

NH Municipal Association

Proposed Principles

2025-2026

In addition to the established Legislative Policy positions adopted by the New Hampshire Municipal Association membership, the following principles should guide staff in setting priorities during any legislative biennium:

1. Identify and oppose mandates that violate Part 1, Article 28-a of the New Hampshire Constitution.
2. Work to maintain municipalities' share of state-level revenue sources (revenue sharing, meals and rooms tax, highway block grants, municipal bridge, state water and wastewater capital programs, and other state aid). Oppose proposals that reduce revenue unless there is a sustainable identified replacement source. Support efforts that make more sustainable sources for revenue.
3. Advocate to maintain and enhance existing local authority in all areas of local government.
4. Support legislation that provides greater authority to govern more effectively, efficiently, and flexibly at the local level, including local option legislation. If the legislature is considering adopting a program that is particularly controversial at the local level, support a requirement that a local legislative body vote is necessary before full implementation of the measure.
5. Support bills proposed by individual municipal members, except when they conflict with these principles or NHMA's Legislative Policies.
6. Oppose mandated state exemptions or credits from local property taxes without substantial benefits back to municipalities.
7. Advocate for municipal representation on state boards, commissions, and study committees that affect municipal government and have non-legislative members.
8. Work cooperatively with other groups and associations to support efforts to improve the delivery of services at the local level.
9. Support municipal efforts toward effective regional and state cooperation and delivery of municipal and state services.
10. Advocate for local options for economic development and vitality in partnership, including public-private partnerships, with regional and state economic development goals to encourage the overall economic health and social well-being of New Hampshire.
11. Encourage clarity and the elimination of ambiguity in statutory language, especially in areas of decision-making authority.
12. Support the rights of cities and towns to advocate, individually or collectively, for or against legislation and to join, hire, or establish organizations that do so on their behalf.

The legislative principles are not in order of weight or priority. They each carry their own independent value and should be viewed in that fashion when used to determine NHMA's position on a bill or policy.



NH Municipal Association

Proposed Policies

2025-2026

General Administration and Governance

Local Authority and Efficiency

NHMA supports maintaining local government authority without infringement by the state, and supports measures that enable municipalities to exercise existing authority more efficiently and with greater discretion. NHMA also supports state-local partnership and coordination in addressing common issues.

NHMA supports:

- Legislation granting towns the same authority to adopt ordinances that cities have under RSA 47:17;
- The authority of municipalities to regulate or limit the use of firearms on municipal property, and to regulate the carrying of firearms by municipal employees while on duty;
- Legislation allowing a town, by vote of its legislative body, to authorize appointment of the town clerk or town clerk/tax collector by the governing body, or by the chief executive officer based on a town charter, with appropriate employment protections to preserve the statutory independence of the office;
- Legislation allowing municipalities to satisfy notice publication requirements through the use of electronic notification rather than newspaper publication, in addition to posting notice in public places;
- Legislation that is supportive of state collaboration with municipalities in addressing homelessness; and,
- Legislation that helps ensure the availability of an adequate public sector workforce.

NHMA opposes:

- Repealing or further limiting existing governmental immunity protections or liability caps, or otherwise expanding potential liability for cities and towns; and
- Legislation that detracts from existing local authority.

Right-to-Know Law

NHMA supports the purposes of the Right-to-Know Law: to ensure the greatest possible public access to the actions, discussions, and records of all public bodies, and to ensure government's accountability to the people. NHMA also supports measures to make the law clearer and make compliance with public access requirements easier and less burdensome for public officials and employees and less costly for taxpayers.

NHMA supports:

- The ability to recover reasonable labor costs and other costs for responding to voluminous or excessive or commercial record requests, protecting taxpayer dollars and potential privacy concerns of citizens;
- Exemptions from disclosure that are easy to administer and that provide appropriate protection for confidential and other sensitive information;
- The ability of municipalities to directly petition to the Right-to-Know Law Ombudsman;
- Legislation and funding that provide support for education about the Right-to-Know Law; and,
- Authority of municipalities to set the meeting locations, conditions, and modalities (including in-person, remote, or combined in-person/remote) for meetings of councils, boards, committees, and commissions.

Elections

NHMA believes that voting in state and local elections should be simple and convenient without risking election integrity or security, and that election processes should be efficient without imposing undue burdens on local officials.

NHMA supports:

- Establishment of an independent redistricting commission to draw election districts fairly and without regard to partisan advantage;
- Local autonomy over town and city elections;
- More frequent state review and approval of electronic ballot-counting devices;
- Registration and voting processes that are not unnecessarily complex or burdensome, either to election officials or to voters;
- The use of secure technology such as electronic poll books to make election processes more efficient;
- Greater flexibility in the processing and counting of absentee ballots; and,
- State assistance for the cost of accommodations for disabled voters in local elections.

Labor and Employment

NHMA recognizes the importance of municipal employees, the need for good working conditions, and the right of employees to organize if they choose. NHMA also believes municipal employers should be free to set reasonable terms and conditions of employment or negotiate the same with their employees or employee representatives, without undue state interference.

NHMA **supports** existing laws governing all public employment and public employee labor relations. NHMA **opposes** changes to legislation that would mandate greater burdens or liabilities on employers.

NHMA opposes:

- Legislation creating a mandatory “evergreen clause” for public employee collective bargaining agreements;
- Mandatory binding arbitration as a mechanism to resolve impasses in municipal employee collective bargaining;
- A right to strike for public employees;
- New mandated employee benefits, including any proposal to enhance retirement system benefits that may increase employer costs in future years;
- Unnecessary limits on municipalities’ discretion in making hiring decisions; and,
- Restrictions on municipalities’ ability to privatize or use contracted services.

Substance Use, Prevention & Response

NHMA supports:

- State funding and other legislation to address substance use disorders for the following efforts:
 - Prevention
 - Treatment
 - Recovery
 - Emergency response
 - Enforcement

NHMA opposes:

- Reductions in state funding for substance use disorder or recovery support programs;
- Legislation that makes it more difficult to address the substance use disorder problem in our communities.
- Legislation that authorizes the sale of cannabis unless the following requirements or conditions are included:
 - The processing, manufacture, refinement or sale of cannabis products in any municipality shall only be permitted after the legislative body of that municipality has adopted the provisions of enabling state legislation permitting such activities--“opt-in,” not “opt out.”
 - Legislation that legalizes the sale of cannabis must include provisions for adequate and sustained funding to municipalities to address the costs associated with legalization because municipalities will be the governmental entities that will have to directly deal with the impacts of legalization.
 - Any legislation allowing for establishments engaged in selling, distributing, growing, or storing cannabis or cannabis products shall include a requirement for a host community agreement with the municipality in which such an establishment is located, which may include provisions such as a community impact fee; a limit on the percentage of sales of total gross receipts that are related to cannabis sales; security

measures for premises; agreements to fund police details when necessary; for crowd or traffic control; and termination of business provisions.

Finance and Revenue

Property Taxes and Related Revenues

NHMA supports legislation that allows municipalities to manage property tax levies in a manner that stabilizes tax rates and ensures equity, fairness, and efficiency in the assessment and collection of property taxes.

NHMA supports:

- The continuing right of municipalities to use any recognized method of appraisal upheld by the New Hampshire judicial system;
- Legislation to ensure that:
 - o property taxes are assessed to the proper owner by requiring that all owner name changes be separately filed at the registry of deeds when such an owner change is not created by a transfer of the property, and
 - o all liens, whether of a private or institutional nature, be filed at the registry of deeds, and that all changes to the name of a recorded lienholder be similarly filed;
- A legislative commission to study assessment and collection of property taxes and/or municipal utility fees on manufactured housing on land of another and on transient-type properties;
- Legislation ensuring fairness and accuracy in property tax exemptions including ensuring that all household income and assets are taken into account;
- Legislation that prohibits the use of the income approach by a taxpayer in any appeal of assessed value if the taxpayer refuses to provide such information as requested by the municipality;
- A legislative commission to study reimbursement through payments in lieu of taxes (PILOTs) for municipal services provided to exempt charitable properties, including charitable non-profit housing projects;
- A study commission of local enabling legislation to allow for a uniform homestead exemption for resident owners on the principal place of residence.

NHMA opposes:

- Legislation that directly or indirectly increases property taxes, including but not limited to new or expanded mandatory exemptions or credits, or changes in the process for valuing, assessing, or taxing specific classes of properties;
- Legislation that undermines the basic goals of the current use program or reduces the 10-acre minimum size requirement for qualification for current use beyond those exceptions now allowed by the rules of the Current Use Board;
- Legislation that expands the definition of “charitable” in RSA 72:23-1 unless the state reimburses municipalities for the commensurate loss of property tax base;
- An assessment methodology for big box stores that employs comparisons to “dark store” properties abandoned or encumbered with deed restrictions on subsequent use.

State Aid and Non-Property Tax Revenues

NHMA supports funding of state aid to municipalities, supports legislation authorizing local control over non-property tax revenue streams, and opposes legislation that reduces, suspends, or eliminates existing local taxes, fees, or state aid.

NHMA supports:

- Full restoration of revenue sharing under RSA 31-A;
- A state transportation policy that provides adequate and sustainable funding for state and municipal infrastructure and transportation systems and maintains at least the 12 percent share of state highway funds distributed to municipalities;
- Legislation authorizing the establishment of local option fees and providing for periodic adjustments to statutory fees to compensate for factors including, but not limited to, the effects of inflation, such as an increase in the maximum optional fee for transportation improvements;
- Legislation to ensure the collection of unpaid bills for ambulance and other emergency services;
- Reimbursement from the state for the cost of municipal services provided to state-owned properties;
- Legislation amending motor vehicle registration enforcement laws to ensure collection of all state and local registration fees owed by New Hampshire residents;
- Legislation amending RSA 36-A:5 II to allow trustees of trust funds to invest conservation funds instead of only the town treasurer, if voted by the legislative body;

NHMA opposes:

- Legislation that would repeal the dedicated fund created to share 30% of state meals and rooms tax revenue with municipalities along with any further reduction to the percentage shared, or any further reduction to the state meals and rooms tax.
- Diversion of state highway funds for state non-transportation network purposes.

New Hampshire Retirement System (NHRS)

NHMA supports the continuing existence of a retirement system for state, municipal, school, and county government employees that is secure, solvent, fiscally healthy, and financially sustainable, and that both employees and employers can rely on to provide retirement benefits for the foreseeable future.

NHMA supports:

- Restoration of up to 35% of the state's share of employer costs for police, teachers, and firefighters in the current defined benefit plan and any successor plan, with the goal being a 35% re-instatement of the state contribution;
- Inclusion of participation by municipal officials designated by NHMA on any legislative study committee or commission formed to research alternative retirement system benefits plans or designs; and,

- Performance of an actuarial analysis of any legislation proposing benefits changes or other plan changes that may affect employer contribution rates.

NHMA opposes:

- Legislation expanding benefits that increase current or future employer contribution costs;
- Legislation that assesses additional charges on employers beyond NHRS board-approved rate changes;
- Legislation that expands the eligibility of NHRS membership to positions not currently covered by the plan; and,
- Legislation further restricting a municipality's ability to employ NHRS retirees in part-time positions or the imposition of any fees or penalties associated with such employment.

Education Funding

NHMA supports a revenue structure for funding an adequate education to meet the state's responsibilities as defined by the constitution, statutes, and the common law with revenue sources that are predictable, stable, and sustainable.

NHMA supports:

- A revenue structure that is not disruptive to the long-term economic health of the state;
- A revenue structure that is efficient in its administration; and,
- A revenue structure that is fair to citizens.

NHMA opposes:

- Retroactive changes to the adequate education funding distribution formula after the notice of grant amounts has been provided to local governments;
- Education funding changes that would directly result in a reduction of the amount of municipal state aid and revenue sharing;
- Education funding changes that create a conflict in statute with any other taxing authority, tax statute, existing exemption or credit or create technical issues within the tax collection process.

Infrastructure, Development, and Land Use

Energy, Environment, and Sustainability

NHMA supports preservation and enhancement of municipal energy, climate, and sustainability planning for communities, protection of the natural environment, and implementation of clean and renewable energy, while recognizing the need for municipalities to manage their resources and the natural environment without undue cost.

NHMA supports:

- Legislation that broadens municipalities' ability to install and use renewable energy sources, including higher caps or elimination of caps on net energy metering;
- Legislation that provides financial and other assistance to municipalities for conservation techniques and installation and maintenance of renewable energy sources;
- Legislation that allows municipalities to adopt local environmental regulations that are no less stringent than those implemented by the state;
- Legislation that enables municipalities to enact measures that promote local energy and land use systems that are both economically and environmentally sustainable;
- Legislation that protects and preserves local natural resources and public infrastructure, builds community resilience, and fosters adaptation to climate change and mitigates its risks;
- Policies that support customer and community choice in energy supply and use competitive market-based mechanisms to promote innovation, cost effectiveness, and sustainability; and
- Legislation that provides state or federal assistance to municipalities to promote environmental justice and to mitigate environmental impacts faced by their residents, and to drive early local engagement in decision processes.

NHMA opposes:

- Legislation that overrides local determinations of appropriate energy sources and regulations.

Water Resources Protection, Control, and Management

NHMA supports measures enabling municipalities to protect, control, and efficiently and safely manage water infrastructure and its resources. NHMA believes the State should support its commitments to municipalities for water infrastructure programs and that any new mandates that impose additional costs on municipalities must be funded by the state or federal government.

NHMA supports:

- Legislation that provides state or federal investment in maintaining and improving ~~the state's~~ critical water infrastructure, including, but not limited to, dams, public drinking water systems, wastewater systems, stormwater systems, and surface and groundwater;
- Legislation that encourages regional and innovative solutions to drinking water, wastewater, stormwater, and surface and groundwater issues; and,

- Regulation of emerging contaminants at appropriate and feasibly achievable levels when supported by relevant scientific and technical standards that are broadly accepted by peer review and cost-benefit analyses, when coupled with appropriate state or federal funding.

NHMA opposes:

- Enactment of stricter drinking water, wastewater, stormwater, or surface water and groundwater regulations for municipalities unless any costs of compliance are funded by the state or federal government or responsible party.

Solid Waste Management

NHMA recognizes the need for efficient, economical, and environmentally sensitive mechanisms for solid waste management which allow municipalities to use the most appropriate disposal systems. NHMA believes any new mandates that impose additional costs on municipalities must be funded by the state or federal government.

NHMA supports:

- Programs that support municipal, regional, and state strategies to manage solid waste through reduction, reuse, recycling, resource recovery, composting, and other measures, while maintaining local control;
- State programs that address existing and emerging contaminants at no additional cost to municipalities; and,
- Fees or assessments on solid waste or recycling that are used to provide direct support or enhancement of local or regional solid waste, household hazardous waste, and recycling programs.

Housing

NHMA recognizes the need for diverse, affordable, and workforce housing in New Hampshire and the responsibility of each municipality to afford reasonable opportunities for the development of diverse, ~~and~~ affordable, and workforce housing. NHMA believes municipalities should have discretion in how to satisfy this responsibility and supports legislation that enables municipalities to find innovative ways to ensure an adequate supply of housing.

NHMA supports:

- Legislation that allows municipalities to require the inclusion of affordable and diverse housing opportunities as part of new housing developments;
- Financial and other incentives to municipalities to encourage development of diverse, ~~and~~ affordable, and workforce housing, including but not limited to municipal per unit grants;
- Financial and other incentives that assist homeowners in FEMA designed flood areas such as with the elevation of residential dwellings;
- Legislation that provides state funding to the regional planning commissions that helps municipalities in meeting their housing needs;
- Statewide efforts to provide housing for those experiencing homelessness or at risk of homelessness and for those recovering from substance use disorder, subject to reasonable municipal regulation;

- Policies that encourage documentation and financial traceability of cash and bartered rental transactions;
- Legislation and policies that encourage creative and flexible approaches to meeting housing needs of current and future demographics in different regions; and,
- Legislation which promotes a collaborative approach between the state, municipalities, and other key stakeholders to address the state's housing shortage.

NHMA opposes:

- Legislation and policies that ~~allow for or~~ encourage housing practices that exclude people from ~~and~~ or decrease the availability of quality, affordable housing; and,
- Legislation that erodes local control over land use decisions.

Land Use

NHMA supports the long-standing authority of municipalities to regulate land use matters with minimal interference from the state.

NHMA supports:

- Legislation enabling municipalities at their discretion to adopt more recent editions of national/international building and fire codes than the current state-adopted editions; and,
- Legislation that supports the adoption of more recent editions of the national/international building and fire codes after review and recommendation by the Building Code Review Board and/or the State Fire Control Board.
- Legislation and policies that take into consideration the value of conservation, natural resources, and open space.

NHMA opposes:

- Legislation that limits municipal control in implementing statewide priorities in zoning and land use regulation;
- New state mandates requiring municipalities to allow specific types of housing; and,
- All other statewide land use mandates.

Information Technology, Communications, and Cybersecurity

NHMA supports initiatives to make the most current information and communication technology accessible to New Hampshire communities, so long as local authority over land use regulation and safety issues is not compromised.

NHMA supports:

- Legislation that allows for the responsible, ethical and transparent use of Artificial Intelligence (AI) technologies by New Hampshire municipalities to enhance public services, improve operational efficiency, reduce costs, enhance security, manage risk and engage more effectively with the community.

- Legislation that increases the ability of municipalities, especially those in rural and remote areas, to facilitate and advance access to reliable broadband technology to the premises in their communities;
- Legislation that provides flexibility for municipalities in accessing poles and pole attachments, including legislation that directs the New Hampshire Public Utilities Commission to adopt the FCC rule on access to poles called “One-Touch-Make-Ready” in order to facilitate bringing high-speed fiber optic cable to service all New Hampshire communities, homes, and businesses by internet service providers (ISPs) in an expedient and cost-effective manner;
- Legislation that provides state and federal investment, including grants, for installation of high-speed fiber optic broadband technology to serve all New Hampshire communities, homes, and businesses;
- Legislation that requires or encourages and incentivizes providers to disclose information to local government relative to access and broadband connections provided in the municipality to help municipalities better understand and address the needs of their community; and,
- State investment in cybersecurity assistance to municipalities to protect data and infrastructure.

NHMA opposes:

- Legislation that would promote discrimination in the administration of government, the violation of privacy of the citizens we serve, or create or promote threats to public safety.
- Legislation that limits municipalities’ ability to prevent or regulate deployment of technologies that would interfere with the management of the right of way; and,
- Statewide mandates on cybersecurity practices unless any associated costs are funded by the state or federal government.

Transportation

NHMA supports state policies that ensure access for all users to convenient, efficient, reliable, cost effective, safe, and sustainable multi-modal transportation systems in New Hampshire.

NHMA supports:

- Appropriate funding for state and local modes of transportation, including but not limited aviation, transit, bicycle, and multi-modal facilities;
- Continued state and federal investment in public transportation systems and projects designed to support access to vital services, economic, and recreational opportunities within communities, link communities and regions, and reduce vehicle congestion on New Hampshire’s roads; and,
- Programs and funding sources that would appropriately recover and distribute the impact of vehicles used on local and state transportation infrastructure.

NHMA opposes:

- Any action or inaction by the State that results in the downshifting of maintenance responsibilities for transportation infrastructure (road, bridge, culvert, drainage) to municipalities.

Economic Development, Recovery, and Vitality

NHMA supports allowing municipalities to implement measures to foster economic development which allows for the preservation and creation of jobs and vitality within our communities.

NHMA supports:

- Legislation that allows for local adoption of more options and more flexibility to provide incentives for economic recovery and development; and,
- Expansion and more flexibility of state tax credit and exemption programs to foster economic recovery, development, and vitality.

NHMA opposes:

- Legislation that makes it more burdensome to implement economic recovery, development, and vitality measures.



2024 NHMA Policy Conference
Floor Proposal
City of Lebanon

The City of Lebanon proposes that the language in bold italics be added to the 2025-2026 Legislative Policies section on Educating Funding.

Education Funding

NHMA supports a revenue structure for funding an adequate education to meet the state's responsibilities as defined by the constitution, statutes, and the common law with revenue sources that are predictable, stable, and sustainable.

NHMA supports:

- A revenue structure that is not disruptive to the long-term economic health of the state;
- A revenue structure that is efficient in its administration; and,
- A revenue structure that is fair to citizens.
- ***Recission of the tax cuts in the Interest & Dividends Tax, Business Profits Tax and the Business Enterprise Tax; and the revenue from the restored taxes to be added to the Education Trust Fund.***

NHMA opposes:

- Retroactive changes to the adequate education funding distribution formula after the notice of grant amounts has been provided to local governments;
- Education funding changes that would directly result in a reduction of the amount of municipal state aid and revenue sharing;
- Education funding changes that create a conflict in statute with any other taxing authority, tax statute, existing exemption or credit or create technical issues within the tax collection process.
- ***Reductions in state taxes that could be used to address the education funding issue in the state such as the Interest & Dividends Tax, Business Profits Tax and the Business Enterprise Tax.***



**New Hampshire Municipal
Association
2025-2026 Legislative Policy Process**

Floor Policy Proposal

Submitted by (name) Wendi Rathgeber Date August 8, 2024 Town of
Waterville Valley Title of Person Submitting Policy Selectboard Member

Floor Policy Proposal approved by vote of the governing body on (date) August 7, 2024

To see if NHMA will SUPPORT/OPPOSE: Support the prevention of the disposal of municipal solid waste, or any other waste, generated outside of New Hampshire in New Hampshire landfills.
Furthermore, we request NHMA support in encouraging the state of New Hampshire to act expeditiously to plan for near and long term municipal solid waste disposal, as well as waste reduction initiatives.

Municipal interest to be accomplished by proposal:

Municipalities need to provide affordable disposal of property owners' municipal solid waste by removing competition for space in existing and potential future landfills. There is also a need to provide assurance to New Hampshire property owners that the removal of solid waste will be a service that can be expected in the future.

Explanation:

Many municipalities in New Hampshire rely on large regional landfills for the disposal of their property owners' trash. The disposal companies that operate in New Hampshire are allowed to accommodate waste from surrounding New England states and beyond (which, in turn, do NOT allow neighboring states' trash to be disposed of in their landfills). Competition for the limited waste disposal resource drives up costs for NH municipalities thereby increasing local taxes. Corporations that bring in other states' solid waste ought not profit at this endeavor at the expense of New Hampshire taxpayers.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Mail to 25 Triangle Park Drive, Concord, NH 03301; or email to governmentaffairs@nhmunicipal.org.