

LEGISLATIVE BULLETIN

Legislative Bulletin 10

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[Live Bill Tracker](#)

HB 1479: An “Authoritarian” Bill and its Cumbersome, Costly & Confusing Amendment

On Wednesday, the House Legislative Administration voted to send [HB 1479](#) to the full House without a recommendation. All three votes taken during the executive session—on a proposed amendment, Ought to Pass, and Inexpedient to Legislate—were 8-8 down party lines.

The bill will go to the House floor within a couple of weeks for a vote. Please contact your representatives today and urge them to vote:

- **NO on a Motion of Ought to Pass**
- **NO on any proposed floor amendment when the bill goes to the House floor**
- **YES on a Motion of Inexpedient to Legislate**

Significant influences, including out of state lobbying money and efforts, are being used to lobby in favor of this bill, and misinformation is being shared about NHMA, organizations like NHMA, and local government. Read on to better understand the devastating consequences this bill would have on local government and the democratic process in New Hampshire—and why the proposed amendment would not have improved the bill.

The Bill

- **The bill prohibits local officials from any form of advocacy—period.** It broadly prohibits *any* public funds from being used to “lobby, attempt to influence legislation, participate in political activity, or contribute funds to any entity for the purpose of engaging in same.” This would prevent any local official, whether a paid employee or an elected official receiving a stipend, from any advocacy on behalf of a city or town. It is inconceivable that **locally elected leaders** would be barred from—even prosecuted for—speaking on legislation with **local impacts** in the Live Free or Die State. Despite statements made during the hearing, RSA 15:1 would not protect local officials if this bill passed.
- **The bill prohibits others—recipients of public funds—from lobbying.** Despite the focus on NHMA in the hearing, this bill affects every recipient of public funds: every organization of municipal officials, like the Building Officials, the Association of Assessing Officials, the Firefighters, or the Police Officers; every state agency and department; and every nonprofit organization that receives state or local funds. In fact, the bill is so broad in its language, it appears to apply to any private corporation that receives payment from a public entity, since the purchase of goods or payment for services constitutes an appropriation of public funds.
- **The exception is a red herring.** The exception that a recipient of public funds who wishes to lobby can do so if they segregate the funds for lobbying from public funds is not workable—and is not meant to be. Under New Hampshire law, lobbying time and revenue received is reported at the end of each quarter. Because it is not possible to predict the future time spent on advocacy activities, the segregation exception is simply a distraction from the ban that the law creates.
- **The bill would cost taxpayers money.** And that’s not just because the bill would allow any resident of the state to bring a lawsuit against a city or town (in addition to the possibility of criminal penalties). Every year, alongside our members, NHMA advocates on bills that typically fall into one of two categories: defeating bills that cost municipalities money and supporting bills that maintain or increase state aid. **Every new cost on municipalities is paid for by taxpayers, and every additional dollar sent from the state to the cities and towns offsets property taxes. Proposed legislation this session alone would cost taxpayers more than \$50 million.**
- **The bill strips local officials and town meetings of authority to make their own local decisions.** Dues paid to organizations that provide services to local officials are included by local officials in municipal budgets and are voluntary for most organizations—like NHMA. In most of our municipalities, these budgets are adopted by the voters. In the rest, they are adopted by the representatives the voters elect to make those decisions for them. Cities and towns make decisions every year to be members of

organizations that provide these services to make them more efficient and to operate in a more cost-effective manner. The legislature should not make judgments on local spending; the voters and their locally elected officials should.

The Proposed Amendment

The amendment offered at the executive session, which failed on an 8-8 vote in committee, was not provided to the public before or during the executive session. This amendment, or one substantially similar, will be offered as a floor amendment. Here's what you need to know:

- **The ban it would create, like the original bill, is very broad.** Although, once again, the conversation was focused on NHMA, the amendment would apply to “Any entity required to register under RSA 15:1 that provides both lobbying services and non-lobbying services,” broadening the reach of its heavy hand to a wide variety of organizations and private entities.
- **Despite statements by the amendment sponsor that nothing in the amendment changes the way local government organizations operate, it would, in fact, drastically and fundamentally do just that.** The amendment would require that these entities separate out lobbying from other services; charge separate fees for separate services; provide separate contracts for separate services; prohibit the bundling of services; and even dictate the type of fee allowed, including, confusingly, prohibiting “fair share and agency fees,” both of which only relate to collective bargaining, demonstrating a fundamental misunderstanding of what organizations like us do and how we operate.
- **Compliance with these new state mandates would mean increasing operational expenses, a curious result for legislation purportedly motivated by taxpayer cost concerns.** Although the focus of the conversation has been lobbying, the amendment's mandate would require that NHMA's many services be billed for separately. So, for example, the unlimited legal advice members can access as part of their membership would be a thing of the past. This result would blatantly contradict statements made by the amendment's sponsor during the executive session that municipalities say they like the services they are receiving from organizations like NHMA. The goal of the amendment, then, is just a different way to get the same result: creating new hurdles to chip away at local government's participation in the legislative process and authority to join or establish local government organizations.
- **The proposed new operational requirements also do not make sense based on the way lobbying time is reported under New Hampshire law** because, as stated above, lobbying time is reported at the *end* of each quarter. When asked how this would work, the sponsor of the

amendment stated that the organization could just “estimate” the cost of lobbying based on last year. We are not certain how this improves the transparency of the current system, in which we report *actual time* spent on lobbying.

- **The amendment is not “pro-local control,” as some committee members claimed during the executive session.** Local control is allowing local governments to exercise local authority, including forming their own organizations, joining them if they choose, and changing the way those organizations operate as they choose—not the state dictating how they do business. Every membership organization that represents its municipal members has a process for its members to change how it operates, including whether it provides advocacy services and what it advocates for. The amendment is not about improving the way local government organizations deliver their services; it is simply a state mandate that would make the delivery of those services more cumbersome *and* costly.

In *support* of this amendment, **a statement was made** during the executive session that the original bill is “authoritarian” and that it is not “the legislature’s job to tell municipalities what to spend money on.” **We agree—and it’s why both the bill and the amendment must be rejected.**

Contact your representative today and ask them to put a stop to this by voting against the bill and any amendment on the floor.

You can watch the [full executive session here](#).

A Busy Monday

On **Monday**, many House committees will finish much of their work on House bills. It is likely that [House Municipal and County Government](#) will spend all Monday in Executive Session on the following bills of municipal interest:

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| 9:30 AM | CACR 16 | relating to local governance. Providing that local construction projects seeking amendments, waivers, or variances be subject to certain local approval, disclosure, and vote requirements. |
| 9:30 AM | HB 526 | regulating the use of temporary traffic control personnel. |
| 9:30 AM | HB 1053 | relative to permissible residential units in a commercial zone. |
| 9:30 AM | HB 1106 | relative to net asset limits under the elderly property tax exemption. |
| 9:30 AM | HB 1175 | relative to the official ballot referendum form of town meetings. |
| 9:30 AM | HB 1181 | relative to solid waste districts. |

- 9:30 AM [HB 1187](#) relative to local legislative bodies' voting threshold for approval of lease agreements over \$100,000.
- 9:30 AM [HB 1223](#) relative to governing body members of the budget committee.
- 9:30 AM [HB 1281](#) relative to zoning restrictions on residential rental property.
- 9:30 AM [HB 1284](#) relative to the quasi-judicial authority of planning boards.
- 9:30 AM [HB 1371](#) relative to allowing the land use master plan to include a section on waste reduction.
- 9:30 AM [HB 1506](#) relative to required votes to approve issuance of bonds.

Additionally, [House Election Law](#) will likely be considering an amendment to [HB 1264](#), relative to the definition of accessible voting systems at **10:00 a.m.** in **LOB Room 306 – 308**. Stakeholders have been working hard to come to an agreement over the last several weeks, and we believe that the proposed amendment will satisfy all stakeholders.

And, [House Ways and Means](#) will hold executive sessions on the following bills.:

- 10:30 AM [HB 1514](#) relative to excess funds paid to municipalities for the use of school districts.
- 10:30 AM [HB 1563](#) relative to the education property tax and the authority of political subdivisions.
- 10:30 AM [HB 1613](#) establishing a trust fund for money from soil and water environmental contamination court settlements.

There is still time to contact committee members on all this legislation, but, once again, our critical ask this week is that you contact your local representatives about [HB 1479](#) (please see the article above).

GET INVOLVED: NHMA'S 2025-2026 LEGISLATIVE POLICY PROCESS

Deadline Approaching: Submit a Legislative Policy Proposal and Create Change

Time is almost up for municipalities to submit proposed legislative policies to NHMA to be considered as part of the legislative policy process. If there is a law affecting municipal government that you think needs to be fixed, or if you have an idea for how the functions of local government might be improved through legislation, this is your opportunity to make a change.

Use the [Legislative Policy Proposal Form](#) to submit a proposal for consideration. The deadline for submitting proposals is April 15, although earlier submission is encouraged. Please follow the instructions on the form for submitting your proposal.

Serve on a Legislative Policy Committee: Only a Few Spots Left!

If you are a municipal official in a city or town and are interested in serving on one of the policy committees, please contact the Government Affairs staff at governmentaffairs@nhmunicipal.org no later than March 29.

Each of the committees deals with a different set of municipal issues. The committees and their subject areas are as follows:

- Finance and Revenue – budgeting, revenue, tax exemptions, current use, assessing, tax collection, retirement issues, education funding.
- General Administration and Governance – elections, Right-to-Know Law, labor, town meeting, charters, welfare, public safety.
- Infrastructure, Development, and Land Use – solid/hazardous waste, transportation, land use, technology, environmental regulation, housing, utilities, code enforcement, economic development.

There will be an in-person organizational meeting for all committees on **Friday, April 5** at NHMA's offices in Concord.

Bill Hearings Schedule

NHMA Events Calendar

2023 Final Legislative Bulletin

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