



# GOLD STANDARD



HB 82 Oppose	HB 1178 YEA IS	HB 1298 YEA OTP/A	HB 1399 NAY IS	HB 1649 NAY OTP/A
HB 1076 YEA OTP	HB 1186 YEA OTP	HB 1312 YEA OTP	HB 1504 YEA IS	HB 1660 YEA OTP
HB 1105 YEA OTP	HB 1231 NAY IS	HB 1349 YEA OTP	HB 1539 NAY IS	HB 1711 YEA ITL
HB 1116 YEA OTP	HB 1283 NAY IS	HB 1350 NAY IS	HB 1540 YEA OTP	HB 1713 NAY OTP
HB 1145 YEA IS	HB 1288 NAY IS			

**HB 82, relative to employment protection for participants in the therapeutic cannabis program.**

## HB 82

**Commerce: Without Recommendation**

**ANTI-LIBERTY: This bill infringes upon freedom of association and weakens "at will" employment.**

- Adults should be free to ingest substances that they choose, ideally with few if any restrictions. The therapeutic cannabis program provides for the option for individuals with a broad range of medical conditions to utilize cannabis without fear of imprisonment by the state. That said, individuals who own businesses should not be under any obligation to employ anyone.
- Under this bill, the only way allowed for employers who want to maintain a safe work environment is to determine impairment. However, there is no meaningful way to measure impairment unless it is obvious, which can create safety risks. This puts business owners and managers in the difficult position of trying to determine if there is a risk based on the behavior and quality of work of the employee while trying to balance the risk of violating this proposed law.
- While individuals have the right to choose the medical treatment that suits them best, they do not have the right to force their employers to sacrifice their preferences in respect to the desired drug-free nature of that workplace.

## Oppose

**HB 1076, (New Title) relative to wine manufacturer licenses and relative to on-premises licenses for beverage manufacturers.**

## HB 1076

**Commerce: OTP 4-0**

**PRO-LIBERTY: This bill enables the holder of a beverage manufacturer license to have an on-premise license either on the premises of the manufacturing facility or on the premises of the beverage manufacturing retail outlet.**

- This bill allows wine manufacturers and beverage manufacturers to have the same manufacturing abilities and allows small wineries to expand their business without moving to a new location or being forced to pay the state an additional fee.

## YEA OTP

**HB 1178, relative to an employee's unused earned time.**

## HB 1178

**Commerce: IS 3-1**

**ANTI-LIBERTY: This bill requires an employer to pay an employee for unused earned time.**

- Individuals should be free to make whatever arrangements they see fit with a potential employer. They are more than capable of deciding if what an employer is offering is acceptable and choose to accept, negotiate, or turn down arrangements as they freely choose.
- This bill is an unforced error that will drive up the cost of employment in New Hampshire and cost potential jobs to people who are happy to accept the terms of employment with employers who don't conform to the mandates required in this bill.
- While a motion of ITL would be preferable, IS is acceptable.

## YEA IS

**HB 1540, relative to the definitions of full course meals and full service restaurant for purposes of alcohol licensing.**

**HB 1540**

**Commerce: OTP 4-0**

**PRO-LIBERTY: This bill makes modest changes to the definition of full course meal and full service restaurant for purposes of alcohol licensing.**

**YEA  
OTP**

- This bill makes modest but positive changes to the food requirements associated with obtaining a liquor license.
- Current language defines food as something that cannot easily be eaten while standing and generally requires tableware. This definition appears to exclude pizza and sandwiches from what qualifies as food for the purpose of obtaining a liquor license.
- This is a simple change that aims to make it easier for new businesses to build sensible menus for their establishments with a small reduction in interference by the state.

**HB 1288, relative to establishing certain due process rights for students, student organizations, and faculty members facing disciplinary actions by state institutions of higher learning.**

**HB 1288**

**Education: IS 4-0**

**PRO-LIBERTY: This bill establishes certain due process rights for students, student organizations, and faculty members facing disciplinary actions by state institutions of higher learning.**

**NAY IS**

- This bill establishes a minimum floor for due process to be administered by the Community College System of NH (CCSNH) and University System of NH (USNH) regarding students, organizations, and faculty accused of wrongdoing.
- This bill enhances liberty by providing a floor of due process that may help alleviate abuse by some universities that in recent years have assigned guilt to students, whereas adhering to basic due process would have revealed the truth of their innocence.
- Vote NAY IS and support a motion of OTP.

**HB 1298, relative to the definition of part-time teachers.**

**HB 1298**

**Education: OTP/A 3-1**

**PRO-LIBERTY: This bill, with the proposed committee amendment, allows part time teachers, working less than 30 hours per week, to teach without holding a State Board of Education credential provided that they have not been rendered ineligible to be employed as an educator and have passed a background check.**

**YEA  
OTP/A**

- This bill helps to address a teacher shortage by allowing school districts to utilize qualified part-time staff.
- Numerous studies have found weak association between certification and teacher effectiveness ([www.annualreviews.org/content/journals/10.1146/annurev-economics-080213-040845](http://www.annualreviews.org/content/journals/10.1146/annurev-economics-080213-040845)).
- A part-time teacher is likely more accountable to the administration and thus if there are effectiveness issues, they can be addressed more quickly.

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

**HB 1312**

**Education: OTP 3-1**

**PRO-LIBERTY: This bill 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**

- 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 1105, relative to application of a local tax cap.

Election Law and Municipal Affairs: OTP 3-2

**PRO-LIBERTY:** This bill modestly improves the wording of RSA 32:5-b, which provides for the option of a local tax cap, in order to clarify legislative intent and allow voters who adopt a provision based on this legislation to better achieve the outcome of the cap.

- Towns and cities that have adopted property tax caps have done so in order to limit the growth of government spending. Local governments work around tax caps (and otherwise disguise bloated budgets in non-capped towns) by moving spending to separate warrant articles. This bill seeks to include "all other appropriations" under the tax cap.

# HB 1105

## YEA OTP

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

Election Law and Municipal Affairs: IS 3-0

**PRO-LIBERTY:** This bill 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 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.
- Vote NAY IS and support a motion of OTP.

# HB 1399

## NAY IS

## HB 1116, relative to certain firearms to be used for taking of game.

Energy and Natural Resources: OTP 4-0

**PRO-LIBERTY:** This bill removes the existing requirement that the firearm be lever action.

- The action of a rifle is largely unrelated to the ballistics or power of the pistol round fired and thus its suitability for the purpose of hunting.
- Removing an arbitrary restriction allows hunters to select the tool that is available to them that is best suited to the task.

# HB 1116

## YEA OTP

## HB 1145, prohibiting the private ownership of landfills.

Energy and Natural Resources: IS 4-0

**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.
- While a motion of ITL would be preferable, IS is acceptable.

# HB 1145

## YEA IS

## HB 1504, relative to architectural paint recycling.

Energy and Natural Resources: IS 3-1

**ANTI-LIBERTY:** This bill establishes an architectural paint recycling program paid for by adding a new fee to paint sold in the state.

- The Department of Environmental Services does not have the resources to manage and review the audits the proposed program requires.
- This bill will not only increase paint prices in NH, it will also increase taxes to cover the costs of managing the program.
- Consumers will be charged a fee during purchase, forcing users who use all of their paint to subsidize inefficient users of paint.
- While a motion of ITL would be preferable, IS is acceptable.

# HB 1504

## YEA IS

# HB 1649, relative to prohibiting certain products with intentionally added PFAS.

# HB 1649

Energy and Natural Resources: OTP/A 5-0

**ANTI-LIBERTY:** This bill, with the proposed committee amendment, restricts the use of per- and polyfluoroalkyl substances in certain consumer products sold in New Hampshire and requires manufacturers to create and manage a "certificate of compliance" and submit it to the NH Department of Environmental Services — even if the manufacturer has never utilized PFAS in its products.

# NAY OTP/A

- Identified areas of groundwater PFAS contamination within New Hampshire are primarily the result of contamination linked primarily to industrial discharge from manufacturing facilities, fire stations, and military bases rather than the consumer products targeted for a ban under this legislation.
- This bill will lead to an unnecessary increase in the cost and lack of availability of common goods in New Hampshire as manufacturers will have to engage with the bureaucracy, decide whether or not to continue to provide the product, or update the product and generate custom processes to support this new law — all costs that will be passed on to the consumer. In addition, proposed RSA 149-M:64 V requires ongoing effort to assert "innocence".
- PFAS are already being voluntarily removed from product categories covered by this bill. For example, (wsvn.com/news/us-world/certain-types-of-forever-chemicals-will-no-longer-be-used-in-us-food-packaging-fda-says) indicates that "PFAS ... will no longer be used in food packaging in the US, the US Food and Drug Administration announced Wednesday". Home Depot, Lowes, and other retailers announced the phase out of PFAS in carpets in 2019 (pfasproject.com/2019/10/31/owes-bans-toxic-pfas-chemicals-in-residential-carpets-and-rugs-it-sells/).
- While forever chemicals are already being phased out of products by manufacturers, this bill seeks to add new "forever certifications" of compliance that will outlive the chemicals they seek to prohibit.

# HB 1186, relative to firearm purchaser's privacy.

# HB 1186

Finance: OTP 3-2

**PRO-LIBERTY:** This bill prohibits the assigning of a specific merchant code to the sale of firearms, ammunition, or firearm accessories, and provides a civil penalty for violations of this prohibition.

# YEA OTP

- This bill protects the privacy of New Hampshire citizens by prohibiting payment processors from assigning a merchant category code that denotes that a firearm or accessory was purchased.
- This bill serves to stop the creation of a gun registry by banks who could then choose to defy the Second Amendment by denying the purchase of firearms and firearm implements, closing bank accounts, preventing people on the registry from being banked, or sharing the data with the federal government.
- In September 2023, the California governor signed Assembly Bill 1587, which requires banks to utilize such codes. Absent protective legislation such as this, New Hampshire citizens will potentially be subject to similar codes as banks attempt to harmonize data collection approaches to meet the requirements of California and other states that seek this backdoor approach to a firearms registry.

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

# HB 1231

Health and Human Services: IS 3-2

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

# NAY IS

- 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 are 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.
- Cannabis is not covered by insurance. Allowing individuals to grow their own medicine improves independence and helps working families.
- Vote NAY IS and support a motion of OTP.

## HB 1283, relative to end of life options.

Health and Human Services: IS 3-2

**PRO-LIBERTY:** This bill establishes a procedure for an individual with terminal illness to receive medical assistance in dying through the self-administration of medication. The bill establishes criteria for the prescription of such medication and establishes reporting requirements and penalties for misuse or noncompliance.

- This bill ends the state's coercion and interference that currently prohibits physicians from prescribing medication for a competent, terminal, fully-informed adult who voluntarily requests the medication to self-ingest that will allow them to die with dignity, peacefully, and without pain.
- To protect the terminally-ill patient, this bill allows two unassociated, voluntarily-participating health care providers to assess and agree that the individual met the stringent guidelines, and to then prescribe medication that the individual may later choose to take.
- This bill protects and emphasizes the freedom of bodily autonomy. It essentially legalizes a group of drugs under stringent requirements to be used to provide an option of relief from the terminally chronic pain a dying person may experience.
- Vote NAY IS and support a motion of OTP.

# HB 1283

## NAY IS

## HB 1349, relative to generalized anxiety disorder as a qualifying condition for the therapeutic cannabis program.

Health and Human Services: OTP 3-2

**PRO-LIBERTY:** This bill removes a state-imposed barrier to medical treatment paid for by the patient by adding generalized anxiety disorder to the list of qualifying medical conditions for the use of therapeutic cannabis.

- Studies have demonstrated a positive association between cannabis-based medicinal products/treatment (CBMP) and improvements in anxiety among patients with generalized anxiety disorder (GAD). For instance, a cohort study found that CBMP treatment led to a significant reduction in anxiety symptoms, as well as improvements in sleep quality and overall quality of life for these patients ([onlinelibrary.wiley.com/doi/10.1002/npr2.12407](https://onlinelibrary.wiley.com/doi/10.1002/npr2.12407)). While a cohort study is a lower standard of evidence than a well-designed randomized controlled trial (RCT), the evidence is more than sufficient to support the use of this treatment option.
- The New Hampshire Therapeutic Cannabis Medical Oversight Board recommends adding generalized anxiety disorder as a qualifying condition for the therapeutic cannabis program.

# HB 1349

## YEA OTP

## HB 1660, relative to coverage of certain procedures for minor children under the state's Medicaid program.

Health and Human Services: OTP 3-2

**PRO-LIBERTY:** This bill provides that the state Medicaid plan shall not include gender reassignment treatment for minors.

- This bill prevents gender reassignment treatments from being covered by Medicaid.
- This bill improves liberty by reducing potential costs to taxpayers for a safety-net entitlement by eliminating an elective treatment.

# HB 1660

## YEA OTP

## HB 1350, relative to therapeutic cannabis possession limits.

Judiciary: IS 3-2

**PRO-LIBERTY:** This bill increases a qualifying patient's limit on possession of therapeutic cannabis from 2 to 4 ounces, and increases the amount they may obtain in a 10-day period from 2 to 4 ounces.

- Patients should not have to make frequent dispensary trips, especially given limited dispensary availability in the state. The frequent trips can be a significant burden — particularly due to rising energy costs.
- Vote NAY IS and support a motion of OTP.

# HB 1350

## NAY IS

## NAY IS

## YEA ITL

## NAY OTP

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

Judiciary: IS 3-2

**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.

- 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.
- Vote NAY IS and support a motion of OTP.

### 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.

Judiciary: ITL 3-2

**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 would therefore be a waste of everyone's time and money.

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

Judiciary: OTP 3-2

**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.

- 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 a person who is still innocent.
- In the public hearing, the assistant commissioner for the Department of Corrections testified that the bill puts officers and state employees at risk. State corrections officers are sworn law enforcement officers. The bill places officers in direct conflict with the sections of statute relating to justification of the use of force (RSA 627:5 and RSA 627:6). Use of physical force to take someone out of a correctional facility against their will is not covered under the use of force justification statute.