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LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



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Jay D. Markell

New Hampshire Representative, HD-18-ROC (R)

Website:
gc.nh.gov/house/members/member.aspx?pid=11413
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2025 NH Legislative Scorecard: 83%

✓ Constitutional ✗ Unconstitutional — Did not Vote **Vote**

1. Nullification: Firearms: Exempts firearms and firearm accessories made and kept entirely within New Hampshire from federal regulation. ✓

Constitutional: **Yes** · Cast: **Yes** · HB381 · Passed 205–168 · 02/20/2025

2. State Sovereignty: Declares that the World Health Organization, United Nations, and World Economic Forum have no jurisdiction or power in New Hampshire. ✓

Constitutional: **Yes** · Cast: **Yes** · HB584 · Passed 198–162 · 03/27/2025

3. Education Freedom Accounts: Expands eligibility for the state's Education Freedom Account program. ✗

Constitutional: **No** · Cast: **Yes** · SB295 · Passed 190–178 · 06/05/2025

4. Parental Bill of Rights: Establishes a broad "parents' bill of rights" in education. ✓

Constitutional: **Yes** · Cast: **Yes** · SB72 · Passed 214–167 · 06/05/2025

5. Vaccine Exemption Expansion: Expands the state's vaccine-exemption law by allowing parents to exempt their children from school immunization requirements based on religious belief without needing documentation from a religious organization. ✓

Constitutional: **Yes** · Cast: **Yes** · HB358 · Passed 194–153 · 06/12/2025

6. ISO New England: Directs Department of Energy to investigate whether New Hampshire should withdraw from ISO New England. ✓

Constitutional: **Yes** · Cast: **Yes** · HB690 · Passed 188–155 · 06/12/2025

Why do these votes matter?

1. Nullification: Firearms

HB381 exempts firearms and firearm accessories made and kept entirely within New Hampshire from federal regulation.

The New Hampshire State House of Representatives passed HB381 on February 20, 2025 by a vote of 205 to 168. We have assigned pluses to the ayes because the Second Amendment of the U.S. Constitution guarantees that the right of the American people "to keep and bear Arms, shall not be infringed." Whenever the federal government imposes unconstitutional acts, nullification of such acts, as reserved to the States under Article VI and the 10th Amendment, is the proper remedy.

2. State Sovereignty

HB584 declares that the World Health Organization, United Nations, and World Economic Forum have no jurisdiction or power in New Hampshire, and that no rule, regulation, fee, tax, policy, or mandate from those bodies can be enforced by the state or its political subdivisions. It would also change state medical-licensing law by replacing a requirement that medical schools be recognized by the WHO with one requiring recognition by the World Directory of Medical Schools.

The New Hampshire State House of Representatives passed HB584 on March 27, 2025 by a vote of 198 to 162. We have assigned pluses to the ayes because the U.S. Constitution is the supreme law of the land, as Article VI makes clear, and every state official is bound by oath to support it. Article I, Section 8 of the Constitution grants Congress only specific, enumerated powers, and when the federal government exceeds those limits, states have a duty to resist and refuse compliance. The 10th Amendment further affirms that powers not delegated to the federal government, are reserved to the states or the people. HB584 rightly affirms state sovereignty and reminds the federal government of its limited authority.

3. Education Freedom Accounts

SB295 expands eligibility for the state's Education Freedom Account program by removing the household-income cap, making the program available to all otherwise-eligible students rather than only those from lower- and middle-income families.

The New Hampshire State House of Representatives passed SB295 on June 5, 2025 by a vote of 190 to 178. We have assigned pluses to the ayes because education is not the role of government—it is the responsibility of a child's parents or family. This bill, under the appealing but misleading guise of "school choice," expands the government's monopoly on K-12 education, which seeks to displace traditional private schools and homeschooling in favor of universal state-sponsored schooling. Its exchange of public subsidies for curriculum and other regulatory controls effectively turns every participating student into a government-school student. The best "school choice," by far, is for parents to choose not to place their child's education in the hands of the state. Educational and economic freedom cannot be achieved by forcing other citizens to furnish their hard-earned tax dollars to fund all that now entails a compulsory, failing, and government-run K-12 school system.

4. Parental Bill of Rights

SB72 establishes broad "parents' bill of rights" in education. It declares that parents have a fundamental right over their children's upbringing, education, health care, and mental health, and would require schools to notify parents of those rights each year. The bill also would bar schools and school employees from knowingly withholding information from parents about a child's health, emotional well-being, or requested changes to the child's name, pronouns, or sex-based accommodations, except in limited abuse-related situations.

The New Hampshire State House of Representatives passed SB72 on June 5, 2025 by a vote of 214 to 167. We have assigned pluses to the ayes because the upbringing, education, care, and control of children belongs to—and is a fundamental right of—parents, not the government. The State of New Hampshire has a duty to uphold the right of parents to raise their children. Parental rights are retained under the Ninth and 14th Amendments to the U.S. Constitution.

5. Vaccine Exemption Expansion

HB358 expands the state's vaccine-exemption law by allowing parents to exempt their children from school immunization requirements based on religious belief without needing documentation from a religious organization. Parents can simply submit a written statement affirming their religious objection to vaccination.

The New Hampshire State House of Representatives passed HB358 on June 12, 2025 by a vote of 194 to 153. We have assigned pluses to the ayes because personal healthcare decisions are not the legitimate object of government. Compelling American citizens to receive medical treatment would violate their fundamental rights protected by the Bill of Rights and the 14th Amendment to the U.S. Constitution.

6. ISO New England

HB690 directs the state Department of Energy to investigate whether New Hampshire should withdraw from ISO New England and explore other strategies to protect ratepayers from bearing the costs of other New England states' environmental policies. The study was required to examine ISO New England's functions; what the state or utilities would need to replace them; and the potential costs, benefits, and economic consequences of leaving.

The New Hampshire State House of Representatives passed HB690 on June 12, 2025 by a vote of 188 to 155. We have assigned pluses to the ayes because ISO New England, whose mission is a globalist dream ("Reliable Electricity. Competitive Prices. Clean-Energy Transition.") aims to transition the region to green energy and "decarbonize the economy," right in line with the United Nations' Agenda 2030. Its authority is entirely federal, and stems from the Federal Energy Regulatory Commission (FERC), which has rulemaking authority. All of this is blatantly unconstitutional and violates state sovereignty. This legislation is a step toward in hopes of New Hampshire regaining its sovereignty and energy independence.