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LEGISLATIVE SCORECARD

BASED ON THE PRINCIPLES OF THE U.S. CONSTITUTION



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Kevin J. Cavanaugh

New Hampshire Senator, SD-016 (D)

freedomindex.us/8470/



NH Legislative Scorecard 2021-2022: 17%

✓ 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: **No** · SB141 · 04/01/2021

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: **No** · HB1455 · 07/07/2022

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



Constitutional: **Yes** · Cast: **No** · HB1 · 06/28/2021

4. Religious Liberty: Provides that, during a state of emergency, the state shall permit religious organizations to operate to the same degree as other organizations that provide essential services or are vital to public health and welfare.



Constitutional: **Yes** · Cast: **No** · HB542 · 05/27/2021

5. 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: **No** · SB61 · 02/11/2021

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: **No** · HB1178 · 05/05/2022

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 Senate passed SB141 on April 1, 2021 by a vote of 14 to 10. 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 Senate passed HB1455 on May 5, 2022 by a vote of 13 to 10. 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 Senate passed HB1 on June 3, 2021 by a vote of 14 to 10. We have assigned pluses to the ayes because reducing government spending and shrinking government, especially during COVID and inflation, should be recognized.

4. Religious Liberty

HB542 provides that, during a state of emergency, the state shall permit religious organizations to operate to the same degree as other organizations that provide essential services or are vital to public health and welfare.

The New Hampshire State Senate passed HB542 on May 27, 2021 by a vote of 14 to 10. We have assigned the pluses to the ayes because no law shall prohibit free exercise of religion and the right to peacefully assemble. These rights are protected by both the Bill of Rights and the 14th Amendment to the U.S. Constitution and no situation or event in the United States shall lead to the suspension of those rights.

5. 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 Senate passed SB61 on February 11, 2021 by a vote of 13 to 11. 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.

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 Senate passed HB1178 on May 12, 2022 by a vote of 13 to 10. 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.