

New Hampshire Municipal Association

THE SERVICE AND ACTION ARM OF NEW HAMPSHIRE MUNICIPALITIES

LEGISLATIVE BULLETIN

Legislative Bulletin 23

2024 Session

June 7, 2024



[Live Bill Tracker](#)

Committees of Conference Finish Work

This week was the deadline for committees of conference to reach agreement on all bills. NHMA followed 32 bills, representing more than half of all bills that required additional consideration from both chambers. Each committee's report (which in some cases states that the committee could not reach agreement) will go to both the House and the Senate on Thursday, June 13. Many bills will contain substantive changes in the cases where agreement was reached. Each body will vote on the committee report separately, and the only choice is a yes or no vote; no further amendments can be made by either chamber. With respect to those bills on which a committee of conference has reached agreement, if both chambers adopt the committee report, the bill is passed and goes to the governor. If either chamber rejects the committee report, the bill dies.

The articles that follow summarize the committee actions on bills of significant interest to municipalities, and the table at the end links to the reports (if any) of the committees of conference. Committee of conference recommendations are almost always accepted by both chambers, so it is reasonably safe to expect that everything reported below will pass next week

and go to the governor. Of course, nothing is certain except uncertainty, so please check next week's Bulletin (the last weekly Bulletin this year) for any surprises.

Some Good News

The efforts that were made by you, our members, and the local connections that you have built with your local legislators have led to some phenomenal successes this year. Included in those successes were the outreach efforts that you made during committee of conference on our top priority bills which we [wrote about last week](#). Two bills, **HB 1069**, the Right-to-Know Law bill that would allow anyone anywhere to make a records request of New Hampshire state and local governments and get a response sent to them, and **HB 1521**, a mandate related to recovery houses, were both considered by their respective committees of conference on Monday and legislators recognized that more work needed to be done on these areas before legislation is passed.

New Obstacles for Election Officials & Voters Moves Forward

On Wednesday, the committee of conference came to an agreement on [HB 1370](#), which will now go to the floor of the Senate and the House next week for a “yes” or “no” vote. **We are asking local officials concerned with the election process to join the Town Clerk's Association and contact your representatives and senators to ask them to vote “NO” on the committee's report.**

Here's a little background:

HB 1370 started as a relatively innocuous bill about the containers used to preserve ballots. It made minor changes to existing RSA 659:97, including that the containers must be “secure, durable, reusable, transportable, and stackable.” The House passed the bill as introduced.

In the Senate, it became a very different bill. On May 16, the Senate passed it with [Amendment 1903](#). This was a replace all amendment that turned **HB 1370** into a bill that eliminated all exceptions for voters registering to vote—whether on or prior to Election Day. After the Senate passed the bill with this amendment, the House non-concurred and requested a committee of conference.

The committee of conference ultimately agreed to the Senate's version, but with some additional changes that can be found in the [committee's report](#).

To make matters slightly more confusing, the House and Senate *have already passed*—and sent to the governor—[HB 1569](#), which is nearly identical to **HB 1370** in that it removes the “sworn affidavits” exception to registering to vote. But **HB 1370** would now also add language about a new Election Day hotline that election officials would have to use in instances where individuals registering to vote do not have the proper documentation.

Here are some of the major concerns we have with the proposed changes to New Hampshire election law. (It is important to note, too, that **HB 1370**, as amended, did not have any public hearing in either the House or the Senate.)

- According to information from the Town Clerk's Association, New Hampshire would become the only state to require U.S. born citizens to prove citizenship to register to vote. Everyone registering would need to come in with their birth certificate or passport—documents people do not normally travel about with. Indeed, it is very reasonable to imagine scenarios where voters who do not have passports realize too late that they cannot find their birth certificate and cannot get a new one in time, especially those born outside of New Hampshire.
- The bill calls for the secretary of state to supply municipalities with tablets to access the voter registration system on Election Day. However, we know that not all polling locations/wards are staffed with someone who has access to the voter registration system. To make matters worse, not all polling locations have internet access—or cell service!
- The bill requires that a “trained” person call a state hotline and allow 20 minutes for the person on the other end to try and verify a voter who is standing at the polling place all their documentation. As not all polling places are equipped with phones, election officials are concerned that their limited volunteers would be tied up trying to make phone calls – and not performing their other election duties. As such, it is anticipated that additional election staff will be needed to serve as “hotline callers,” since the moderator or the town clerk needs to be available for all their regular duties.
- There will be a need for substantial additional training and hiring of election workers to handle the new voter registration process if **HB 1370** passes. Although the committee of conference amendment

requires the Secretary of State to provide that training as well as assistance, we have continually heard of municipalities struggling to secure election volunteers, and we are concerned about the impact of these changes on the smooth operation of elections in New Hampshire.

Please contact your representatives and senators and urge them to vote “NO” on the committee of conference report for HB 1370.

Parking Mandate Moves Forward

On Thursday, the committee of conference came to an agreement on [HB 1400](#), the last living land use mandate. Through your outreach, the committee did agree on [an amendment](#) that slightly improves the bill, but the bill retains a parking minimum mandate. As such, NHMA opposes the bill and asks that **in your discussions with your representatives and senators this week, please reiterate the importance of local control, the cost of updating zoning ordinances, and urge them to vote “NO” on the committee of conference report for HB 1400.**

As a recap:

HB 1400 now contains: (1) a parking minimum cap; (2) the provisions of the senate passed [SB 538](#) (which also contains a parking provision—more below) with some technical fixes; (3) unrelated language about “squatters” which, we understand, continues to be opposed by the New Hampshire Sheriff’s Association.

The parking minimum cap alters existing statute – which gives local legislative bodies discretion in setting appropriate parking minimums – to limiting them to “not require more than 1.5 residential parking spaces per unit for studio and one bedroom units under 1000 square feet that meet the requirements for workforce housing under RSA 674:58 IV, and shall not require more than 1.5 residential parking spaces per unit for multi-family developments of 10 units or more.” Most municipalities have parking minimums of 2 spaces per residential unit, with many of them having a waiver process to allow fewer than 2 spaces to be built.

The parking provision of SB 538, which needed a technical fix to ensure that it functioned alongside the parking minimum cap, essentially mandates the waiver process to allow fewer parking spaces to be built than the minimum. An example helps illustrate this:

A developer proposes a multi-family development of 20 units. If the municipality has adopted the maximum cap of 1.5 residential parking spaces for multi-family developments of 10 units or more, then 30 parking spaces would need to be built by the developer. However, if the developer can demonstrate that the “parking demand” would be met by some other solution (such as not needing 30 spots or some on-street parking availability), then the local land use board must approve that option even though it is fewer than 30 parking spaces. The same is true for any other type of residential development, even with locally adopted parking minimums. This is a significant change in how parking is managed because it ties “parking demand” to the actual number of spots that need to be built.

We remain concerned about whether the parking minimum cap adequately addresses parking needs. For example, Salem, like most municipalities, currently has a **residential parking minimum is 2 spaces per dwelling unit** for both single-family and multi-family units, but also adopted conditional use permits for reduced parking and has seen several developments where those conditional use permits were used. Salem’s process mimics the new statutory process, but with a higher residential parking minimum (of 2 parking spaces per unit) and has seen a number of projects be approved with the following unit-parking ratios:

Project	Approval	Units	Parking Spaces	Ratio
Corsa	2/2/2017	256 units	435 spaces	1.7 spaces/unit
Hanover	3/19/2019	281 units	451 spaces	1.6 spaces/unit
Caro	6/8/2021	260 units	362 spaces	1.4 spaces/unit
Depot and Main	10/27/2021	74 units	100 spaces	1.35 spaces/unit
Hanover 2	12/14/2021	230 units	322 spaces	1.4 spaces/unit

Bldg 1300 Apartments	11/14/2023	300 units	420 spaces	1.4 spaces/unit
Bldg 2000 Condos	2/27/2024	70 units	120 spaces	1.7 spaces/unit

With Salem requiring a parking study for reduced parking proposals, we remain concerned that parking availability will be inadequate in certain residential developments, particularly those catering to working families, in coming decades due to the low parking minimum cap.

Please contact your representatives and senators and urge them to vote “NO” on the committee of conference report for HB 1400.

Thank You for Responding to Our Action Alerts

As the session draws to a close, we want to extend our thanks to all of you who assisted in these advocacy efforts in large and small ways—by testifying, sending a letter or an email to a committee or a legislator, registering your position on the website, or picking up the phone and talking to your representative or senator. It is the collective effort and support that makes NHMA strong and able to advocate for and otherwise support the 234 cities and towns in New Hampshire; thank you for making us possible.

We also want to express our thanks to the House and Senate legislators who continue to take the time to consider the municipal perspective in the policy making process. Cities and towns are fortunate to have advocates in the Legislature who will stand with us to improve the quality of life for Granite State residents. We look forward to a continued partnership with the state and working toward joint goals that will lead to our collective success.

A Quick Summary of What Happened this Week

Below, please find a list of bills that we followed this week and a summary of what happened during their committees of conference.

Bill	Title	Last Action	Latest Version
HB 318	Title: (Third New Title) relative to bail commissioners, the standards applicable to and the administration of bail, and making an appropriation.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2303c; 06/13/2024	Report
HB 458	Title: (New Title) reestablishing the commission to study the assessing of power generation.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2211c; 06/13/2024	Report
HB 463	Title: (New Title) relative to the establishment of an election information portal and makes an appropriation therefor.	Senate • May 31, 2024: Conference Committee Report; Not Signed Off; SJ 17	Died
HB 1069	Title: (New Title) relative to material subject to disclosure under the right-to-know law.	Senate • May 31, 2024: Conference Committee Report; Not Signed Off; SJ 17	Died
HB 1079	Title: (Second New Title) relative to critical incident stress management team members and establishing a rural and underserved area educator incentive program for higher education and making an appropriation therefor.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2298c; 06/13/2024	Report
HB 1091	Title: relative to the financing of political campaigns.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2289c; 06/13/2024	Report
HB 1195	Title: relative to allowing school districts to approve different apportionment	Senate • Jun 13, 2024: Conference Committee Report	Report

	methods for school administrative unit costs.	Filed, #2024-2236c; 06/13/2024	
HB 1197	Title: (New Title) relative to criminal background checks and relative to insurance coverage for intrauterine insemination.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2299c; 06/13/2024	Report
HB 1202	Title: (New Title) relative to the issuance of permits for the alteration of driveways exiting onto public ways and relative to the definition of disability or special needs under the child care scholarship program.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2255c; 06/13/2024	Report
HB 1215	Title: (Second New Title) relative to development approvals and appeals, and allowing the town of Hampton to discontinue a particular highway in order to lease that property.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2273c; 06/13/2024	Report
HB 1223	Title: (New Title) creating local options for games of chance.	Senate • Jun 04, 2024: Conference Committee Report; Not Signed Off; SJ 17	Died
HB 1292	Title: (New Title) relative to coverage of children under the state retiree insurance plan and relative to federal immigration enforcement.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2304c; 06/13/2024	Report
HB 1313	Title: relative to access to the voter checklist by candidates.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2265c; 06/13/2024	Report

HB 1369	Title: relative to the verification of voter rolls every 4 years.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2266c; 06/13/2024	Report
HB 1370	Title: (New Title) relative to eliminating voter identification exceptions.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2268c; 06/13/2024	Report
HB 1380	Title: (New Title) relative to brew pub licenses, relative to insurance cost-sharing calculations, and relative to receipt of pharmaceutical rebates by insurers and pharmacy benefits managers.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2281c; 06/13/2024	Report
HB 1386	Title: relative to prohibiting the disposal of lithium-ion batteries in solid waste landfill facilities, composting facilities, or incinerators.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2212c; 06/13/2024	Report
HB 1400	Title: (Third New Title) relative to residential parking spaces, landlord-tenant law, unauthorized occupant evictions, and zoning procedures concerning residential housing.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2295c; 06/13/2024	Report
HB 1521	Title: (New Title) relative to recovery houses.	Senate • Jun 03, 2024: Conference Committee Report; Not Signed Off; SJ 17	Died
HB 1600	Title: (New Title) establishing a committee to study the aggregation of electric	Senate • Jun 13, 2024: Conference Committee Report	Report

	customers by municipalities and counties.	Filed, #2024-2214c; 06/13/2024	
HB 1633	Title: relative to the legalization and regulation of cannabis and making appropriations therefor.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2305c; 06/13/2024	Report
HB 2024	Title: (Third New Title) relative to the state 10-year transportation improvement plan; relative to adding a speed limit of 45 miles per hour on rural highways; relative to disability pensions for public safety employees who are victims of violence; and making a capital appropriation to the department of corrections toward the replacement of the New Hampshire state prison for men.	Senate • Jun 13, 2024: Conference Committee Report Filed, #2024-2260c; 06/13/2024	Report
SB 407	Title: (New Title) establishing a ground ambulance cost reporting program and a study by an independent actuarial and accounting expert of the cost of providing ground ambulance services in the state.	House • Jun 06, 2024: Conference Committee Report #2024-2256c Filed 06/06/2024; As Amended by the House HJ 15	Report
SB 499	Title: relative to the Supplemental Nutrition Assistance Program and the Summer EBT program and making appropriations therefor and relative to providing disaster relief funding to municipalities after a natural disaster.	House • Jun 06, 2024: Conference Committee Report #2024-2271c Filed 06/06/2024; House Amendment + New Amendment HJ 15	Report

SB 534	Title: relative to campaign finance.	Senate • Jun 04, 2024: Conference Committee Report; Not Signed Off;	Died
------------------------	--------------------------------------	---	------

NHMA Events Calendar

2023 Final Legislative Bulletin

Website: www.nhmunicipal.org

Email: governmentaffairs@nhmunicipal.org

Government Affairs Contact Information

Margaret M.L. Byrnes, Executive Director

Natch Greyes, Government Affairs Counsel

Katherine Heck, Government Finance Advisor

Miranda Augustine, Communications Coordinator

Pam Valley, Administrative Assistant

25 Triangle Park Drive, Concord, NH 03301

Tel: 603.224.7447