



GOLD STANDARD



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HOUSE SESSION - THURSDAY, MARCH 28, 2024

HB 1084 Oppose	HB 1222 YEA OTP/A	HB 1301 Oppose	HB 1453 Oppose	HB 1683 YEA OTP/A
HB 1093 YEA OTP/A	HB 1271 NAY IS	HB 1390 NAY OTP/A	HB 1539 YEA OTP	HB 1711 NAY OTP/A
HB 1102 YEA ITL	HB 1279 YEA ITL	HB 1399 YEA OTP/A	HB 1545 Oppose	HB 1713 NAY OTP
HB 1145 NAY OTP	HB 1291 YEA OTP/A	HB 1452 Oppose	HB 1592 Oppose	

HB 1539, relative to annulling, resentencing, or discontinuing prosecution of certain cannabis offenses.

HB 1539

Criminal Justice and Public Safety: OTP 14-6

PRO-LIBERTY: This bill allows for additional annulments, resentencings, or discontinuations of prosecutions for certain cannabis offenses when no minor individual is involved in the actions leading to the conviction.

YEA OTP

- Under current NH law, an individual seeking an annulment for these crimes must pay a fee, and in most cases they must pay for a lawyer. This bill puts the burden on the state to support annulments for activities which should never have been crimes in the first place.

HB 1713, relative to a defendant's presence during certain criminal proceedings.

HB 1713

Criminal Justice and Public Safety: OTP 15-0

ANTI-LIBERTY: This bill forces a defendant under certain conditions to appear in court for all stages of trial or be guilty of a class A felony.

NAY OTP

- This bill violates the presumption of innocence, and hubristically concludes that it is in the defendant's interest to be personally present at all stages of a trial.
- No innocent person should be coerced by state violence while executing their chosen defensive strategy.
- This bill is a reprehensible violation of liberty, ethics, and morality as it blatantly calls to protect the state and accusers against inconvenience while threatening violence on an innocent person.

HB 1084, relative to qualifications for the commissioner of education.

HB 1084

Education: Without Recommendation

ANTI-LIBERTY: This bill virtually mandates that the commissioner and deputy commissioner of the Department of Education be hired from the public sector rather than the private sector, by requiring that the positions be filled by those who hold an advanced degree from an accredited college or university, are certified as a teacher or school administrator, and have at least 5 years experience in teaching or administration in a government school.

Oppose

- Current law allows flexibility to determine who can best be accountable to taxpayers for producing tangible academic improvements; restricting the qualifications as required in this bill virtually guarantees a static, unresponsive system. Simply possessing a certificate or a diploma should not be the identifying marker or requirement for New Hampshire's educational leader.
- Educating children is still a business just like any other profession, so it makes sense to allow qualified people from every field to help fix the current problems with our government schools.

HB 1093, prohibiting mandatory mask policies in schools.

HB 1093

Education: Without Recommendation

PRO-LIBERTY: This bill, with the proposed amendment, prohibits school boards and other public education agencies from adopting, enforcing, or implementing a policy that requires students or members of the public to wear a facial covering.

**YEA
OTP/A**

- This bill prevents public schools from adopting broad mandatory masking policies, leaving the choice to parents and students.
- With or without masks and with or without the current risks of COVID-19, there will always be risks involved in interacting in public ways with our own species. It is unreasonable to use the power of the state to dictate masking for normal human interaction. One person's wise cautious behavior is another person's 'germophobe', and inserting the state into these personal decisions within the confines of services provided through taxation will always result in one side or the other being unhappy with the outcome.
- Expansion of school choice programs that enhance the ability of individuals to associate in the manner in which they desire is likely the only long-term solution. Until we achieve that goal, the state should leave as much choice to the individual as possible.

HB 1452, relative to credentials for the position of superintendent of schools and school business officer.

HB 1452

Education: Without Recommendation

ANTI-LIBERTY: This bill establishes required credentials for school superintendents and school business officers.

Oppose

- This bill creates a cumbersome list of requirements for positions that is unlikely, perhaps almost impossible, to be met by any single candidate in each and every school district, making hiring for the position an improbable and highly overpriced adventure.
- This bill is a consequence of an out-of-control spending spree on a failing public education system. The clear centralization mandate implicit in this bill is unachievable due to the unrealism of actually finding candidates in each school district who fit all of the qualifications that are being demanded.

HB 1453, relative to degree granting authority of certain institutions of higher education.

HB 1453

Education: Without Recommendation

ANTI-LIBERTY: This bill seeks to eliminate for-profit schools that grant degrees.

Oppose

- This bill attacks freedom of choice at the stunning expense of excellent educational outcomes by eliminating for-profit (private) educational institutions that grant degrees.
- This bill eliminates the principle last vestiges of a quality education in New Hampshire by removing free-market competition and replacing it with the corrupt, bloated public education system.
- For-profit schools provide improved and more diverse opportunities in education, including significantly higher quality instruction in the trades, medicine, and engineering.

HB 1592, relative to the use of education freedom account funds in religious schools.

HB 1592

Education: Without Recommendation

ANTI-LIBERTY: This bill seeks to eliminate Education Freedom Accounts by revoking participants' protections and freedom to operate.

Oppose

- This bill seeks to specifically repeal RSAs that define and protect participants' rights to freely educate children in the manner parents choose in order to provide the best educational outcome for their children.
- The purpose of the Education Freedom Accounts program is to specifically fund the students so that they can be saved from their failed public education institutions.
- This bill cynically attempts to prevent Muslim, Jewish, and Christian (among other) families from using Education Freedom Accounts to find excellent educational outcomes for their children, despite overwhelming Supreme Court precedent on this issue.

HB 1102, relative to the definition of animal cruelty.

Environment and Agriculture: ITL 14-6

ANTI-LIBERTY: This bill adds the sale of animals with certain characteristics to the definition of animal cruelty.

- This bill broadly labels dogs with brachycephaly as being deformed despite the fact that many such dogs do not have breathing problems or pain.
- This bill limits the availability of some dog breeds with short noses in New Hampshire, based on a faulty presumption that such an easily observable trait would make the dog undesirable by those seeking to adhere to this law.
- An obvious consequence is that this bill enhances animal cruelty, because if such dogs were surrendered to an animal shelter, the ban on sales could force the shelter to have them euthanized.

HB 1102

YEA ITL

HB 1145, prohibiting the private ownership of landfills.

Environment and Agriculture: OTP 11-9

ANTI-LIBERTY: This bill prohibits new solid waste landfill permits in the state for facilities owned by any person other than the state of New Hampshire or a political subdivision thereof.

- This bill opens the New Hampshire taxpayer up to significant liabilities in the event of a serious landfill contamination or environmental problem that would possibly have been borne by a private owner of the landfill.
- This bill eliminates competition and creates a state monopoly in the landfill business.
- This bill disincentivizes the investment in landfills by private owners. Instead this bill would likely create a scenario in which the taxpayer will have to foot the bill for all the equipment and landfill infrastructure in order to entice a private contractor to manage the landfill.

HB 1145

NAY OTP

HB 1222, relative to physician assistant scope of practice.

Executive Departments and Administration: OTP/A 12-8

PRO-LIBERTY: This bill eliminates the requirement for a collaboration agreement for physician assistants.

- This bill provides similar treatment for physician assistants as is already given to licensed practical nurses.
- This bill corrects the indentured servitude that PAs have been suffering under physicians who have never met, didn't actually mentor or advise, and have charged PAs exorbitant rates for their ability to practice medicine.
- This bill improves the availability of qualified medical personnel in New Hampshire, as PAs will no longer be disincentivized to practice here by arduous collaboration requirements imposed by law.

HB 1222

YEA OTP/A

HB 1271, relative to the conversion, combination, and reorganization of boards and advisory boards.

Executive Departments and Administration: IS 11-9

PRO-LIBERTY: This bill converts several boards into advisory boards at the request of the office of professional licensure and certification.

- Vote NAY IS on the bill and then vote YEA OTP.
- This bill creates several government efficiencies within multiple professional licensure and certification boards in New Hampshire.
- Presently there are several boards for certification formed from a significant percentage of all those certified, which is a clear conflict of interest. Additionally, the federal government has an active task force examining this very practice. This bill will reduce New Hampshire's exposure to federal anti-trust lawsuits.

HB 1271

NAY IS

HB 1545, relative to the disposal of state surplus property for affordable housing.

Executive Departments and Administration: Without Recommendation

ANTI-LIBERTY: This bill permits the state to transfer money to nonprofit entities of their choice without being checked by the fiscal approval process.

- This bill allows the state to sell property under market value when they so choose. This significantly disadvantages the New Hampshire taxpayer as their hard-earned money is being thrown away instead of managed responsibly.

HB 1545

Oppose

HB 1279, relative to payment by the state of a portion of retirement system contributions of political subdivision employers.

HB 1279

Finance: ITL 16-9

ANTI-LIBERTY: This bill adds another increase to the teacher retirement fund.

- This bill creates an unnecessary and unfunded liability in the state budget of \$27.15 million in 2025, increasing annually to inflate the public school employee retirement fund.
- This bill moves the responsibility to cover public school employee retirements from the locality that hired them to all taxpayers in New Hampshire, thereby removing the incentive of localities to make good hiring and firing decisions.

YEA ITL

HB 1301, relative to wake surfing on public bodies of water.

HB 1301

Resources, Recreation and Development: Without Recommendation

ANTI-LIBERTY: This bill allows the Department of Safety to restrict or prohibit wake surfing on a public body of water pursuant to a petition and hearing process.

- This bill allows 25 residents of a town to form a petition to the commissioner to limit or eliminate wake surfing on public waters regardless of whether or not they live adjacent to or in close proximity to the body of water.
- Public lands and waters are for the free use of everyone in the state. This bill allows for the creation of tyrannical and impromptu HOA-like organizations that may strangle interest in state tourism.

Oppose

HB 1390, relative to regulating wakeboating and wakesports.

HB 1390

Resources, Recreation and Development: OTP/A 13-7

ANTI-LIBERTY: This bill establishes prohibitions and limitations on the operation of wakeboats and their use in wakesports on public waters of the state.

- This bill creates a significant unfunded liability for the Department of Safety as they do not have the resources to enforce these laws.
- This bill singles out wakeboats and associated wakesports. These activities are very popular in New Hampshire. By limiting access to some of the state waters, this bill will create dangerous crowding and congestion on the remaining lakes.
- This bill will have a chilling effect on tourist income from wakesport enthusiasts who come to New Hampshire.

**NAY
OTP/A**

HB 1291, relative to accessory dwelling unit uses allowed by right.

HB 1291

Special Committee on Housing: OTP/A 8-2

PRO-LIBERTY: This bill increases the number of accessory dwelling units allowed by right from one to two, adds definitions, and increases the maximum square footage.

- This bill prohibits municipalities from violating property owners' rights. It allows homeowners to build a first Accessory Dwelling Unit (ADU) by right, and limits parking minimums to no more than one space per ADU.
- By freeing homeowners to build more of these small rental units, this bill leverages proven market mechanisms to boost housing supply and bring down housing costs.
- This bill encourages development and housing investment, which goes toward solving the worsening housing crisis in NH, and does so by lessening, not increasing, government intervention in the market.

**YEA
OTP/A**

YEA OTP/A

NAY OTP/A

YEA OTP/A

HB 1399, allowing municipalities to permit 2 residential units in certain single-family residential zones.

Special Committee on Housing: OTP/A 9-1

PRO-LIBERTY: This bill, with the proposed committee amendment, allows the expansion of a single family residence within a residential zone to no more than two residential units without discretionary review or a hearing, if the proposed development meets certain requirements.

- This bill expands the freedom of property owners to convert single-family homes into two dwelling units.
- Municipalities would retain ample health, safety, and environmental powers over such developments and can block them for up to 10 years if sewer capacity is not adequate. This bill deals with past objections to more ambitious legislation.
- This bill encourages development and housing investment, which goes toward solving the worsening housing crisis, and does so by lessening, not increasing, government intervention in the market.

HB 1711, authorizing the state to report mental health data for firearms background check purposes and providing for processes for confiscation of firearms following certain mental health-related court proceedings and for relief from mental health-related firearms disabilities.

Criminal Justice and Public Safety: OTP/A 18-2

ANTI-LIBERTY: This bill creates a Red Flag law to allow for the confiscation of firearms from people based on their mental health status.

- This bill brings the notorious "Red Flag" laws to New Hampshire, allowing the State to confiscate people's guns and prohibit them from owning them based on mental health status.
- This bill confiscates people's property and prohibits them from exercising a constitutional right without having been found guilty of any crime.
- This bill is unconstitutional under Part 1, Art. 2-a of the NH Constitution, and in light of the *Heller* and *Bruen* Supreme Court rulings, is also clearly unconstitutional under the Second Amendment to the U.S. Constitution.
- Laws like these have been misused and abused in every jurisdiction where they have been passed. This is a slippery slope to more expansive gun control regulation.
- These kinds of "guilty until proven innocent" laws, such as the similar ability for the State to confiscate firearms upon a domestic violence no-contact order (the so-called "Lautenberg Amendment"), are being challenged around the country, and one case is currently at the Supreme Court. Based on recent rulings and the makeup of the court, it is likely that law will be struck down. Passing this law will therefore be a waste of everyone's time and money.

Remove From Table

HB 1683, relative to coverage of circumcision under the state Medicaid plan.

Health, Human Services and Elderly Affairs: OTP/A 14-6

PRO-LIBERTY: This bill provides that the state Medicaid plan shall not include circumcision unless the child has a specific diagnosis for which the procedure is determined to be medically necessary.

- Support the motion to remove the bill from table and support OTP/A.
- The rights of bodily autonomy, personal choice, and consent are subverted when babies, who are the most vulnerable and innocent among us and unable to give consent, are subjected to and indeed permanently harmed by this nearly universally unnecessary medical procedure.
- Medically necessary circumcisions are still covered under this bill.
- This bill reduces spending by protecting the Medicaid program from medically unnecessary circumcisions.