



NEW HAMPSHIRE LIBERTY ALLIANCE

GOLD STANDARD

HB 194 NAY Override
HB 1093 YEA Override
HB 1233 YEA Override
HB 1293 NAY Override
HB 1581 YEA Override
SB 63 YEA Override

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JOINT RECOMMENDATIONS - THURSDAY, OCTOBER 10, 2024

House Bills

HB 194, (Third New Title) requiring the director of the division of historical resources to compile and maintain a list of public monuments and requiring legislative approval of the amendment or permanent removal of historical markers.

HB 194

Governor: Vetoed

ANTI-LIBERTY: This bill requires the director of the Division of Historical Resources to periodically compile and publish a survey of all monuments in the state.

NAY Override

- While this is a seemingly innocuous bill, it does provide the pretext for growing spending in the state to perform an activity that is better served by private individuals and hobbyists.
- To the extent that such a list provides some value, it is well within the reasonable purview of the director of the Division of Historical Resources to consider creating such a list without a time interval mandated by law.

HB 1093, prohibiting mandatory mask policies in schools.

HB 1093

Governor: Vetoed

PRO-LIBERTY: This bill 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 Override

- 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 government to dictate masking for normal human interaction. One person's wise cautious behavior is another person's 'germaphobe', and inserting the government 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 1233, relative to animal chiropractors.

HB 1233

Governor: Vetoed

PRO-LIBERTY: This bill exempts individuals who have completed a nationally-recognized animal chiropractic program, as determined by the executive director of the Office of Professional Licensure and Certification, from veterinary licensure requirements.

YEA Override

- This bill allows those trained in animal chiropractic therapy to practice in New Hampshire without being required to become a licensed veterinarian.
- This bill will keep the cost of treatment low and availability high for animal chiropractic as the provider's costs will not be heavily inflated by excessive training requirements.
- The governor's veto message makes the case that one reason to oppose the bill is "stakeholders from the chiropractic and veterinary communities have been uniform in expressing concern over potential unintended consequences". In fact, this is a reason to *support* the bill. It is not at all uncommon for entrenched stakeholders to seek protection from the state to prevent others from entering the marketplace.

HB 1293, (New Title) relative to the use of certain fertilizers on turf.

HB 1293

Governor: Vetoed

ANTI-LIBERTY: This bill relies on vague and often confusing definitions to restrict the actions of property owners.

**NAY
Override**

- This bill attempts to mitigate potential externalities associated with the use of fertilizers by homeowners and small businesses while containing carve-outs for politically-connected businesses such as golf courses. It restricts actions that property owners can take based on the forecasts of undefined entities with undefined geographic boundaries. Further, the temporal limitations as applied to weather (predicted or real) have no basis in science. For example, if granular fertilizer is placed on soil and not watered-in during drought conditions and a week later 'heavy rain' occurs, it's unclear that there would be any difference in the risk of run.
- Proposed RSA 431:4-e V at first glance appears to provide easy-to-understand language relative to application of fertilizer in proximity to a storm drain, but then continues on with language that lacks clarity. *"No fertilizer shall be applied to urban turf or lawn within 25 feet of a storm drain. No fertilizer shall be deposited where it can enter a storm drain."* A homeowner who applies fertilizer 200 feet from a storm drain would be at risk of violating this provision if clay soils and rain resulted in washout of the fertilizer to a distant drain.
- Education and voluntary best practices are preferable over legislation that might be rendered ineffective or unjust due to the inherent uncertainties in predicting the weather and interpreting vague language.

HB 1581, relative to cultivation locations for alternative treatment centers.

HB 1581

Governor: Vetoed

PRO-LIBERTY: This bill allows a second cultivation center to be considered for alternative treatment centers.

**YEA
Override**

- Allowing an additional cultivation location for alternative treatment centers further protects patients by allowing for the stabilization of supplied medicine in the event that the single production facility experiences a production stoppage.
- This bill also allows for the protection of medical cannabis products to be available to patients with a lessened risk of supply constriction in the event that recreational cannabis is finally passed by the legislature.

Senate Bills

SB 63, (New Title) relative to the adoption of public health ordinances by municipalities.

SB 63

Governor: Vetoed

PRO-LIBERTY: This bill makes a modest change to the conditions under which unelected health officers may make regulations.

**YEA
Override**

- Under current law, health officers of towns may make regulations on nearly any topic related to public health.
- The bill restricts health officers' regulatory authority to prevention and removal of nuisances and other similar threats to public health. In the public hearing, testimony was provided indicating that nuisances are well-defined in law. While there is a history of even clearly-defined limits on government power being 'redefined out of existence', the updated language certainly confers no additional powers and may provide some bounds on abuse of power.