

New Hampshire Municipal Association

THE SERVICE AND ACTION ARM OF NEW HAMPSHIRE MUNICIPALITIES

LEGISLATIVE

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Busy Opening Sessions for Senate, House

The Senate met Wednesday and acted on several 2025 bills held over from last year. Thirteen bills that NHMA was following were killed or referred to interim study, meaning there will be no further action on them this year. Six bills were passed and will continue their legislative journey, including:

- [**HB 707**](#) (NHMA opposes), which changes the law on landfill expansions so that no municipal “ordinance, bylaw, rule, regulation, agreement, or other restriction” can prevent the siting of a landfill expansion approved by the Department of Environmental Services. We opposed this bill because it would adversely impact municipalities with private landfills by allowing state-approved landfill expansions to override local zoning ordinances and override agreements or contracts that municipalities negotiated with landfill operators. The bill was referred to the [**Senate Finance Committee**](#).
- [**HB 340**](#) (oppose), which updates the statute regarding electioneering by public employees. The amended bill will go back to the House.
- [**HB 451**](#) (support), which creates a paint recycling program. A per-container assessment will be added to the sale of paint products to fund the program, and collection sites must accept paint without charging consumers. The bill will be enrolled and sent to the governor.

The House session sprawled over two days, as more than 60 bills were debated with even more handled on the consent calendar. Forty-eight bills that NHMA was following were killed or referred to interim study, meaning there will be no further action on them this year, and 21 bills passed and remain alive in 2026. A few key bills advancing include:

- [**HB 164**](#) (support), which authorizes the state archives with creating a website for the retention and public access of local electronic records and specifies that electronic municipal records may be stored on the website. The bill will go to the [**House Finance Committee**](#).
- [**HB 173**](#) (oppose), which prevents amendments to a petitioned warrant article that eliminate its subject matter or change the purpose of the article. The bill moves on to the Senate.
- [**HB 488**](#) (oppose), which makes significant changes to the existing law regarding the incompatibility of offices for municipal board and committee members, establishing a list of positions that individuals cannot hold simultaneously. The amendment also specifies that certain officials, such as town clerks and deputy clerks, may only hold limited additional positions, and it prohibits municipal employees from serving on local land use boards or planning boards within the same municipality. The bill moves on to the Senate.

Anti-Lobbying Bill Fails, But More on the Way!

The House voted 203-147 Wednesday to kill [HB 314**](#)**, the latest in a too-long line of attempts to weaken or eliminate the voice of municipalities in the legislative process.

Thank you to all the municipalities, individual local officials, citizens, and other organizations who joined us in speaking out against this bill. And thank you

to the House members who saw **HB 314** for what it was, another blatant attempt to silence local government.

The inexpedient to legislate (ITL) vote was not by roll call. However, an initial attempt to pass the bill was defeated, 198-152. [Click here](#) and then click on “OTPA (152-198)” under Roll Calls to see how *your* representatives voted on the ought to pass motion—and please **thank those who voted nay**.

The volume of our emails to members on this bill was considerable, to say the least. Please know that NHMA values your time and tries not to fill up your inbox when we can avoid it. That said, cities and towns established NHMA, in part, to assist them in advocating in a more efficient, unified, and fiscally responsible manner, and this bill was a significant threat to us, as well as many, many other professional organizations in which local officials participate.

Sadly, there are two more bills this year being heard back-to-back by the [House Legislative Administration Committee](#) on **Thursday, January 22, at 9:00 a.m.** in [Government Place \(GP\) Room 234](#) that **specifically take aim at NHMA’s ability to advocate and at member municipalities’ ability to govern the organization**:

- [HB 1359](#) requires a two-thirds majority vote of the legislative body, by roll call or ballot, to authorize funding the lobbying portion of municipal association dues. Worse, the bill attempts to change the business model under which NHMA has operated for more than 80 years.
- [HB 1360](#) creates a legislative oversight committee to review NHMA’s finances, activities, and use of public funds.

Unlike **HB 314**, which affected other governmental affiliate groups, **these bills are all about NHMA** (and all about dividing and conquering).

If you can, attend the hearings to oppose these bills or sign in online and contact members of the [House Legislative Administration Committee](#) and **explain the value of NHMA membership and of having a collective voice at the State House**.

For detailed instructions on ways to share your position on this and any other bills, see “*How to Make Your Voice Heard*” below.

You will be seeing more emails on these bills. Simply because we’ve been able to fight off previous attempts is no guarantee that these two bills will have the same fate, which is why **we need you more than ever now!**

Oppose Changes to Zoning Variance Standard

On **Tuesday, January 13**, at **9:15 a.m.** in **State House (SH) Room 122-123**, the [Senate Election Law and Municipal Affairs Committee](#) will hold a public hearing on [SB 435](#), which would remove “unnecessary hardship” from the items a zoning board of adjustment may consider when reviewing a variance request, significantly lowering the standard under which variances may be denied.

All land use regulation is a balance between (a) the rights of property owners to use their property and (b) the need for society to place some controls on the way property is used to prevent harm to others and to promote community goals. The purpose of variances is to act as a constitutional “safety valve” to prevent land use controls from restricting property use too much. If those controls affect one piece of property in a way that is different from and more burdensome than the way they affect other properties such that it is substantially unfair, those restrictions may eat into the owner’s constitutional rights to own and enjoy their property. Variances exist to bend the rules just enough to prevent that and to restore the constitutional balance between private and public rights. The five current variance criteria included in RSA 674:33 (including unnecessary hardship) are designed to identify these special cases in which a variance is needed. **SB 435 upsets that balance.**

Please register your opposition to this bill in person or online.

Meals and Room Tax Plan Doesn’t Add Up

On **Wednesday, January 14**, at **11:30 a.m.** in **GP Room 154**, the [House Ways and Means Committee](#) will hold a public hearing on [HB 1474](#), which would change the distribution formula for the meals and rooms tax. Historically, the municipal share is distributed to cities and towns based on annual population estimates compiled by the state. **HB 1474** would somehow subtract “those living in property tax exempt housing including on-campus college housing, prisons, jails and similar institutions, county nursing homes and not for profit nursing homes” from the population estimates (how that could actually be done on an annual basis is not outlined) and then factor in “average equalized property value per adjusted population” to the distribution calculation.

NHMA is currently monitoring the bill because it does not change the amount of money distributed to cities and towns. However, based on our reading of the formula, **we are concerned the bill will create winners and losers**, who could see their M&R distribution increase or decrease by more than 20 percent, with many more municipalities falling in the “loser” column.

Without an actual town-by-town estimate from the state agency charged with distributing the revenue, legislators could substantially alter the amount of state aid your municipality

is receiving, and not necessarily for the better. We will be urging the committee not to act until, at least, the state treasurer provides them with estimated distributions amounts based on the bill language.

Local Option Public Safety Assessment Fee

On **Wednesday, January 14**, at **9:45 a.m.** in **State House (SH) Room 122-123**, the **Senate Ways and Means Committee** will hold a public hearing on **SB 634**, which would allow municipalities to adopt a local option fee of no more than \$2 per day to be assessed on hotel occupancies to fund municipal public safety services, helping offset the cost burden of services associated with increased tourism and transient traffic. This bill represents a long-standing NHMA policy.

Municipalities in New Hampshire may assess charges and user fees only as permitted by state statute. Currently, no state law authorizes municipalities to assess and collect a local option hotel occupancy fee to support public safety services. While **SB 634** may not be of interest to all municipalities, the municipal officials who testified in support of previous, similar bills made compelling arguments as to how an occupancy fee would help ease the financial burden placed on their property taxpayers by added public safety and costs associated with tourists or with significant growth in their daily “population” from serving as a regional economic hub. A similar local option is already in effect in Vermont.

Please support this bill as a reasonable local option.

Get Involved in Legislative Policy Process

NHMA’s biennial legislative policy process is getting under way. NHMA has a member-driven process by which it establishes the legislative policy positions to guide staff advocacy activities over the coming legislative biennium. As a first step, we are recruiting volunteers to serve on our three legislative policy committees. These committees will review legislative policy proposals submitted by local officials and make recommendations on those policies, which will go to the NHMA Legislative Policy Conference in September.

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 advocacy staff at: governmentaffairs@nhmunicipal.org.

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.

When you contact us, please indicate your first and second choices for a committee assignment. We will do our best to accommodate everyone's first choice, but we strive for equal membership among the committees. We hope to have 15-20 members on each committee.

There will be an organizational meeting in Concord for all committees on **Friday, April 3**. After that, each committee will meet separately as many times as necessary to review the policy proposals assigned to it—typically three to five meetings, all held on either a Monday or Friday, between early April and the end of May.

How to Make your Voice Heard

The adage goes that “life is all about showing up.” The same can be said for legislative advocacy. If a bill is of importance 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 any readers who print these emails out, all of the above links can be found on the General Court website at: <https://gc.nh.gov/>

Because the House and Senate have moved to digital calendars, committees now have the ability to reschedule when there is bad weather, when there are absences, or when issues

with bills just haven't quite been worked out. If you are planning to attend a hearing or work session in person, we strongly recommend checking the [**House Digital Calendar**](#) and [**Senate Digital Calendar**](#) before heading to the State House. For those of you with an interest in a particular bill or set of bills, please use the 'subscribe' feature on [**FastDemocracy**](#) to get email updates when those bills are scheduled or rescheduled.

Reminder: New Home for House Hearings

Whether you are a veteran of the public hearing process or are coming to Concord for the first time this year, you need to know that **House committees are meeting in a new location**. The Legislative Office Building (LOB), where House committees typically meet, is closed for renovation through late 2026. **Meetings are now being held at 1 Granite Place (GP)**, which is about 1.6 miles north of the State House.

NHMA has created a [**one-page handout**](#) with more information, photos, and a link to the layout of the meeting rooms.

More information on Granite Place also can be found on the [**NH General Court Website**](#).

Follow Bills That Matter to You Online

In addition to our weekly *Legislative Bulletin*, NHMA provides members access to FastDemocracy, an online bill tracking platform, for efficient, real-time updates to legislative activity of interest to members. This tool can help ensure that you know when the bills that you care about most are scheduled for public hearing or votes.

Visit our online [**Bill Tracker**](#) page to learn more and feel free to subscribe to weekly or daily updates on subjects and bills of interest.

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