

New Hampshire Municipal Association

THE SERVICE AND ACTION ARM OF NEW HAMPSHIRE MUNICIPALITIES

LEGISLATIVE BULLETIN

Legislative Bulletin 18

2025 Session

May 9, 2025



[Live Bill Tracker](#)
[Bill Hearings Schedule](#)

New Revenue Estimates Impact State Budget

The [Senate Ways and Means Committee](#) met Wednesday and voted on revenue estimates for the next biennium, which the [Senate Finance Committee](#) will use as it tweaks the state budget, [HB 1](#) and [HB 2](#), adopted last month by the House.

Having the benefit of more up-to-date state revenue data than the House had back in February, the Senate's numbers are nearly [\\$230 million more](#) than the House estimate—but more than [\\$170 million less](#) than the governor counted on in her budget proposal. State officials acknowledge that [estimating future state revenue is particularly challenging](#) in this budget cycle, so **Senate Ways and Means** tended to stick with the mid- to low-end revenue projections provided by the Department of Revenue Administration.

Representatives Hall was packed Tuesday as more than 400 people signed up to speak at the **Senate Finance Committee** public hearing on the budget that ran past sundown. Most of the speakers criticized the \$15.5 billion House-passed budget, citing cuts to health and social services, the university and community college systems, and Medicaid provider reimbursement rates. The House budget also contains several provisions that have an adverse impact on municipalities, including suspension of the 30% municipal share of the rooms and meals tax, which would be replaced with a flat \$137 million appropriation each year in FYs 26-27. This change is projected to reduce municipal aid by more than \$10 million compared to the current statutory formula.

And with such a focus on housing issues and zoning mandates this year, another area of concern is the lack of funding in the House Budget for critical programs like Housing Champions, regional planning commissions, and wastewater projects under State Aid Grants (SAG).

NHMA has a one-page budget summary [here](#). You can read a more detailed letter about the budget that NHMA submitted to Senate Finance [here](#).

The **Senate Finance Committee** is meeting today at **1:00 p.m.** in **SH Room 103** for an initial discussion on agency budgets. The committee is expected to make several changes to the budget over the next few weeks, so the process is far from over and NHMA and our members can and will **continue to advocate for the interests of municipalities**. The Senate must pass its budget by June 5 and both chambers must agree on a spending plan to send to the governor by June 26.

And one more thing: On the looming state financial issues front—which already includes a pending education funding lawsuit before the NH Supreme Court and a dwindling settlement fund for hundreds of victims abused while under state care at the Youth Development Center—we can add discussions in Congress about reforming or eliminating federal Medicaid reimbursements tied to state medical provider taxes, which account for [more than 30%](#) of federal Medicaid funds received by the state. The Granite State pioneered leveraging this loophole in the late 1980s and 49 states now take advantage of it. Because it is so widely used, it will be difficult for Congress to eliminate it, but it's worth watching. An outcome that doesn't go the state's way on any of these issues could have a seismic impact on the budget, which is why we remain concerned with the state's ability to commit \$275 million over 10 years to fund pension benefit increases for 1,500 public employees that is included in **HB 2**. The impact of expensive pension enhancements for existing members is [being felt in New York State](#), which passed benefit restorations last year. Should the state of New Hampshire pull back from any of that pension funding, those costs would be directly passed on to property taxpayers.

Senate Passes More Zoning Mandates

The Senate, on voice votes, passed a pair of zoning mandates on Thursday. NHMA is grateful to the senators who [spoke in opposition](#) to these bills on the floor.

HB 631 allows residential building in commercial zones, mandating mixed-use development in nearly every zoning district in New Hampshire. The definition of “commercially zoned land” in the bill is very broad and is not consistent with the way zoning ordinances differentiate between uses. While promoting urban density, it may lead to conflicts over land use priorities and contradicts one of the key purposes of zoning in RSA 674:17: to “consider the character of the area involved and its peculiar suitability for particular uses.” The bill will be enrolled and sent to the governor.

HB 685, as amended (am-2005s), mandates manufactured housing by right in residentially zoned areas. The bill's language directly conflicts with RSA 674:32, the existing statute that says, "Municipalities shall afford reasonable and realistic opportunities for the siting of manufactured housing..." and mandates several updates to local zoning ordinances. **HB 685** establishes a conflicting requirement that will create confusion for municipalities, local land use boards, voters, and developers. As amended, the bill does not include modular homes in the definition of manufactured housing. The bill will return to the House, which can concur, non-concur, or a request a committee of conference.

On a positive note, the Senate voted to re-refer **HB 410** to committee. The bill, another priority bill NHMA opposes, prohibits municipalities from enforcing or adopting any "extraordinary restriction of residential property," an undefined term, unless the ordinance is directly necessary for the health or safety of the community based on "empirical evidence" supporting the adoption of such an ordinance.

Amendment Inverts Local Option for Keno

HB 737, creating local options for games of chance and changing charitable gaming license fees and reporting requirements, was a bill NHMA originally supported. As passed by the House, the bill allowed municipalities to vote to prohibit games of chance. This newly proposed local option would allow voters to prohibit new charitable gaming casinos from being licensed in their municipality, with existing casinos being grandfathered.

However, the **Senate Ways and Means Committee** amended the bill to change the local option for Keno to an opt-out, rather than the current opt-in that has existed since 2017. The newly proposed Keno-by-default in **HB 737** would override previous votes in municipalities to not allow Keno or where the governing and legislative bodies never wanted to take up the question on their warrant.

An attempt to add Keno by default in the House budget was already defeated, so there's a chance the House may not agree to this change. **Contact your representatives** and ask them to request a committee of conference to maintain the House version of **HB 737**.

House to Vote on (More) Zoning Mandates

The **House Housing Committee** unanimously recommended seven zoning mandates on Tuesday, all of which will be on the consent calendar at the next House session, most likely on **Thursday, May 22**.

The committee amended six of the seven bills, in some cases making marginal technical improvements and in others adding brand-new mandates. NHMA continues to oppose all these bills because they usurp the decisions of local voters.

Contact your local representatives now and tell them that these bills are bad for taxpayers and municipalities. Ask your representatives to rally enough colleagues to take these bills off the consent calendar so they can be debated when the House meets, which is expected to be **Thursday, May 22**. (A minimum of 10 House members are needed to pull a bill from the consent calendar.) **Also mention that forcing all municipalities to adhere to a uniform set of zoning mandates undermines the autonomy that has long been a cornerstone of local governance in our state and will lead to unintended consequences.** As one senator said when speaking out against zoning mandates on the floor yesterday, “One of the reasons people love this state is because local zoning has kept it beautiful.” Priority bills are denoted with an asterisk (*).

* **SB 163**, as amended (am-1950h), prohibits local moratoria and limitations on building permits for housing developments and adds the language from the **House version of HB 685**, mandating manufactured housing by right in residentially zoned areas. **Recommendation:** OTP-A, 17-0, Consent Calendar.

* **SB 170**, as amended (am-1948h), relative to development and related requirements in cities, towns, and municipalities. As amended, **SB 170**:

- Prohibits municipalities from adopting any ordinance that discriminates based on the familial or non-familial relationships or marital status among the occupants of the dwelling unit and adds “school enrollment status” to the list of protected classes under the equal housing statute. Collectively, these changes mandate that group homes, fraternities, and any other congregate living arrangements be allowed in all residential areas. The language is similar to **HB 457** (now with the Senate), but worse.
- Gives municipalities *seven days* from the initial planning review to adjust or alter their recommended changes to the submitted plans.
- Prevents municipalities from enforcing more stringent test-pitting and well-siting requirements than required by the Department of Environmental Services, regardless of any unique local characteristics, such as developments on waterfront lots or other environmentally sensitive areas.

It’s particularly important to get **SB 170** killed because the Senate version includes a different set of equally troubling mandates and if the bill goes to a committee of conference, there is the possibility that all of the House and Senate language will be merged into an omnibus of bad zoning mandates, several of which were unable to be passed as stand-alone bills. **Recommendation:** OTP-A, 16-0, Consent Calendar.

SB 174, as amended (am-1639h), prohibits planning boards from considering the number of bedrooms a given unit or development has during the hearing and approval

process, provided that the proposal makes adequate provision for water supply and sewage disposal in accordance with RSA 485-A and if applicable, the planning board's site plan review regulations or subdivision regulations. The amendment clarifies the circumstances under which the number of bedrooms may be considered. **Recommendation:** OTP-A, 16-0, Consent Calendar.

SB 188, as amended (am-1951h), allows property owners or developers to use licensed, insured private providers for building code plan reviews and inspections related to the state building code and any local technical amendments, excluding fire prevention and fire safety codes, and creates a "building permits by default" model if communities fail to meet strict deadlines. The amendment gives municipalities the ability to approve private providers and makes some positive changes recommended by stakeholders, although NHMA continues to oppose the bill. **Recommendation:** OTP-A, 17-0, Consent Calendar.

SB 281 prohibits municipalities from denying building or occupancy permits for property adjacent to class VI roads under certain circumstances. Municipalities currently may restrict building on class VI roads to prevent overdevelopment of undeveloped infrastructure and, in this case, unmaintained roads and to control scattered and premature development. While the bill requires that landowners sign a liability waiver, it does not consider whether the class VI roads and abutting properties can sustain new development. **Recommendation:** OTP, 17-0, Consent Calendar.

SB 282, as amended (am-1701h) allows residential buildings with four or fewer floors to have only one stairway, provided that the building is equipped with a compliant sprinkler system and meets specific fire code requirements. The amendment removed references to residential buildings with 5 or 6 floors. **Recommendation:** OTP-A, 16-0, Consent Calendar.

SB 283, as amended (am-1596h), mandates that municipalities exclude below-grade areas, which include basements and sublevels, from the calculation of floor-area-ratios for new construction projects. The amendment removed language enabling municipalities to review and revise height limitations to maximize height potential for new construction. **Recommendation:** OTP-A, 16-0, Consent Calendar.

The committee has one final zoning mandate to act on no later than May 29, **SB 84**, a priority bill opposed by NHMA that mandates zoning ordinances adhere to specific lot sizes for all single-family homes, overriding current zoning regulations. The bill also requires municipalities to provide empirical evidence that the sewer system cannot support the lots, which adds a layer of complexity and bureaucracy in local government.

For those keeping score, the House Housing Committee has now recommended 16 zoning mandates as ought to pass (OTP) this year on a combined vote of 281-2.

Work Session on Risk Pool Bill

The [House Commerce and Consumer Affairs Committee](#) held a work session Wednesday on [SB 297](#), a priority bill opposed by NHMA, which deals with the operations and oversight of pooled risk management programs that are created by cities, towns, counties, and school districts to reduce risks and associated insurance costs. No action was taken, and the committee will meet on **Tuesday, May 20, at 10:00 a.m. in LOB Room 302-304** to review an as-yet-undrafted amendment that would transfer the oversight of risk pools from the secretary of state's office to the Department of Insurance.

The current bill is opposed by NHMA for two primary reasons: The effect it would have on the operations of insurance risk pools and the effect it would have on municipalities that choose to participate in health pools.

Municipal officials who have not yet done so are encouraged to [contact the committee](#) to register their opposition to SB 297 as it is currently written and to express support for putting the pools under the insurance department, which has the expertise to effectively safeguard the integrity of the risk pools, not regulate them out of existence.

Does Anyone Remember Majority Rule?

At the State House, sweeping changes on spending, local zoning and many other issues, can sometimes pass by a single vote. However, when it comes to local decision making, a pair of tax cap bills display a fundamental lack of faith in local voters to manage their own finances.

[HB 200](#), **amended and passed by the Senate on Thursday**, is a priority bill opposed by NHMA. The bill deals with tax caps, but in a way that fundamentally misunderstands what a tax cap is. By changing the concept of a tax cap from a cap on what is proposed to the legislative body to a cap on what the legislative body approves, the bill is detrimental to the voters and to local decision making. **HB 200** requires a tax cap override by the legislative body to be done by secret yes/no ballot as provided in RSA 40:4-a. In SB 2 municipalities and traditional town meetings, the bill mandates a 3/5 majority to override the tax cap rather than a majority vote as currently required. Any town with an existing tax cap under this section would **automatically** have to implement this new override provision—there's no requirement that the voters readopt the tax cap statute, even though the bill would fundamentally change what the voters originally adopted. The bill will return to the House, which can concur, non-concur, or a request a committee of conference.

[SB 105](#), amended and passed by the House on Thursday, creates a new tax cap option. The bill would allow voters, by a three-fifths majority, to cap future spending using a

formula based on the current expenditure per resident, multiplied by the number of residents, with future adjustments for inflation—so municipal officials and voters would have no idea how much the cap is from year to year. Any effort to change or override a spending limit, or repeal the cap, would also require a three-fifths vote. The bill also prevents the question of adopting the cap from being amended. Unlike **HB 200**, which has real-world implications for towns that have adopted tax caps, **SB 105** is a new local option, no town has adopted it—and none ever may. However, NHMA opposes the bill because of year-over-year uncertainty regarding the cap, as well as the high bar to modify or repeal it and the limitation of the legislative body to amend the warrant article at Town Meeting. The bill will return to the Senate, which can concur, non-concur, or a request a committee of conference.

Contact your local senator and ask the Senate to non-concur on **SB 105**. Contact your local house members and ask the House to non-concur on **HB 200**. If 50 percent plus one is good enough for state legislators, it should be good enough for the voters who elected them; and voters should also be given a chance to readopt a local option if the legislature fundamentally changes how it works.

Another tax cap bill that NHMA is neutral on, [HB 374](#), clarifies and updates tax cap statutes. This bill was amended by the Senate on Thursday and is going back to the House.

Update: Election Bills

The [Senate Election Law and Municipal Affairs Committee](#) reported four election-related bills out of committee this week.

[HB 67](#), a bill supported by NMHA that allows municipalities to continue to use the accessible voting systems provided by the Secretary of State's office for local elections with the municipality only bearing the cost to program the ballot, was recommended ought to pass (OTP). During prior testimony, the Secretary of State's office stated that it will keep the programming costs in mind when reviewing the responses to an RFP for accessible voting systems.

[HB 151](#) was amended to change the current six-year term for supervisors of the checklist to two years and recommended OTP. The House version of the bill called for three-year terms.

[HB 274](#), a bill opposed by NMHA that established annual verification of the voter checklist, was recommended inexpedient to legislate (ITL). This was done because the Committee favors a Senate bill ([SB 221](#)), changing checklist verification from the current 10-year period to every four years. **SB 221** has been heard by the [House Election Law Committee](#), but an executive session has yet to be scheduled. In fact, House Election Law held hearings on nine Senate bills at the end of April but has yet to take further action. These bills include [SB 218](#) (relative to absentee ballot outer envelopes), [SB 103](#) (relative

to the number of polling stations that are available for certain towns), [SB 45](#) (clarifying the placement of advertising signs on state owned property), and [SB 44](#) (relative to hand counts of ballots in elections).

[HB 340](#), an attempt to clarify the statute on public employee electioneering, opposed by NHMA, was recommended to be re-referred to the committee.

On **Tuesday, May 13**, beginning at **9:40 a.m.** in **LOB Room 103**, the **Senate Election Law and Municipal Affairs Committee** will hold public hearings on two bills concerning default budgets opposed by NHMA.

[HB 475](#) (9:40 a.m.), relative to the reductions from the default budget for official ballot town meetings.

[HB 613](#) (9:55 a.m.), relative to enabling local political subdivisions to vote and set a reduced default budget option.

Update: Ground Ambulance Reimbursements

On **Tuesday, May 13**, at **1:15 p.m.** in **LOB Room 302-304**, the [House Commerce and Consumer Affairs Committee](#) will hold a public hearing on [SB 245](#), a priority bill supported by NHMA that eliminates balance billing with the reimbursement rate set at 325% of the current urban, rural, or super-rural Medicare rates, depending on the geographic area where the ambulance service originated.

There's broad agreement in the ambulance community and the legislature for eliminating balance billing—*i.e.* billing a patient for the difference between the full cost of the service and the amount their insurance plan pays—but the House and Senate have very different ideas about where to set reimbursement rates for private insurers to offset the loss of revenue from balance billing. NHMA believes municipal ambulance services are essential services and not profit-driven; thus, appropriate reimbursement rates are crucial for their sustainability.

Last month, the [Senate Health and Human Services Committee](#) held public hearing on [HB 316](#), which NHMA opposes, that eliminates balance billing and sets a reimbursement rate for non-Medicare/Medicaid health insurance carriers at approximately 200% above the current Medicare reimbursement rate. The bill remains in committee.

[SB 130](#), which creates a study committee on ambulance billing, was recommended inexpedient to legislate (ITL) last week by the [House Health, Human Services and Elderly Affairs Committee](#).

House and Senate Actions This Week

The House and Senate met on **Thursday, May 8**, and several bills that NHMA has a position on were acted on. In addition to acting on **HB 631**, **HB 685** and **HB 200** (see above), here is a roundup of other Senate and House votes this week. NHMA's position on each bill is shown in parenthesis after the bill number. Priority bills are denoted with an asterisk (*).

Bills with the Senate

* **HB 66** (oppose), relative to material subject to disclosure under the right to know law. **Status:** ITL.

HB 138 (oppose), relative to tax impact notation on warrant articles with multi-year tax impacts. **Status:** Passed; bill will be enrolled and sent to the governor.

HB 154 (oppose), enabling voters to request to have their ballots hand counted. **Status:** Passed; amended bill will go back to the House.

* **HB 200** (oppose), see above. **Status:** Passed; amended bill will go back to the House.

HB 247 (support), authorizing municipalities to hold a referendum on whether to allow historic horse racing. **Status:** ITL.

HB 284 (oppose), requiring tax impact statements on municipal warrant articles. **Status:** ITL.

* **HB 410** (oppose), see article above. **Status:** Re-refer to committee.

HB 514 (oppose), allowing private persons to sue for violations of election laws. **Status:** ITL.

HB 522 (oppose), relative to the expectation of privacy in personal information maintained by the state. **Status:** ITL.

HB 584 (oppose), relative to public health, safety, and state sovereignty. **Status:** ITL.

* **HB 631** (oppose), see article above. **Status:** Passed; bill will be enrolled and sent to the governor.

HB 666 (oppose), relative to adding restitution payment for violations of the confidentiality of the library use records and adding library cards and membership status to the list of confidential matters. **Status:** ITL.

* **HB 685** (oppose), see article above. **Status:** Passed; amended bill will go back to the House.

Bills with the House

SB 42 (support), relative to notice of death affidavits. **Status:** Passed; bill will be enrolled and sent to the governor.

SB 78 (oppose), changing the zoning board of adjustments appeal period to 45 days. **Status:** OTP-A-consent calendar. **Status:** Passed; amended bill will go back to the Senate.

SB 173 (oppose), relative to residential property subject to housing covenants under the low-income housing tax credit program. **Status:** Passed; bill will be enrolled and sent to the governor.

SB 217 (oppose), relative to public notice of historic tax rates and tax impacts of proposed projects. **Status:** ITL.

SB 225 (oppose), requiring public notice before reassessment of property values for local tax purposes. **Status:** ITL.

Senate Meets Next Week

The Senate will meet on **Thursday, May 15**, and several bills that NHMA has a position on are up for a vote—although all of them are on the consent calendar. Please contact your **local senator** before next Thursday to share your position on any bills that matter to your municipality. NHMA's position on each bill is shown in parenthesis after the bill number. Priority bills are denoted with an asterisk (*).

* **HB 67** (support), relative to agreements with the secretary of state for the use of accessible voting systems. See above for more information. **Recommendation:** OTP-A-consent calendar.

HB 105 (support), creating a new conservation license plate and directing the additional fee to the cyanobacteria mitigation loan and grant fund. **Recommendation:** Re-refer to committee-consent calendar.

HB 274 (oppose), relative to the verification of voter rolls annually. **Recommendation:** ITL-consent calendar.

HB 340 (oppose), relative to electioneering by public employees. **Recommendation:** Re-refer to committee-consent calendar.

HB 413 (oppose), relative to subdivision regulations on the completion of improvements and the regulation of building permits. **Recommendation:** OTP-consent calendar.

HB 421 (oppose), relative to notice of tax-exempt status filing procedures by town officials or offices. **Recommendation:** OTP-A-consent calendar.

HB 428 (oppose), prohibiting municipal amendments to the state building code. **Recommendation:** OTP-A-consent calendar.

HB 489 (oppose), allowing volunteer emergency workers to use a rear facing blue light on their private vehicles when involved in emergency service. **Recommendation:** ITL-consent calendar.

HB 616 (oppose), relative to the confiscation of animals from persons suspected of or charged with abuse of animals and establishing a committee to study the animal cruelty statutes. Recommendation: ITL-consent calendar.

House and Senate Deadlines

House

- Thursday, May 15: Last day to act on SBs going to a second committee.
- Thursday, May 29: Last day to report all remaining SBs and last day to report list of retained SBs .
- Thursday, June 5: Last day to act on SBs.

Senate

- Thursday, May 15: Deadline for Policy Committees to act on all House bills with a fiscal impact, except bills exempted pursuant to Senate Rule 4-5.
- Thursday, June 5: Deadline to act on all House bills.

House and Senate

- Thursday, June 12: Deadline to form Committees of Conference.
- Thursday, June 19: Deadline to sign Committee of Conference Reports.
- Thursday, June 26: Deadline to act on Committee of Conference Reports.

How to Make your Voice Heard

While there are very few public hearings left to be held this session, if a bill is important to your municipality, it's always best to make your case – for or against – in person. Every Friday, NHMA posts a **Bill Hearings Schedule** for the upcoming week. However, if you can't make it to Concord, you can use the Legislature's online portal to put your position on the hearing record.

The House has an **online testimony submission system** that allows you to indicate your position on the bill with an option to attach testimony. If you want to email all the members of a House committee, you will have to copy their email addresses individually from the **committee page**.

The Senate has [a remote sign-in sheet](#) where you can indicate whether you are supportive of a bill, opposed, or neutral. Written testimony can be submitted via the “Email Entire Committee” link found on the [Senate committee page](#).

If you have time to follow along, livestreams of [House](#) and [Senate](#) sessions and committee meetings are available on YouTube. Prior sessions and committee meetings are also archived.

Finally, if you just want to contact your local legislators, there are [Contact a Senator](#) and [Contact a Representative](#) links on the [General Court](#) website.

Note: For anyone who prints these emails out, all the above links are available on the General Court website at: <https://gc.nh.gov/>

Reminder: Sharing is Caring ... About Good Public Policy!

If you know of anyone who may benefit from the NHMA Legislative Bulletin feel free to pass this email along and encourage them to sign up!

Members can subscribe to the Bulletin through our member portal at: <https://nhmunicipal.weblinkconnect.com/portal>

Once you are logged in, click “edit this profile” and “newsletter management.” You can sign up for the *Legislative Bulletin*, *Newslink*, and *Town & City* magazine in one place! (If you are having trouble logging into your account, [follow these steps](#).)

Nonmembers can email info@nhmunicipal.org to be added to our email list for the *Legislative Bulletin*.

[NHMA Events Calendar](#) **[2024 Final Legislative Bulletin](#)**

Editorial Staff:

Margaret M.L. Byrnes, Executive Director
Marty Karlon, Editor in Chief, Policy & Research Analyst
Sarah Burke Cohen, Legislative Advocate
Brodie Deshaies, Legislative Advocate

Layout & Communications:

Miranda Augustine, Communications Coordinator

New Hampshire Municipal Association
25 Triangle Park Drive
Concord, NH 03301
Tel: 603.224.7447
Email: governmentaffairs@nhmunicipal.org
Website: www.nhmunicipal.org