

New Hampshire Municipal Association

THE SERVICE AND ACTION ARM OF NEW HAMPSHIRE MUNICIPALITIES

LEGISLATIVE BULLETIN

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Live Bill Tracker

What Happens Now?

It has been a long and busy week! This week marked the last opportunity for the Senate and the House to act on bills. With two days of Senate actions and a full day of House actions, there were dozens of floor amendments offered, many bills were heavily amended, and omnibus bills created.

Many bills that passed over to the other body (i.e., House bills that went to the Senate and Senate bills that went to the House) have now been amended in that other body. Next week, both the House and Senate will have to decide what to do with these amended bills: whether to concur (agree and send the bill to the governor's desk), non-concur (not agree and let the bill die), or non-concur and ask for a committee of conference (try to negotiate a final agreement on the bill's language). We anticipate the Senate will disagree with many amendments adopted by the House and that the House will disagree with many amendments adopted by the Senate. Depending on the importance of the underlying bill, the originating body may decide to negotiate rather than simply kill the bill.

Senate Passes Devastating Right to Know Law Bill

Late yesterday evening, the Senate passed [HB 1069](#), with a committee amendment, on a voice vote. As we wrote in [Bulletin #20](#), this costly bill would require that municipalities respond to requests for records from any person or entity—anywhere in the world, whether an individual or a corporation—

and require that they send those records in the format requested (e.g., by mail or by email). This bill completely upends the Right to Know Law by turning the law into a mandate to “send out” records and by removing the word “citizen” to replace it with “person.” This new mandate applies to cities, towns, schools, counties, all New Hampshire state agencies, and all other government entities in the state. Passage of this bill is particularly shocking given the ongoing challenges in state and local government to fill positions and retain qualified staff, since this new mandate will require more staff time for compliance.

We are concerned by what may happen next. **We strongly urge local officials to contact your representatives and explain to them how this new mandate would have taxpayers funding corporate research through a law meant to provide access to the citizens of New Hampshire about what their government is up to, and ask your representatives to vote to non-concur.** If the House does concur, the only remaining option is for the governor to see how devastating this legislation is for the taxpayers of New Hampshire and to veto the bill.

Land Use Mandates

Thank you to members who responded to our Legislative Alert earlier this week. Your outreach on [HB 1291](#), the two-ADU mandate, was crucial in helping the Senate decide to Indefinitely Postpone that bill. That decision – along with your outreach to House members – helped ensure that the floor amendments proposed to unrelated bills (**SB 352, SB 369, SB 373, SB 393, SB 409, SB 469, and SB 527**) that replicated **HB 1291**’s language were never offered.

Unfortunately, the House did attach the language of [HB 1400](#), the one-parking-space mandate, to **SB 503** via a floor amendment. (However, the Senate *also* placed its Senate-passed language for **SB 503** on **HB 1179**.) Meanwhile, the Senate passed an amendment to **HB 1400** that would mandate two-parking spaces only (instead of one), and attached the language of [SB 538](#), the Senate “HOMEnibus” housing bill (as amended by the Senate), *plus* unrelated language related to squatters. **HB 1400** now goes to the House to decide whether to concur, non-concur, or non-concur and ask for a committee of conference. And, of course, the Senate will also be asked whether to concur, non-concur, or non-concur and ask for a committee of conference on **SB 503**. (Phew! We hope you followed that.)

[SB 527](#), the Senate student housing study committee bill, passed the House on a division vote of 199-154, without the House Special Committee on Housing’s amendment, which contained the language of [HB 1281](#). Therefore, the bill the House passed only creates a study committee on student housing.

Finance-Related Bills

In another attempt to solidify the House support for [HB 1279](#), House [floor amendment 2024-2113h](#) was offered on an unrelated bill, [SB 311](#). **HB 1279** would require the state pay 7.5 percent of local employer retirement contributions for Group I teachers and Group II police and fire members on an ongoing basis. Unfortunately, the amendment failed in a very close [roll call vote of 177-183](#).

The House attached the language of [HB 1466](#), which would establish a recovery fund and provide disaster relief grants of up to \$100,000 to municipalities following a natural disaster, to [SB 499](#) in a division vote of 189-181. The Senate had voted to send **HB 1466** to Interim Study last week.

The House also sent [SB 553](#), requiring the investment advisor for the public deposit investment pool to maintain funds in a particular manner, to Interim Study, after the motion of Ought to Pass with Amendment failed on a division vote of 176-190. However, the Senate attached the original language of **SB 553** onto an unrelated bill, [HB 1241](#), by floor amendment.

On the other side of the wall, the Senate voted Inexpedient to Legislate on [HB 1451](#), which would require that mandatory overtime be reported as part of the full base rate of compensation. The fiscal note estimates the employer costs up to \$15.25 million dollars annually and increasing proportionally with salary increases. This represents an estimated rate increase of 0.21 percent for police and .020 for fire.

The Senate also passed an amended version of [HB 1647](#). This bill will now apply only to the approximately 1,640 members of Group II tier B. The Senate Finance Committee's amendment will increase the multiplier for the Group II members after 15 years of service. With a state appropriation of \$26 million to pay the upfront cost to the unfunded actuarial accrued liability (UAAL), the annual costs to cities and towns are estimated at \$900,000.

Finally, the Senate rejected the committee's recommendation of Interim Study on [HB 1187](#), instead passing the bill with a floor amendment that clarifies that energy projects under [RSA 21-I:19-d](#) (Energy Performance Contracting) will be exempt from the statute's prohibition on using RSA 33:7-e for purchases that become fixtures of real property, but other building or facility improvements that become fixtures related to the installation, purpose, or operation of leased equipment shall not be financed through lease agreements.

Calendar Changes

If you are a long-time reader of the *Bulletin*, you will have noticed that the weekly schedule of hearings that we have long published has, increasingly, been out of date by the beginning of the week for which it is produced. That's because the shift in both the House and Senate to digital calendars has made it easier for committees to reschedule when there is bad weather, when there are absences, or when issues with bills just haven't quite been worked out. As such, we are now going to link to the [House Digital Calendar](#) and [Senate Digital Calendar](#) instead of producing our own hearing schedule. For those of you with a particular 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.

[NHMA Events Calendar](#)
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