



NEW HAMPSHIRE LIBERTY ALLIANCE

# GOLD STANDARD

SB 36 NAY OTP  
SB 58 YEA ITL  
SB 132 NAY OTP  
SB 133 NAY OTP/A  
SB 145 NAY OTP  
SB 237 NAY OTP  
SB 238 YEA OTP/A



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SENATE SESSION - THURSDAY, MARCH 30, 2023

**SB 133, relative to changing the date of the state primary election and creates runoff election for federal primary election.**

## SB 133

**Election Law and Municipal Affairs: OTP/A 4-1**

**ANTI-LIBERTY: This bill changes the date of the state primary election to the second Tuesday in May (from September).**

## NAY OTP/A

- This bill will substantially restrict the ability of third parties to secure enough petitions in time to qualify. It further expands the use of taxpayer resources to enable entrenched private political parties to make use of election apparatus for free while reducing the time and thus increasing the costs for 3rd party candidates to qualify to be on the ballot.
- This bill can be made at least neutral if it is amended to include a change to RSA 655:41 to untether the dates of independent filing from the primary to prevent inadvertently dramatically raising the bar for ballot access for these candidates.

**SB 36, relative to systems of care for healthy aging.**

## SB 36

**Finance: OTP 7-0**

**ANTI-LIBERTY: This bill will result in significant expenditures to support the growing number of older adults in the state to, among other things, allow them to stay in their homes by increasing the total tax burden on younger generations — many of whom cannot afford to buy homes.**

## NAY OTP

- This bill continues the great tradition of needing to pass bills to see what is in them, as the costs for the annually expanding programs are characterized within the fiscal note as "significant" and "indeterminable".
- While it is a laudable goal to allow elderly to remain in their homes, doing so while increasing the future tax burden on the young, many of whom can't afford homes of their own, will only serve to accelerate the flight of younger families from the state, resulting in a unsustainable cost spiral and future tax increases.
- While initially a portion of the expanded programs are paid for with federal funds, it is worth noting that the New Hampshire families also pay federal taxes, and with the federal deficit swelling to \$1.4 trillion in 2023 and expected to grow to \$2 trillion in 2024 and beyond ([www.cbo.gov/publication/58848](http://www.cbo.gov/publication/58848)), we are building a new entitlement on a foundation that will not hold and putting state taxpayers on the hook for additional future costs when the federal funds inevitably dry up.

**SB 132, prohibiting cities and towns from adopting sanctuary policies.**

## SB 132

**Finance: OTP 5-2**

**ANTI-LIBERTY: This bill requires cities and towns to comply with potentially unconstitutional detainer requests.**

## NAY OTP

- This bill would require police departments to enforce ICE detainers, which have been declared in the First Circuit to be a violation of the Fourth Amendment. As a result, this bill violates Article 19 of the NH Constitution as well as the US Fourth Amendment. See the case *Morales v. Chadbourne* ([www.aclu.org/cases/immigrants-rights/morales-v-chadbourne](http://www.aclu.org/cases/immigrants-rights/morales-v-chadbourne)).
- Officers and towns would be subject to 18 USC 1983 civil rights claims, which would result in towns having to pay monetary settlements, and thus increase town budgets.

**SB 145, relative to New Hampshire housing champion designation for municipalities and making appropriations therefor.**

**SB 145**

**Finance: OTP 7-0**

**ANTI-LIBERTY: This bill creates a new, expansive state government program to redistribute taxpayer dollars in an attempt to pick winners in the housing development market.**

**NAY  
OTP**

- This bill grows government by spending more than \$28 million in taxpayer money in the next two years so that the state can pick housing development winners, which will likely be in the urban centers around the Seacoast, Manchester, and Nashua at the expense of all others in the state.
- The urban centers already have the financial wherewithal to grow their advanced and expensive housing infrastructure.
- This bill is unethical as it will also reduce the opportunities for rural communities to expand low-cost housing in their towns with their own money as their money is taxed away by the state.
- The non-coercive way to incentivize the thriving New Hampshire economy to build more workforce housing is to reduce state interference such that private investment costs and delays are significantly decreased.
- Once begun, this program will likely grow and become more expensive. Additionally, it will be quite difficult to end as the tyranny of the majority will likely overwhelm the smaller representation of the rural areas.

**SB 237, relative to the child care scholarship program and making an appropriation therefor.**

**SB 237**

**Finance: OTP 7-0**

**ANTI-LIBERTY: This bill increases state control of the private childcare industry.**

**NAY  
OTP**

- This bill will increase and accelerate the costs of daycare and create a vicious cycle of enhanced government supplementation and accelerating child-care costs in precisely the same way as college tuition has skyrocketed over the last forty years due to government support.
- The non-coercive manner for incentivizing child care is to allow the free market to arrive at the solution — businesses that desire enhanced access to employees who feel constrained by their choice to have children may offer their own benefits to supplement or provide daycare. This is already being done by some: <https://www.brighthorizons.com/benefits/JPMCFullService>, <https://www.flexjobs.com/blog/post/flexible-companies-offering-childcare-assistance/>

**SB 238, relative to the use of telemedicine to treat mental health conditions.**

**SB 238**

**Health and Human Services: OTP/A 5-0**

**PRO-LIBERTY: This bill permits doctors and APRNs to use telemedicine to prescribe medication to treat mental health conditions.**

**YEA  
OTP/A**

- This bill makes a modest improvement to New Hampshire's restrictive drug laws by allowing doctors and nurse practitioners who are working with a patient via telemedicine to prescribe controlled drugs classified in schedule II through IV for mental health conditions in addition to the existing permission granted for treating substance use disorder.
- Individuals should be free to decide on a course of treatment without interference from the state.

**SB 58, relative to arrests without a warrant while in the care of a medical professional on the premises of a residential care or health care facility.**

**SB 58**

**Judiciary: ITL 3-2**

**ANTI-LIBERTY: This bill lowers the threshold needed for a warrantless arrest in medical facilities.**

**YEA ITL**

- This bill would lower the threshold for a warrantless arrest without defining "threatened violence".
- The police already have the authority to arrest people if they view someone committing a crime or have probable cause to believe that the person will cause further personal injury or damage to property.