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House Legislative Administration
Legislative Office Building 203
Concord, New Hampshire 03301

Re: HB 456 and efforts to limit towns' ability to budget for effective legislative advocacy

Dear Chair Hill and Members of the Committee:

I write in strong opposition to HB 456 and any legislation intended to make it harder for towns and cities to budget for collective advocacy and share information with the Legislature, like 2021's HB 51, 2022's HB 1033, 2023's HB 1479 and 2024's HB 314.

The Town Council has long recognized the effectiveness and efficiency of collective advocacy by consistently approving local budgets which include funds for participation in various associations, whether it be for the Chiefs of Police, the Town Clerks or the New Hampshire Municipal Association. Participation in these groups provide maximum opportunities for information sharing both within these groups and with the Legislature to ensure that sound policy is created for the benefit of our citizens. During this exchange, utilizing the most efficient method to convey our concerns about the impact of legislation to local governments should not operate in fear of violating lobbying laws.

Derry, along with every city and town in New Hampshire is a member of the New Hampshire Municipal Association. Membership is voluntary, and NHMA's core services of training, legal counsel and legislative advocacy on local government issues are widely publicized. Thus, every community which voluntarily joins NHMA completely understands the services which are provided and joins to receive those services.

Personally, I have sat on the Board of Directors of NHMA for various stints spanning over two decades. I can attest that NHMA has never received any concerns from governing bodies of New Hampshire towns and cities regarding the propriety of NHMA advocating before the Legislature. In fact, many of us consider advocacy as the primary benefit of joining NHMA.

During this session when HB314 was introduced, the main sponsor of the bill questioned the position NHMA took on various bills, including those bills sponsored by members of this Committee. It should be reminded that NHMA staff do not adopt policy positions. Those positions are voted on by its member cities and towns during the Legislative Policy Conference, NHMA's "Town Meeting", during which every member city or town can participate.

Although this amendment does not place a legal gag order on input from municipalities, the practical implication is just that. Proponents of this amendment may argue that NHMA on behalf of its members may still provide information to the general court. I believe responsible people recognize that in person testimony leads to more comprehensive information with dialogue leading to more effective legislation. If the opposite is correct, then why does the Legislature schedule public hearings?

The Legislature during the original enactment of RSA 31:8-a sixty-four years ago wisely limited NHMA's involvement in the legislative process to issues impacting municipalities. By clear inference, the Legislature encouraged this exchange of ideas and consequences on municipal issues between the Legislature which makes policy and the state organization which is best positioned to provide this information on behalf of New Hampshire towns and cities. All in the name of effective governance.

Finally, there has been no groundswell for support for this legislation, nor any other attempts to suppress municipal input into critical issues impacting our towns and cities. If so, locally elected governing bodies in our cities and towns would have raised the issue both with the Legislature and NHMA. One can only surmise that the support for the legislation is to limit information sharing during the legislative process, something which our legislative leaders have stated is antithetical to the goals of a representative democracy.

Please defeat the proposed amendment to HB456.

Respectfully submitted on behalf of the Derry Town Council,



David R. Caron
Town Administrator