low and moderate income".
- While the portions of this bill that reduce regulatory burden on property owners to allow them to build with increased density, reduced lot size, and expedited approval enhance private property rights, the expanded coercive provisions are an encroachment on private property rights.

SB 369, relative to organic farming.

Energy and Natural Resources: ITL 4-1

ANTI-LIBERTY: This bill creates a new government program subsidizing the purchasing preferences of consumers of organic products.

- Consumers have a wide variety of preferences for the foods they choose. Establishing a state-run organic certification program crowds out private certification programs, limiting consumer choice.
- Single certification authorities run by the government run a significant risk of regulatory capture where the industry that is funding the 'self-sustaining' monopoly government program exercises undo influence on the certification process. During the public hearing, Robert Johnson from the NH Farm Bureau as much as admitted to this possibility by indicating that NH Farm Bureau producers support the State handling the certification because they believe that when they have an issue and bring it to the State, they have recourse. They believe the private entities will not hear their concerns like the State would.

SB 459, relative to a health care facility workplace violence prevention program.

Health and Human Services: OTP/A 5-0

ANTI-LIBERTY: This bill requires health care facilities to implement and maintain workplace violence prevention programs and establishes the health care workplace safety commission.

This bill also permits law enforcement to arrest an individual without a warrant in certain circumstances related to health care workplaces.

- Violence in any space is already illegal. This bill adds a large amount of unnecessary bureaucracy and cost to further burden health care facilities.
- Law enforcement does not require a warrant to arrest someone when they observe or suspect criminal behavior. No further expansion of state powers that would erode the rights of the private citizen is required.

SB 437, relative to the additional municipal fee for transportation improvements.

Ways and Means: ITL 3-2

ANTI-LIBERTY: This bill increases the maximum tax that a municipality may charge for municipal transportation improvement purposes.

- NH drivers continue to get excessively taxed. This bill increases the tax to register a vehicle in NH. With gas prices at an all-time high and rising inflation, the legislature should be looking for ways to reduce the cost of living in NH rather than further increasing taxes.
- Municipalities already have multiple ways to increase revenue without increasing vehicle registration taxes.