

FREEDOMINDEX.US

LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



View the Freedom Toolbox

Scan to learn more about the Freedom Index, view legislative alerts, and deepen your understanding of the U.S. Constitution and America's founding principles. Visit <https://freedomindex.us/tools/>



Andrew Scott O'Hearne

New Hampshire Representative, HD-03-SUL (D)

freedomindex.us/8300/



NH Legislative Scorecard 2021-2022: %

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

1. Background Checks: Authorizes the FBI to conduct all National Instant Criminal Background Check System (NICS) searches concerning the purchase, sale, and transfer of firearms through Federal Firearm Licensees operating in New Hampshire.

Constitutional: **No** · Cast: None · SB141 · 08/12/2021

2. Federal Vaccine Mandate: Prohibits state enforcement of any federal law, order, or rule that requires an individual, as a condition of employment or any other activity, to provide proof of vaccination against COVID-19.

Constitutional: **Yes** · Cast: None · HB1455 · 03/16/2022

3. Budget: Authorizes the state budget, which reduced state spending by \$172 million over the prior state budget.

Constitutional: **Yes** · Cast: **No** · HB1 · 04/07/2021

4. Right to Work: Would make New Hampshire a Right to Work state, prohibiting collective bargaining agreements that require employees to join a labor union.

Constitutional: **Yes** · Cast: None · SB61 · 06/03/2021

5. Civil Liberties: Prohibits the suspension of civil liberties during a state of emergency.

Constitutional: **Yes** · Cast: **No** · HB440 · 04/09/2021

6. Nullification-Gun Rights: Prohibits any governing body or person in the state of New Hampshire from using resources to violate our constitutional rights regarding firearms and accessories.

Constitutional: **Yes** · Cast: None · HB1178 · 05/12/2022

Why do these votes matter?

1. Background Checks

SB141 authorizes the FBI to conduct all National Instant Criminal Background Check System (NICS) searches concerning the purchase, sale, and transfer of firearms through Federal Firearm Licensees operating in New Hampshire. This legislation also eliminates the states "gun line".

The New Hampshire State House of Representatives passed SB141 on June 3, 2021 by a vote of 197 to 180. We have assigned pluses to the nays because background checks, as a general requirement for firearm purchases, are a significant infringement on our Constitutional rights, particularly the Second Amendment. Moreover, the state should not be relinquishing these decisions and surrendering its sovereignty to the Federal Government and FBI. This is a total embrace of the federal Safer Communities Act, which has further extended federal background checks conducted by the FBI. While the state's background check, aka "gun line", should be abolished, handing over control to the FBI is a bad alternative.

2. Federal Vaccine Mandate

HB1455 prohibits state enforcement of any federal law, order, or rule that requires an individual, as a condition of employment or any other activity, to provide proof of vaccination against COVID-19.

The New Hampshire State House of Representatives passed HB1455 on March 16, 2022 by a vote of 174 to 159. We have assigned pluses to the ayes because an individual's personal health care decisions should not be the object of government, nor be under its federal, state, or local jurisdictions in the United States. Forcing an individual to receive a vaccination or partake in any medical procedure would be a violation of their fundamental rights, freedoms, privileges, or immunities protected by the Bill of Rights and the 14th Amendment to the U.S. Constitution.

3. Budget

HB1 authorizes the state budget, which reduced state spending by \$172 million over the prior state budget.

The New Hampshire State House of Representatives passed HB1 on April 7, 2021 by a vote of 205 to 178. We have assigned pluses to the ayes because reducing government spending and shrinking government, especially during COVID and inflation, should be recognized.

4. Right to Work

SB61 would make New Hampshire a Right to Work state, prohibiting collective bargaining agreements that require employees to join a labor union.

The New Hampshire State House of Representatives failed to pass SB61 on June 3, 2021 by a vote of 175 to 199. We have assigned pluses to the ayes because no worker should be forced to join or pay a union involuntarily, as there is nothing in the Constitution that permits that.

5. Civil Liberties

HB440 prohibits the suspension of civil liberties during a state of emergency.

The New Hampshire State House of Representatives passed HB440 on April 9, 2021 by a vote of 192 to 178. We have assigned pluses to the ayes because no situation or event in the United States shall lead to the suspension of our God-given Constitutional rights. The republican form of government in New Hampshire, which is guaranteed to each state under Article IV, Section 4, of the U.S. Constitution, requires a limitation and separation of powers. Our founding fathers believed that checks and balances in government are essential to keeping our elected officials in check with the Constitution to prevent any unconstitutional government overreach.

6. Nullification-Gun Rights

HB1178 prohibits the state of New Hampshire, a political subdivision of this state, or any person acting under the color of state, county, or municipal law from using any personnel or financial resources to enforce, administer, or cooperate with any law, act, rule, order, or regulation of the United States Government or Executive Order of the President of the United States that is inconsistent with any law of this state regarding the regulation of firearms, ammunition, magazines or the ammunition feeding devices, firearm components, firearms supplies, or knives.

The New Hampshire State House of Representatives passed HB1178 on May 12, 2022 by a vote of 163 to 143. We have assigned pluses to the ayes because under article VI of the U.S. Constitution, the Constitution is the supreme law of the land and every state is bound by oath to support it. Ultimately, states have a duty to nullify any infringements by the federal government and Article 1, Section 8, of the Constitution gives congress specific powers and if there are violations of those powers, then states have a right to not comply. Also, the fundamental right of the American people to keep and bear arms is protected by the 2nd Amendment of the U.S. Constitution and there should be no infringement on those rights.