



GOLD STANDARD



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HOUSE SESSION - THURSDAY, MARCH 14, 2024

CACR 15 Support	HB 1231 YEA OTP/A	HB 1305 Support	HB 1391 YEA OTP	HB 1536 YEA OTP
HB 1156 YEA OTP/A	HB 1244 YEA ITL	HB 1312 YEA OTP/A	HB 1403 YEA OTP/A	HB 1594 Oppose
HB 1162 Oppose	HB 1254 Oppose	HB 1332 NAY OTP	HB 1512 Oppose	HB 1671 YEA ITL
HB 1204 YEA OTP/A	HB 1276 YEA OTP	HB 1336 Oppose		

HB 1204, relative to government agent entries into secured premises.

Criminal Justice and Public Safety: OTP/A 15-5

PRO-LIBERTY: This bill establishes requirements for when a government agent may enter a secured premises without a warrant.

- This bill, with the proposed committee amendment, promotes personal privacy by prohibiting government agents (presumably including police, building inspectors, fire marshals, etc.) from entering upon premises posted according to law unless they have the owner's permission, have a search warrant, or believe exigent circumstances exist warranting immediate entry.
- Personal property seized in violation of this bill would be inadmissible in any criminal, civil, or administrative proceedings.
- The bill exempts Fish and Game officers from these restrictions under certain circumstances.
- The bill extends privacy protections beyond a structure or dwelling to now include a defined curtilage under the definition of "secured premises".

HB 1204

YEA OTP/A

HB 1276, relative to repealing the prohibition on the possession or sale of blackjacks, slung shots, and metallic knuckles except by or to minors.

Criminal Justice and Public Safety: OTP 13-7

PRO-LIBERTY: This bill repeals the prohibition, penalty, and exceptions relating to the carrying and possessing with intent to sell a blackjack, slung shot, or metallic knuckles for adults.

- Blackjacks, slung shots, and metallic knuckles are illegal in NH. This bill will make them legal for adults and place them on an equal footing with other tools — wrongful use of these tools would still be a felony.
- The right to self-defense and to bear arms is fundamental to the citizens of New Hampshire and the United States. Both entities' Constitutions make clear that those rights shall not be infringed.
- Mere possession of these items harms no one; using them harmfully is illegal and would remain so even with passage of this bill.

HB 1276

YEA OTP

HB 1336, relative to employees' firearms in locked vehicles.

Criminal Justice and Public Safety: Without Recommendation

ANTI-LIBERTY: This bill infringes upon private property rights.

- This bill infringes on private property rights by telling property owners that they do not have the right to set the terms and conditions under which firearms may be brought onto and stored on their property. During testimony, supporters of the bill admitted that this was an infringement on property rights but one that was "small" and therefore the state was justified in this taking. This is a subjective argument that diminishes all of our property rights.
- Historically, limits of property rights were only considered when a use encroaches on the property rights of others, as in the classic law of nuisance and risk. While we strongly support the individual's right to self-defense, there is no right to a particular job and thus this well-intentioned bill has no place in a free society.
- In cases when the employer is itself the state, this prohibition is justified; however, this bill makes no attempt to limit application to public employers.

HB 1336

Oppose

HB 1162, relative to teaching discrimination in public schools and discrimination in public workplaces.

HB 1162

Education: Without Recommendation

ANTI-LIBERTY: This bill repeals provisions of the law relating to preventing discrimination in public workplaces and education.

Oppose

- This bill enables publicly-funded institutions to teach that certain groups are inferior to others, that certain groups are inherently evil, and that certain groups should be discriminated against because of their race or other identity characteristics.
- This bill further risks turning schools funded by coerced taxpayer dollars into propaganda training centers, potentially antagonizing those who supply the productivity to fund their existence.

HB 1305, relative to freedom of speech and association at public institutions of higher education.

HB 1305

Education: Without Recommendation

PRO-LIBERTY: This bill establishes procedures governing freedom of speech and association at public institutions of higher education.

Support

- This bill seeks to protect freedom of speech and association on public campuses and provides a path for remediation in the event these freedoms are infringed.
- This bill reasserts the supremacy of the First Amendment to the United States Constitution at our public universities: *"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."*

HB 1312, requiring parental notification of student health or well-being and certain curricula by school districts.

HB 1312

Education: Without Recommendation

PRO-LIBERTY: This bill, with the proposed amendment, expands notice requirements by school districts to parents for certain curriculum course material, and prohibits school districts from adopting policies that prohibit employees from answering questions from parents about their student's well-being.

**YEA
OTP/A**

- This bill expands on the expectation that publicly-funded schools work with parents to educate their children in a manner that does not contravene the families' values.
- Parents are completely responsible for their children. This bill seeks to reinforce the tools parents need to meet that responsibility with respect to publicly-funded schools.

HB 1512, limiting education freedom account funding to budgeted amounts.

HB 1512

Education: Without Recommendation

ANTI-LIBERTY: This bill limits the funding for the Education Freedom Accounts program, potentially hindering educational opportunities for students in need.

Oppose

- This bill seeks to limit funding for parents' choices on how their children are educated.
- This bill seeks to constrain funding to Education Freedom Accounts to \$19.8 million per year while the total expenditures for the 2022-2023 school year were \$3.8 billion. In attempting to "save" money, this bill simply shifts spending to a specific government school instead of allowing the funding to follow the student.
- New Hampshire ranks ninth highest of all states for the amount of money coerced from state residents.
- This bill reduces positive student outcomes by preventing students from getting support from Education Freedom Accounts, which would allow them to seek a better education outside of their failing local schools.

HB 1594, establishing an annual review and qualification to determine eligibility to participate in the education freedom accounts program.

Education: Without Recommendation

ANTI-LIBERTY: This bill requires annual determination of eligibility for awarding of Education Freedom Account funds.

- This bill will result in the abrupt end of successful educational paths for students whose household income has changed since they began participation in the Education Freedom Accounts program — the NH Department of Education has stated the same. The current cap already prevented 250 families from using the program this year, as food stamps, Social Security, etc., are counted as income.
- 44% of those with Education Freedom Accounts are already on the free lunch program. Further annual limitations will impact those who can least afford school choice and punish any upward financial mobility of poorer families, who often live in poorly-performing school districts.
- Public schools require no income verification for being educated. The purpose of the Education Freedom Accounts program is for taxpayer money to follow the student, ensuring they have the best possible educational choices available to them for their individual needs. This should not be impacted by arbitrary income requirements, as every taxpayer and business pays into the system whether they have children or not.

Oppose

HB 1671, relative to the complaint process for teaching discrimination and allowing educators and school officials a right of action for damages and costs for false accusations.

Education: ITL 16-4

ANTI-LIBERTY: This bill replaces civil action proceedings with Department of Education rules.

- This bill seeks to change the trial venue for teachers who are accused of malfeasance from the civil court of law to hearings by public school administrators and officials.
- This bill creates a significant unfunded liability by creating a de facto court within the Department of Education so that it may police itself or seek advantage in charges made against it.
- This bill also strikes the portion of law that protects families from teachers who discriminate against them.

YEA ITL

HB 1231, permitting qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

Health, Human Services and Elderly Affairs: OTP/A 15-4

PRO-LIBERTY: This bill permits qualifying patients and designated caregivers to cultivate cannabis for therapeutic use.

- Qualified patients and caregivers in all three neighboring states are protected from arrest if they cultivate a limited supply of cannabis. In Massachusetts, Maine, Vermont, and sixteen additional states, all adults 21 years of age and older may already legally cultivate more cannabis plants than would be allowed under this bill. Currently, patients in New Hampshire are limited to purchasing cannabis at one of four dispensaries, and personal cultivation of cannabis is a felony offense.
- The House has voted five times since 2009 to grant patients this freedom, and there is no reason the House should change its position now.

YEA OTP/A

HB 1156, relative to public health, safety, and state sovereignty.

State-Federal Relations and Veterans Affairs: Without Recommendation

PRO-LIBERTY: This bill, with amendment #2024-0582h, provides that the World Health Organization shall have no jurisdiction in New Hampshire.

- This bill, with the proposed amendment, removes any presumed authority of the World Health Organization within the State of New Hampshire.
- Whereas the WHO is an international organization and not part of New Hampshire, it should have no authority assumed or recognized.

YEA OTP/A

HB 1244, prohibiting smoking and e-cigarettes in motor vehicles when a passenger is under 16 years of age.

HB 1244

Transportation: ITL 11-8

ANTI-LIBERTY: This bill prohibits smoking and e-cigarettes in motor vehicles when a passenger under the age of 16 is in the vehicle.

YEA ITL

- This bill prohibits a person from smoking within their own private property if a child under 16 is present.
- This bill is an invasive interference in the personal lives of New Hampshire citizens by a nanny state. People should be free to decide when and where they choose to consume tobacco products with respect to their own vehicles.

HB 1332, relative to prohibiting electric vehicles from parking in parking garages.

HB 1332

Transportation: OTP 10-9

ANTI-LIBERTY: This bill prohibits the parking of electric vehicles in parking garages.

**NAY
OTP**

- This bill is poorly crafted and fails to define "electric vehicles" — if one refers to RSA 236:132, the definition excludes many hybrid vehicles, which are the vehicle type most likely to catch fire, followed by internal combustion engine vehicles. Electric vehicles are by far the least likely to catch fire (www.autoinsuranceez.com/gas-vs-electric-car-fires). It would actually be safest to allow *only* electric vehicles to park in parking garages.
- There is no vehicle type that is entirely safe. The fire at the UK Luton airport that caused a partial collapse of the structure and damaged hundreds of vehicles is believed to have been started by an internal combustion engine 2014 diesel Range Rover Sport (www.dailymail.co.uk/news/article-12619137/Range-Rover-fire-sparked-Luton-airport-car-park-collapse-comes-six-years-Land-Rover-de-stroyed-Liverpools-Echo-Arena-car-park-six-months-4x4-recalls.html).
- Public participation in state house hearings and session days will be dramatically impacted for the owners of over 12,000 electric vehicle as on-street parking options are extremely limited, and because of that it is common to park in nearby parking garages. Individuals have been forced to pay for these taxpayer-funded structures, but would be denied the use of the structures.
- Several municipalities have installed EV charging stations within garages. This would make the infrastructure investment obsolete and drive further theft to address the increased cost driven by this legislation.

HB 1403, relative to temporary vehicle emission control equipment.

HB 1403

Transportation: OTP/A 12-7

PRO-LIBERTY: This bill, with the proposed committee amendment, extends the repair period for vehicles that fail the OBD II test to 120 days.

**YEA
OTP/A**

- This bill enhances liberty by giving people whose vehicles fail to pass their On-Board Diagnostics II emissions test an extension to 120 days to make repairs.
- This bill gives people a better opportunity to shop for the most economical and efficient services, repairs, or even a new vehicle if they believe it's warranted.

CACR 15, relating to taxation. Providing that a 2/3 vote is required to pass legislation imposing new or increased taxes or license fees, or to authorize the issuance of state bonds and providing that the general court shall appropriate funds for payment of interest and installments of principle of all state bonds.

**CACR
15**

Ways and Means: Without Recommendation

PRO-LIBERTY: This proposed constitutional amendment provides that a 2/3 vote of the House of Representatives and the Senate shall be required to pass a new tax or license fee or to increase any tax or license fee that has been levied, or to authorize the issuance of state bonds.

Support

- This CACR is highly pro-liberty by increasing the threshold to tax or indebt the citizens of New Hampshire to a two-thirds vote of the House and Senate.
- Preserving the New Hampshire advantage of no income tax and low government spending is fundamental to protecting the future growth and liberty of the state.

HB 1254, relative to an optional local public safety assessment on certain room occupancies.

Ways and Means: Without Recommendation

ANTI-LIBERTY: This bill enables a municipality to collect an additional tax on hotel occupancies for the purpose of subsidizing town infrastructure costs associated with the increase in tourism and transient traffic.

- Local property taxes are already based on the value of the property, and in assessing the value it is already standard practice to take into account highest and best use of the site, and typically the present use is assumed to be the highest and best use (www.revenue.nh.gov/mun-prop/property/documents/asb-manual.pdf).
- Properties that are used as hotels are already assessed at the highest value for the site and therefore are already deriving the maximum revenue for the municipality.
- New Hampshire also already has a Rooms and Meals tax, which is shared with municipalities and which supplies funding to the state.

Oppose

HB 1391, allowing new vehicles purchased in the model year or before to be inspected in the second year after purchase.

Ways and Means: OTP 11-8

PRO-LIBERTY: This bill allows new vehicles purchased in the model year or before to be inspected in the second year after purchase.

- This is a common sense bill that recognizes that a brand new car doesn't need to be inspected for safety as soon as it is purchased.
- This bill reduces unnecessary expense in time and money for New Hampshire citizens.

YEA OTP

HB 1536, relative to increasing the amount of the expense deduction allowed against the business profits tax.

Ways and Means: OTP 16-4

PRO-LIBERTY: This bill increases the amount of the section 179 expense deduction permitted against the business profits tax starting in 2025.

- The 2023 IRS limit for section 179 expenses is \$1,160,000. While this bill would fall short of setting New Hampshire's deduction to the same level offered by the federal government, it would substantially close the gap and reduce one area in which New Hampshire business taxes are less competitive than other states.
- Every state with a corporate income tax allows for some form of section 179 expense deduction but only 14 states (inclusive of NH) and the District of Columbia utilize more restrictive limits than the IRS, ranging from \$25,000 to \$1,040,000 (us-kb.sage.com/portal/app/portlets/results/viewsolution.jsp?solutionid=225924450086997).

YEA OTP