

**New Hampshire Municipal Association**

THE SERVICE AND ACTION ARM OF NEW HAMPSHIRE MUNICIPALITIES

# LEGISLATIVE BULLETIN

**Legislative Bulletin 2**

**2025 Session**

**January 17, 2025**



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

---

## **Be Heard on Right-to-Know Amendments**

On **Wednesday, January 22**, beginning at **10:00 a.m.** in **LOB 206-208** the [House Judiciary Committee](#) will hold hearings on six bills modifying various sections of RSA 91-A, New Hampshire's Right-to-Know (RTK) Law.

These proposals are mixed bag, but some should be of serious concern to municipalities related to cost and/or administrative concerns.

**HB 66** (10:00 a.m. hearing) changes the definition of “citizen” to “person,” allowing any individual, anywhere, to make an RTK request without ever setting foot in the State of New Hampshire, let alone in your town hall. Additionally, the bill mandates that records must be sent electronically or by mail – rather than simply being made available for public inspection – and allows for electronic requests with the requestor choosing the method of delivery. The bill also mandates that preliminary drafts distributed to the public body be accessible to the public. NHMA opposes this bill because the use of “person” could lead to a flood of requests from non-residents, increasing administrative burdens and costs for municipalities. Another concern is that expanding the definition to “person” could aid in fraudulent activities and identity theft – including, but not limited to, AI “bots” posing as individuals to harvest personal information from municipal records.

**HB 74** (10:30 a.m.) defines the requestor as a “citizen” of New Hampshire, or as press acting to inform NH residents. It also makes preliminary drafts accessible to the public. NHMA supports this bill because it conforms with the purpose of the law and would prevent an influx of out-of-state requests, ensuring RTK requests are manageable for municipalities.

**HB 80** (11:00 a.m.) replaces “not reasonably practicable” with “unavoidable” regarding reasons for board members not attending meetings in person and prevents members participating virtually from voting. NHMA opposes this bill because the stricter standard may discourage remote attendance, potentially increasing absenteeism.

**HB 265** (1:00 p.m.) requires the start and stop times of public meetings to be recorded in the minutes and the printed name and signature of the recording secretary. This is standard practice for many bodies and NHMA is neutral on this bill.

**HB 114** (1:30 p.m.) eliminates the collection of fees for compiling RTK requests and allows for liability in cases of wrongful disclosure. Removing fee collection reduces revenue while increasing expenses, leading to higher property taxes, and so NHMA opposes this bill. In addition, creating liability for wrongful disclosure adds another layer of risk (and cost) for municipalities.

**HB 313** (2:15 p.m.) amends non-public session rules regarding “reputation,” allowing the subject of the session to be notified and request a public meeting. The vague text could hinder the ability to discuss sensitive issues in non-public sessions, which is why NHMA opposes this bill.

**HB 376** (3:00 p.m.) exempts library information from disclosure. NHMA is neutral on this bill.

To sum up, the general concerns with the opposed bills are:

- **Administrative Burdens and Costs:** The increased volume of RTK requests, especially from non-residents, will strain municipal resources.
- **Resource Diversion:** Without the ability to charge fees, municipalities will face higher expenses with no offsetting revenue.
- **Privacy and Security Risks:** Allowing any person, regardless of ties to NH, to request records could lead to privacy concerns and security issues.
- **Mandated Response Methods:** Requiring municipalities to send records in specific ways adds logistical challenges and potential for miscommunication.

NHMA urges members to testify or [sign in and submit optional testimony](#) about the bills that will add costs and administrative burdens – as well as any bills they support.

## Key Bills Impacting Local Election Officials

On **Tuesday, January 21**, beginning at **10:20 a.m.** in **LOB Room 306-308**, the [House Election Law Committee](#) is holding hearings on several bills, including two of particular importance to local officials.

[HB 67](#) aims to transform last year's pilot program regarding Accessible Voting Systems into a permanent law, ensuring that the state provides accessible voting systems through agreements with municipalities. Under this bill, municipalities would continue to be responsible for programming costs. However, without **HB 67**, the pilot program would expire, leaving municipalities to shoulder the cost of acquiring voting tablets independently. NHMA supports this bill, recognizing its importance in promoting accessible voting while sharing the financial responsibilities between the state and municipalities.

On the other hand, [HB 340](#) proposes significant changes to the laws governing public employees and electioneering. This bill would repeal and reenact the existing section, making it substantially longer and more complex. NHMA opposes this bill due to concerns about the broad prohibitions and vague language, which may curtail speech and have unintended consequences due to unclear definitions of terms like "in an unbiased manner" and "expressly or primarily partisan" events.

These bills are scheduled for executive sessions immediately following the day's hearings, so local officials should engage with the committee on these bills now, either by planning to testify on Tuesday or by signing in support or opposition through the House [online testimony submission system](#), which also allows you to attach written testimony.

## HB 428 Threatens Local Building Code Authority

On **Wednesday, January 22**, at **11:30 a.m.** in **LOB Room 306-308**, the [House Executive Departments and Administration Committee \(ED&A\)](#) will hold a public hearing on [HB 428](#). This bill would strip municipalities of their authority to adopt local building code amendments beyond what is included in the state building code. NHMA opposes this bill because of its impact on local control and governance and because it effectively dismantles legislative efforts from just last year.

In 2024, legislation was passed that introduced new conditions for the adoption of local building codes. One of the most notable changes is the requirement that all local codes be submitted to the state Building Code Review Board for review and confirmation. Failure to comply renders the local codes unenforceable. This statute also clarified that municipalities cannot adopt amendments that are less stringent than or are intended to replace the most recent versions of the state building code. The new parameters

established last year, which involved input from various stakeholders, should be given a chance to play out.

The passage of **SB 428** would have profound implications for municipalities. By overriding local control, the bill would nullify local ordinances that were thoughtfully adopted by voters to reflect the unique needs and preferences of individual communities.

NHMA is urging members to actively oppose **SB 428**. Local officials and community members are encouraged to testify, submit written testimony, or sign in opposition to the bill through the House [online testimony submission system](#).

The House ED&A Committee also is considering other building code-related bills on the same day, including [HB 134](#), [HB 244](#), and [HB 96](#). See next week's [Hearing Schedule](#) for details.

## "Sanctuary City" Bill Would Create New Local Mandate

On **Wednesday, January 22**, at **3:30 p.m.** in **LOB Room 202-204**, the [House Criminal Justice and Public Safety Committee](#) will hear [HB 511](#), a bill that would prohibit the adoption of sanctuary city policies by cities and towns. **HB 511**, which is materially similar an unsuccessful Senate bill introduced last year, creates a new mandate by requiring that “[a] law enforcement agency shall use best efforts to support the enforcement of federal immigration law.” NHMA opposes this bill as a clear intrusion on local control, usurping the authority of municipalities and local police departments to make decisions about how staff and resources should be allocated. The bill proposes no funding from the state, and several provisions – including what using “best efforts” to comply means – would leave local officials guessing how to apply the law.

Municipal officials are encouraged to testify to the importance of local control and oppose the bill as overriding both the decision-making authority of municipal police departments and of the residents they serve. If that is not possible, consider [contacting the committee](#) to express opposition to this bill.

Two other bills related to local law enforcement participation in federal immigration enforcement, [SB 62](#) and [SB 71](#), have hearings with [Senate Judiciary Committee](#) next **Thursday, January 23**, at **1:15 p.m.** and **1:30 p.m.**, respectively, in **SH Room 100**.

## State Aid Grants for Wastewater Projects

On **Thursday, January 23**, at **10:30 a.m.** in **LOB Room 210-211**, the **House Finance Committee** will hold a public hearing on [HB 97](#), an NHMA-supported bill which appropriates \$15 million for each of the 2026 and 2027 fiscal years to fund the state share of eligible and completed wastewater projects under the State Aid Grant (SAG) program pursuant to RSA 486. Historically, the legislature has, by law, expressly

authorized the SAG program to provide grants to municipalities of 20% to 30% of the principal and interest payments on completed and eligible environmental infrastructure projects. However, sufficient funding for the grants has not been included in the state budget in recent years – thus the need for a separate funding bill. Please support **HB 97** by testifying or [registering your position online](#).

## Standing Up For Retirement Funding

Municipalities made their voices heard this Tuesday at the Senate Finance Committee public hearing on **SB 20**, which establishes a 7.5 percent state contribution toward local employer retirement costs for police, firefighters, and teachers participating in the New Hampshire Retirement System. (History lesson: Prior to the Great Recession the state provided a 35 percent subsidy for more than 30 years!)

Senior leaders from Dover, Derry, and Nashua testified to the merits of this bill and pushed back clearly and respectfully on the misconception that restoring state aid toward public safety retirement contributions would simply encourage municipalities to spend more on other items, rather than use the savings to provide property tax relief. One municipal official pointed out that more than 75 percent of current NHRS employer contribution rates go toward the systems' unfunded pension liability – which the legislature helped create with “kick the can down the road” policy decisions in the 1980s and early 1990s.

Several other municipalities sent letters or signed in remotely to support **SB 20**.

With increasing pressure on state revenues, the chances of this bill making it out of the Senate are low. However, going on the record about the impact this funding will have on municipalities is always worthwhile.

A bill with the same wording, **HB 197**, has been introduced. On **Thursday, January 23, at 10:00 a.m.** in **LOB Room 210-11**, the [House Finance Committee](#) has a public hearing on this bill, so there's still time for municipalities to make the case for retirement funding by testifying at the hearing or signing in support the House [online testimony submission system](#).

## Getting Serious About Ambulance Reimbursement Rates

The [House Commerce and Consumer Affairs Committee](#) held public hearings Wednesday on two polar-opposite bills dealing with ambulance reimbursements and billing.

**HB 316** would eliminate balance billing – i.e. billing a patient for the difference between the full cost of the service and the amount their insurance plan pays - and set a reimbursement rate for non-Medicare/Medicaid health insurance carriers at

approximately 200% above the current Medicare reimbursement rate. This reimbursement rate was based on a study released this week by the NH Department of Insurance pursuant legislation enacted in 2024. The report is [available here](#).

NHMA opposes this bill because in many cases the proposed rates are much lower than the actual cost of providing services, which, coupled with the elimination of balance billing, would put significant financial strain on municipal-run ambulance services.

**HB 185**, which NHMA supports, mandates that insurance carriers pay the rate set by the ambulance provider in full if no negotiated agreement exists. This bill is viewed as more favorable for municipalities, encouraging insurers to negotiate equitable reimbursement rates and, if no agreement is reached, ensuring municipalities receive full payment for services rendered. **HB 185** is unlikely to pass without further compromise.

These bills are set for further discussion in a future subcommittee/work session. Now is a great time to [reach out to committee members](#) regarding these bills. With related legislation anticipated from the Senate, input from local officials could be pivotal in shaping future reimbursement policies.

Municipal ambulance services are essential services and not profit-driven; thus, appropriate reimbursement rates are crucial for their sustainability. The elimination of balanced billing and inadequate reimbursement rates could negatively impact town and city budgets.

## **The Elephant in the Room: The State Budget, Part II**

The Legislative Budget Assistant (LBA) and his team gave briefings to the House and Senate finance committees this week – and the news was not good. According to the LBA, state government is on track to end the current fiscal year with a deficit for the first time in more than a decade. The projected deficit of approximately \$20 million, which would be more than offset by a surplus in the first year of the two-year budget cycle, will be top of mind when the governor’s budget goes the legislature in mid-February.

“We will certainly not be looking to pass additional costs to localities, but they have to live within their means as well,” said Governor Kelly Ayotte when asked about the budget following Wednesday’s Executive Council meeting.

Stay tuned ...

## **Update: Waiting For More Bill Text**

Due to the late start to the session coupled with the volume of proposals filed, we are still waiting to see the actual language on close to 200 LSR tiles that we are monitoring. As the text of these bills becomes available, the NHMA Advocacy Team reviews each proposal

and determines whether to support, oppose, or remain neutral on a bill based on our member approved [2025-2026 Legislative Policies and Principles](#).

Several dozen bills were dropped off our list once the text became available and we saw that they had no actual impact on municipal operations, but that still leaves around 400 legislative proposals that we are tracking.

The next House session isn't scheduled until Thursday, Feb. 6, so the public hearings will be coming fast and furious over the next two weeks.

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.

## **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](mailto: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](mailto:governmentaffairs@nhmunicipal.org)**  
**Website: [www.nhmunicipal.org](http://www.nhmunicipal.org)**