

# LEGISLATIVE BULLETIN

## A Mixed Bag

The 2017 New Hampshire legislative session was a time of both significant hopes and significant fears for local governments. In the end, neither the greatest hopes nor the worst fears were realized. On balance, the results could have been better, but they also could have been much worse.

With Republicans controlling both legislative chambers, and with the first Republican Governor since 2004, a few significant policy shifts were almost guaranteed, and some of these had implications for cities and towns. The first bill signed into law repealed the license requirement for carrying a concealed pistol or revolver; identical bills had passed in both 2015 and 2016, but were vetoed by the Governor. The legislature also passed a voter domicile law on almost straight party-line votes in both chambers, and the Governor signed it. On the other hand, the House could not muster the votes to pass a “right to work” bill, something both chambers have approved several times in the past.

Several items of major interest to municipalities had roller coaster rides. The House passed a bill to restore a portion of the state contribution toward the retirement costs for teachers, police, and firefighters, but the bill was then referred to the House Finance Committee, which retained it. The Finance Committee’s proposed budget included \$25 million per year in payments to municipalities for property tax relief; but in a historic failure, the House also could not muster the votes to pass a budget. That task was left to the Senate, which did not include the tax relief payments in its budget.

Some of the best results for municipalities involved defeating, rather than passing, legislation. A bill that would have forced significant undervaluing of utility property, leading to higher property tax bills for other taxpayers, was retained after an overwhelming outpouring of opposition from local officials. A bill that would have required municipalities to pay attorney fees every time they lose a right-to-know case was narrowly defeated—twice; again, the efforts of local officials made the difference.

There was bad news and good news on budget matters. The scuttling of the tax relief payments wasn’t exactly a setback—just the missing of a step

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forward. Other budgetary decisions—failure to reinstate the retirement contributions, continued suspension of revenue sharing, continued suspension of the meals and rooms tax catch-up formula, continued moratorium on funding for new water and wastewater projects—were all reassertions of the status quo, a disregard of state promises that has now persisted for a decade, long after the end of the recession that was the initial rationale for suspending those commitments.

On the other hand, the legislature did provide full funding for several programs that are NHMA policy items—highway block grants, flood control payments, LCHIP, Police Standards and Training Council. It also appropriated \$3.5 million to DES outside of the operating budget to fund 19 water and wastewater projects that had received local approval before December 2008 and/or were completed before the moratorium on funding for such projects was imposed in 2013, and appropriated \$36.8 million from surplus funds in the 2016-17 biennium for additional local highway and bridge aid. The latter, in particular, was a pleasant surprise and much appreciated. However, one-time distributions at the discretion of a given legislature are no substitute for the state’s honoring its longstanding commitments to municipalities by including them in each operating budget. Overall aid to municipalities in the 2018-19 budget will be about 25 percent lower than it was a decade ago.

On non-budget matters, several NHMA policy bills became law. **Chapter 200** authorizes municipalities to conduct a trial of electronic poll book devices for voter registration and check-in; **chapter 115** ensures that affected municipalities will receive notice of energy facility siting applications and will have an opportunity to provide comments; **chapter 168** clarifies that taxation of a private lessee of public land is required even if the lease does not include the precise language of RSA 72:23; and **chapter 242** increases the dollar threshold to require a bond for public works projects.

This *Final Legislative Bulletin* summarizes all of the new laws that affect municipal government. As a new feature this year, we are identifying the statutes amended by each new law. Please understand that these summaries should not be relied on in isolation. In the electronic copy, each summary is linked to the full text of the law, and local officials are encouraged to contact us or their municipality’s legal counsel with any questions.

Thank you to all the city and town officials who assisted in our legislative advocacy this year. The forces aligned against local government are often powerful, and without your phone calls, e-mails, and legislative testimony, there would be little hope. It will be critical to maintain these efforts through the coming years. We also thank those legislators who faithfully support their local governments and property taxpayers. Finally, we thank our ever-loyal and hard working staff for all the work they do.

We hope you enjoy the rest of the summer and the fall, and we’ll see you in December.



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## TABLE OF CONTENTS

<b>I. CLERKS; ELECTIONS; TOWN MEETING; OFFICIAL BALLOT; CHARTERS .....</b>	<b>6</b>
<i>Appointment of Moderator Pro Tempore.</i> <a href="#">Chapter 3</a> (HB 87)	
<i>Postponed Town Meeting Votes Ratified.</i> <a href="#">Chapter 20</a> (HB 329)	
<i>Documentation for Registration of Title-Exempted Vehicles.</i> <a href="#">Chapter 31</a> (HB 424)	
<i>Contact Information on Absentee Ballot Applications.</i> <a href="#">Chapter 49</a> (SB 108)	
<i>School District Use of Town Checklist.</i> <a href="#">Chapter 64</a> (HB 391)	
<i>Motor Vehicle Information for Audit Purposes.</i> <a href="#">Chapter 65</a> (HB 417)	
<i>Recording Voters' Out-of-State Drivers' Licenses.</i> <a href="#">Chapter 67</a> (HB 430)	
<i>Filling Vacancies on Board of Supervisors of Checklist.</i> <a href="#">Chapter 72</a> (HB 453)	
<i>Capital Reserve Fund Appropriations.</i> <a href="#">Chapter 127</a> (HB 251)	
<i>Assisting Voter with Disability.</i> <a href="#">Chapter 196</a> (HB 389)	
<i>Electronic Poll Book Trial Program.</i> <a href="#">Chapter 200</a> (SB 113)	
<i>Domicile for Voting Purposes.</i> <a href="#">Chapter 205</a> (SB 3)	
<i>Rescheduling of Elections; Signatures on Absentee Ballot Forms.</i> <a href="#">Chapter 216</a> (SB 248)	
<i>Voter Verification Letters.</i> <a href="#">Chapter 222</a> (HB 552)	
<i>Retention of Voter Registration Forms.</i> <a href="#">Chapter 237</a> (HB 247)	
<b>II. INTERGOVERNMENTAL RELATIONS; RETIREMENT; STATE BUDGET .....</b>	<b>8</b>
<i>New Hampshire Retirement System Investment Committee Terms.</i> <a href="#">Chapter 151</a> SB 140)	
<i>Biennial State Operating Budget and Trailer Bill.</i> <a href="#">Chapter 155</a> (HB 144) and <a href="#">Chapter 156</a> (HB 517)	
<i>Rockingham County Transition to Optional Fiscal Year.</i> <a href="#">Chapter 191</a> (HB 303)	
<i>Duties of the Decennial Retirement Commission.</i> <a href="#">Chapter 193</a> (HB 405)	
<i>State Aid Grant (SAG) Funding.</i> <a href="#">Chapter 207</a> (SB 57)	
<i>Highway and Bridge Funding.</i> <a href="#">Chapter 227</a> (SB 38)	
<b>III. MUNICIPAL ADMINISTRATION AND FINANCE MANAGEMENT; LEGAL MATTERS; ECONOMIC DEVELOPMENT; MANDATES; RIGHT TO KNOW LAW; LABOR .....</b>	<b>11</b>
<i>Removal and Sale of Abandoned Vehicles.</i> <a href="#">Chapter 31</a> (HB 424)	
<i>Committee to Study Certain Investments by Municipalities.</i> <a href="#">Chapter 37</a> (SB 72)	
<i>Biweekly Payment of Wages Authorized.</i> <a href="#">Chapter 45</a> (HB 194)	
<i>Motor Vehicle Information for Audit Purposes.</i> <a href="#">Chapter 65</a> (HB 417)	
<i>Revolving Funds Allowed for Any Public Safety Service.</i> <a href="#">Chapter 95</a> (HB 89)	
<i>Retention of Electronic Records and Disposal of Paper Records.</i> <a href="#">Chapter 96</a> (HB 108)	
<i>Commission on Processes for Resolving RTK Complaints.</i> <a href="#">Chapter 126</a> (HB 178)	
<i>Capital Reserve Fund Appropriations.</i> <a href="#">Chapter 127</a> (HB 251)	
<i>Recording Objection to Discussion by Public Body.</i> <a href="#">Chapter 165</a> (HB 460)	
<i>Municipalities May Authorize Operation of Keno Games.</i> <a href="#">Chapter 229</a> (SB 191)	
<i>Posting Notices and Minutes on Website.</i> <a href="#">Chapter 234</a> (HB 170)	

**IV. PLANNING AND ZONING .....13**

- Continuation of ZBA Hearing.* [Chapter 4](#) (HB 123)
- Notice by Verified Mail for Planning and Zoning Hearings.* [Chapter 59](#) (HB 299)
- Limitation on Requirement to Allow ADUs.* [Chapter 89](#) (HB 265)
- Notice of Energy Facility Siting.* [Chapter 115](#) (SB 116)
- Alternate Ex Officio Planning Board Members.* [Chapter 143](#) (HB 514)
- Petitioners to Pay Costs for Certain Zoning Notices.* [Chapter 231](#) (HB 131)
- Septic Approval Required for ADUs.* [Chapter 238](#) (HB 258)
- Regulation of Vacation and Short-Term Rentals.* [Chapter 249](#) (HB 654)

**V. ENVIRONMENTAL REGULATION AND PROTECTION; SOLID/HAZARDOUS WASTE .....14**

- Restrictions on Outdoor Wood-Fired Heaters.* [Chapter 60](#) (HB 336)
- Oil Discharge and Disposal Cleanup Fund.* [Chapter 102](#) (HB 380)
- Commission to Study Drinking Water in Seacoast Area.* [Chapter 138](#) (HB 431)
- Commission to Investigate Seacoast Cancer Cluster.* [Chapter 197](#) (HB 484)
- Community Revitalization Tax Relief for Coastal Resilience Measures.* [Chapter 203](#) (SB 185)
- Exemption from Sludge Application Restrictions Made Permanent.* [Chapter 238](#) (HB 258)
- Commission on Delegation of NPDES.* [Chapter 256](#) (SB 121)

**VI. PUBLIC SAFETY; POLICE; FIRE; BUILDING/HEALTH INSPECTION .....15**

- Concealed Firearm License Requirement Repealed.* [Chapter 1](#) (SB 12 )
- Municipalities Responsible for Enforcing OHRV Ordinances.* [Chapter 56](#) (HB 163)
- Mandatory Fines for Disabled Parking Violations.* [Chapter 68](#) (HB 432)
- Revolving Funds Allowed for Any Public Safety Purpose.* [Chapter 95](#) (HB 89)
- Certain Electric Grills Exempted From Open-Flame Device Definition.* [Chapter 129](#) (HB 301)
- Temporary Police Authority Outside Jurisdiction; Release of Accident Reports.* [Chapter 139](#) (HB 437)
- Arc-Fault Circuit Interrupter Exception.* [Chapter 157](#) (HB 85)
- State Police Authority.* [Chapter 199](#) (SB 67)
- Regulation of Electricians and Electrical Inspectors.* [Chapter 201](#) (SB 135)
- Police Standards and Training Council.* [Chapter 206](#) (SB 13)
- Restriction on Use of Cell Site Simulator Devices.* [Chapter 224](#) (HB 474)
- Regulation of Vacation and Short-Term Rentals.* [Chapter 249](#) (HB 654)

**VII. PUBLIC WORKS; WATER & SEWER; ROADS AND HIGHWAYS; AIRPORTS; RAILS .....17**

- Municipalities Responsible for Enforcing OHRV Ordinances.* [Chapter 56](#) (HB 163)
- Mandatory Fines for Disabled Parking Violations.* [Chapter 68](#) (HB 432)
- Commission to Study Drinking Water in Seacoast Area.* [Chapter 138](#) (HB 431)

*State Aid Grant (SAG) Funding.* [Chapter 207](#) (SB 57)  
*Highway and Bridge Funding.* [Chapter 227](#) (SB 38)  
*Increased Contract Amount for Bond Requirement.* [Chapter 242](#) (HB 371)

**VIII. TAXES; ASSESSING AND COLLECTIONS; EXEMPTIONS  
CURRENT USE .....19**

*Phase-In of All-Veterans' Tax Credit.* [Chapter 109](#) (SB 80)  
*Standards for Revaluation of Property.* [Chapter 132](#) (HB 323)  
*Taxability of Lease Interests in Public Property.* [Chapter 168](#) (HB 568)  
*Tax Exemption for Commercial and Industrial Construction.* [Chapter 179](#) (HB 316)  
*Community Revitalization Tax Relief for Coastal Resilience Measures.* [Chapter 203](#) (SB 185)

**IX. UTILITIES .....19**

*Notice of Energy Facility Siting.* [Chapter 115](#) (SB 116)  
*Committee to Study Broadband Access.* [Chapter 163](#) (HB 238)  
*Taxability of Lease Interests in Public Property.* [Chapter 168](#) (HB 568)

**X. EDUCATION FUNDING .....20**

*Adequate Education Grants to Certain Municipalities.* [Chapter 28](#) (HB 354)  
*Adequate Education Funding Study Committee.* [Chapter 190](#) (HB 356)  
*Kindergarten Funding and Keno.* [Chapter 229](#) (SB 191)

**XI. SPECIAL ACTS .....21**

*Postponed Town Meeting Votes Ratified.* [Chapter 20](#) (HB 329)  
*Lakeshore Redevelopment Planning Commission.* [Chapter 240](#) (HB 340)

**TABLES .....22**

*Schedule of State Aid to Municipalities*  
*Cross Reference Table for Chapter Law to Bill Number*  
*Cross Reference Table for Bill Number to Chapter Law*



## I. CLERKS; ELECTIONS; TOWN MEETING; OFFICIAL BALLOT; CHARTERS

***Appointment of Moderator Pro Tempore.*** [Chapter 3](#) (HB 87) clarifies that when a moderator is absent from a town meeting or unable to perform the duties of the office, a moderator *pro tempore* is to be appointed by the supervisors of the checklist, or by the selectmen in a town or ward where there is no board of supervisors. (Note that under RSA 658:19, if a moderator is absent from a *state* election, it is the moderator who appoints the moderator *pro tempore*. The new law does not change this.) It also provides that in the case of a vacancy (as opposed to mere absence) in the office of *school district* moderator, the school district clerk may appoint a moderator *pro tempore* until a replacement is elected, as opposed to the current requirement that the clerk serve as moderator in the interim. **Statutes amended: RSA 40:3, 671:33. Effective date [hereinafter “E.D.”]: May 30, 2017.**

***Postponed Town Meeting Votes Ratified.*** [Chapter 20](#) (HB 329) ratifies (to the extent necessary) the election of all persons to any elected positions during town meeting voting sessions that were rescheduled as a result of the snowstorm on March 14, 2017. It also authorizes the governing body of any political subdivision whose voting session was postponed to ratify all actions taken at the postponed session, following a public hearing. **Statutes amended: None. E.D. April 21, 2017.**

***Documentation for Registration of Title-Exempted Vehicles.*** [Chapter 31](#) (HB 424) provides that when a person registers a vehicle that is exempt from the certificate of title requirement under RSA chapter 261 because its model year is prior to 2000, the city or town clerk shall make copies of the bill of sale and the New Hampshire certificate of registration or certificate of title for his or her records. **Statute amended: RSA 261:2-a. E.D. May 9, 2017. See also section III.**

***Contact Information on Absentee Ballot Applications.*** [Chapter 49](#) (SB 108) amends the absentee ballot application form to include an option for the applicant to provide a phone number and an e-mail address. **Statute amended: RSA 657:4. E.D. July 11, 2017.**

***School District Use of Town Checklist.*** [Chapter 64](#) (HB 391) repeals statutes relative to a school district’s adoption of the town’s checklist and makes the supervisors of the town checklist responsible for correcting, certifying, and posting the school district’s checklist, except in the case of a cooperative school district. **Statutes amended/repealed: RSA 671:15, 671:16, 671:24. E.D. August 1, 2017.**

***Motor Vehicle Information for Audit Purposes.*** [Chapter 65](#) (HB 417) authorizes municipal agents to provide certain motor vehicle registration information upon request to nongovernmental contractors for audit purposes only. The request for the information must be in writing and the municipal agent must keep a copy of the request, together with a copy of the information provided. **Statute amended: RSA 260:14, III. E.D. August 1, 2017.**

***Recording Voters’ Out-of-State Drivers’ Licenses.*** [Chapter 67](#) (HB 430) requires the supervisors of the checklist to record in the centralized voter registration database the state of issuance of a voter’s driver’s license or identification card if the voter has used an out-of-state driver’s license or non-driver identification card as proof of identity when voting. **Statute amended: RSA 659:13. E.D. July 1, 2018.**

*(Section I— Continued from Page 6)*

***Filling Vacancies on Board of Supervisors of Checklist.*** [Chapter 72](#) (HB 453) requires that vacancies on the board of supervisors of the checklist be filled within 45 days. In the event the remaining supervisors fail to fill the vacancy within 45 days, the appointment is to be made by the moderator. **Statute amended: RSA 669:64. E.D. August 1, 2017.**

***Capital Reserve Fund Appropriations.*** [Chapter 127](#) (HB 251) requires that all appropriations to capital reserve funds be made under a special warrant article rather than included in the operating budget appropriation. **Statutes amended: RSA 32:7, 32:10, 35:5, 35:12. E.D. August 15, 2017.**

***Assisting Voter with Disability.*** [Chapter 196](#) (HB 389) modifies the procedures for assisting a disabled voter who is unable to access a polling place. **Statutes amended/added: RSA 657:22, 659:20-a. E.D. September 3, 2017.**

***Electronic Poll Book Trial Program.*** [Chapter 200](#) (SB 113) authorizes municipalities to conduct a trial of electronic poll book devices for voter registration and check-in at elections. Conduct of the trial program is subject to numerous conditions, and any poll book system must be approved in advance by the Secretary of State. **Statute added: RSA 652:27. E.D. August 4, 2017.**  
**NHMA POLICY.**

***Domicile for Voting Purposes.*** [Chapter 205](#) (SB 3) makes numerous changes to the requirements for establishing domicile when a person registers to vote. Among other things, it requires the use of a different registration form when a person registers to vote at the polling place on election day or registers within 30 days before any election; requires election officials to provide a “verifiable action of domicile” document to a voter who registers without providing proof of domicile; and requires supervisors of the checklist, after an election, to attempt to verify, or ask the Secretary of State to verify, the identity of any voter who registered without providing proof of domicile and has not returned the domicile document to the clerk’s office, and to notify state officials of any cases in which they are unable to verify the voter’s domicile. **Statutes amended: RSA 654, multiple sections; RSA 659, multiple sections; RSA 33-A:3-a. E.D. September 8, 2017.**

***Rescheduling of Elections; Signatures on Absentee Ballot Forms.*** [Chapter 216](#) (SB 248) establishes a legislative committee to study the circumstances under which the state, a town or city, or a school district should reschedule an election, the process for rescheduling an election, and who should be authorized to reschedule an election. The committee is to report its findings and any recommendations for legislation by November 1, 2017. The chapter also makes changes to the signature requirements for absentee ballot forms in the case of a voter who is blind or needs assistance in signing the forms because of a disability. **Statutes amended: RSA 657:4, 657:7, 657:17, 659:50. E.D. July 10, 2017.**

***Voter Verification Letters.*** [Chapter 222](#) (HB 552) transfers from the Attorney General to the Secretary of State the initial responsibility for investigating unanswered letters of identity verification and unanswered letters of driver’s obligation under RSA 654. The Secretary of State’s investigation may include consulting with and examining public records held by municipal officials. After conducting the investigation, the Secretary of State is directed to deliver to the Attorney General a

*(Section I — Continued from Page 7)*

list of persons whose identity or eligibility to vote could not be confirmed, and the Attorney General will cause an investigation to be made to determine whether fraudulent registration or voting occurred. **Statutes amended: RSA 654:12, 654:45, 659:13. E.D. July 10, 2017.**

***Retention of Voter Registration Forms.*** [Chapter 237](#) (HB 247) requires that voter registration forms and other voter registration records be retained in a municipal office under the direction of the town or city clerk, and be readily accessible to the supervisors of the checklist. It also requires that any voter registration document submitted at a meeting of the supervisors or at the polling place be filed at the office of the clerk within 10 days. **Statute added: RSA 654:13-a. E.D. September 16, 2017.**

## **II. INTERGOVERNMENTAL RELATIONS; RETIREMENT; STATE BUDGET**

***New Hampshire Retirement System Investment Committee Terms.*** [Chapter 151](#) (SB 140) establishes three-year terms for persons serving on the independent investment committee of the New Hampshire Retirement System. **Statute amended: RSA 100-A:14-b, I. E.D. August 15, 2017.**

***Biennial State Operating Budget and Trailer Bill.*** [Chapter 155](#) (HB 144) and [Chapter 156](#) (HB 517) comprise the state operating budget appropriations and the trailer bill with statutory changes necessary to implement the budget for the two-year period July 1, 2017, through June 30, 2019. All sections explained below have an **effective date of July 1, 2017.**

- **Meals and Rooms Tax Distribution.** The operating budget includes meals and rooms tax distributions to cities and towns in the amount of \$68,805,057 for each year of the biennium. This is the same level of funding that was provided in fiscal year 2017. The actual amount paid to each municipality may vary from year to year since the distribution is based upon population estimates, which change annually.

Section 75 of the trailer bill suspends the statutory “catch-up” formula for both years of the biennium. The catch-up formula provides that 75% of the year-over-year increase in revenue from the meals and rooms tax (but not more than \$5 million in any one year) will be added to the previous year’s municipal distribution to gradually reach the statutory apportionment of 40 percent of the revenue to municipalities and 60 percent to the state. Meals and rooms tax revenue has consistently grown over the past decade, with the municipal share reaching a high of 29 percent in 2010. However, with suspension of the catch-up formula in 2011-2014, 2016, and now 2018 and 2019, the municipal percentage of the meals and rooms tax revenue continues to decline. For fiscal year 2018, the municipal share will be 23 percent, and it is estimated to be 22 percent in fiscal year 2019 based on official state revenue estimates.

- **Revenue Sharing.** Section 86 of the trailer bill continues the suspension of revenue sharing, which provided \$25.2 million per year to municipalities before it was suspended beginning in fiscal year 2010.



- **Highway and Bridge Funding.** The operating budget includes \$30,681,888 and \$30,811,690 for fiscal years 2018 and 2019, respectively, for highway block grants to municipalities. This money represents approximately 12 percent of the revenue that comes into the highway fund from the road toll (gas tax) and state motor vehicle fees in the previous year, and is apportioned to cities and towns based on road miles and population. An additional \$4.1 million is provided each year of the biennium from revenue raised through the 4-cent road toll increase on July 1, 2014, and is distributed based on the same formula as the highway block grants. An additional \$400,000 is appropriated each year to assist those municipalities with relatively high roadway miles and low equalized property values. Finally, section 241 of the trailer bill authorizes disbursement to municipalities of twelve percent of highway fund revenues regardless of the amount appropriated in the budget. **NHMA POLICY.**

Municipal bridge aid is funded at \$6.8 million each year of the biennium, and is funded from revenue raised from the 4-cent road toll increase enacted in 2014. **NHMA POLICY.**

Additional funding for highways and bridges is included in chapter 227 (HB 38), explained below.

- **State Aid Environmental Grants for Water, Wastewater and Landfill Closures.** The operating budget includes \$7,332,728 and \$5,383,716 for fiscal years 2018 and 2019, respectively, to fund existing obligations (*i.e.*, projects that have already received funding approval by the Governor and Executive Council) for water, wastewater, and landfill closure grants. Grant payments are made over the life of the amortization period of the municipal financing (bonding or borrowing from the state revolving loan fund). The decrease in funding from fiscal year 2018 to fiscal year 2019 reflects the end of the payment period for some projects. Additional funding for 19 projects is included in chapter 207 (SB 57), explained below. **NHMA POLICY.**

Section 144 of the trailer bill continues the moratorium on environmental grants for projects that received local financing approval after December 2008, and were not funded through previous legislation.

- **Flood Control.** The operating budget includes \$866,250 each year for payments in lieu of taxes (PILOT) to municipalities in the Merrimack River and Connecticut River flood control compacts, regardless of payments, or lack thereof, from other states involved in the compacts. **NHMA POLICY.** Section 142 of the trailer bill requires the Attorney General's office to undertake every reasonable legal effort to collect all amounts due to the State of New Hampshire from other states in the Merrimack River flood control compact.
- **Land and Community Heritage Investment Program (LCHIP).** The operating budget appropriates \$3.5 million each year of the biennium for LCHIP, and continues to fund this program from revenue raised by the surcharge on the real estate transfer tax recording fee. **NHMA POLICY.**

*(Section II — Continued from Page 9)*

- **Police Standards and Training.** The operating budget fully funds the Police Standards and Training Council, including the New Hampshire Police Academy, through general fund appropriations of \$3.4 million and \$3.6 million in fiscal year 2018 and fiscal year 2019, respectively. **NHMA POLICY.**
- **Drinking Water and Ground Water Trust Fund.** Section 208 of the trailer bill amends RSA 485-F, dealing with the Drinking Water and Ground Water Trust Fund by changing administration of the trust from the Department of Environmental Services to the commission established under Chapter 11, Laws of 2016. The composition of the commission is also amended to include, among others, additional municipal and public water system representatives.
- **Education Funding.** The operating budget includes \$925.6 million in fiscal year 2018 and \$912.1 million in fiscal year 2019 for adequate education grants to school districts. Special education aid, formerly known as catastrophic aid, is funded at \$22.5 million each year of the biennium. School building aid is \$35 million in fiscal year 2018 and \$33 million in fiscal year 2019.
- **State Aid for Funeral Expenses.** Section 65 of the trailer bill repeals state payments of funeral expenses for recipients of public assistance.

**Rockingham County Transition to Optional Fiscal Year.** [Chapter 191 \(HB 303\)](#) authorizes Rockingham County to adopt an 18-month budget for the period January 1, 2018 to June 30, 2019, to transition from a calendar fiscal year to the optional fiscal year. **Statutes amended: RSA 24:13-c and RSA 24:21-b. E.D. Various.**

**Duties of the Decennial Retirement Commission.** [Chapter 193 \(HB 405\)](#) amends RSA 100-A:57 regarding the duties of the decennial commission charged with making recommendations to ensure the long-term viability of the New Hampshire Retirement System (NHRS). It adds a number of duties, including evaluating a plan for amortization of the unfunded accrued liability of the retirement system; reviewing the effects of retirees returning to work for NHRS employers and making recommendations for legislative changes if necessary; evaluating the effects that changes to contribution rates have on municipalities and options to minimize the changes; and studying the cost of eliminating the pension reduction when a retiree turns 65. **Statute amended: RSA 100-A:57, IV. E.D. June 30, 2017.**

**State Aid Grant (SAG) Funding.** [Chapter 207 \(SB 57\)](#) appropriates \$3,518,391 to the Department of Environmental Services to fund nineteen specific water and sewer projects that received local financing approval prior to December 2008, and/or were completed prior to July 1, 2013. The bill also authorizes a \$5 million loan from the Drinking Water and Groundwater Trust Fund that was established in Chapter 11, Laws of 2016, to extend a water line in Amherst to properties affected by contamination. **Statutes amended: None. E.D. July 1, 2017, for extension of Amherst water line; July 10, 2017, for remainder. NHMA POLICY.**

**Highway and Bridge Funding.** [Chapter 227 \(SB 38\)](#) appropriates \$36.8 million from surplus funds in the 2016-2017 biennium to the Department of Transportation to provide targeted funding for local infrastructure projects. The bill allocates \$30 million for highway funding in addition to the highway block grants included in chapter 155, the state operating budget (see above). These grants

will be apportioned among municipalities under the same formula as regular highway block grants pursuant to RSA 235:23, I. [Here](#) is a schedule of the distributions by municipality. The bill also allocates \$6.8 million as additional aid for the municipal bridge program under RSA 234. These funds may not be used to supplant local budget appropriations, but may be accepted and expended as unanticipated revenue under RSA 31:95-b, regardless of whether a municipality has adopted the provisions of that law. The additional funds were to be paid to cities and towns by the end of July. **NHMA POLICY.**

The bill also changes the definition of “red-list” bridge by defining a structurally deficient bridge as one with a primary element in poor or worse condition (National Bridge Inventory (NBI) rating of 4 or less), and requires at a minimum an annual inspection by DOT of all red-list municipal bridges and biannual inspection of all state-owned red-list bridges, with a report issued by April 1 of each year. Finally, the bill amends the formula used by DOT to allocate betterment funds to its various highway districts. **Statutes amended: RSA 235:23-a, RSA 235:25-a, RSA 234:25-b. E.D. July 11, 2017, for supplemental highway and bridge appropriations; July 1, 2017, for remainder.**

### **III. MUNICIPAL ADMINISTRATION AND FINANCE MANAGEMENT; LEGAL MATTERS; ECONOMIC DEVELOPMENT; MANDATES; RIGHT TO KNOW LAW; LABOR**

***Removal and Sale of Abandoned Vehicles.*** [Chapter 31](#) (HB 424) provides that when an authorized official removes and stores an abandoned vehicle and is unable to ascertain the name of the owner, the notice of removal that is filed with the Division of Motor Vehicles (DMV) must be filed within 30 days after removal, and the director of DMV shall mail applicable owner and lienholder information to the custodian of the vehicle. It also requires that notice of any sale of the abandoned vehicle be mailed to the owner at least 14 days prior to the sale. Previous law required 10 days’ notice. **Statutes amended: RSA 262:34, 262:38. E.D. May 9, 2017. See also section I.**

***Committee to Study Certain Investments by Municipalities.*** [Chapter 37](#) (SB 72) creates a legislative committee to study allowing the New Hampshire Public Deposit Investment Pool to offer certificates of deposits and permitting municipalities to invest in a development finance institution. The committee is to report its findings and any recommendations for proposed legislation on or before December 1, 2018. **Statute amended: None. E.D. May 9, 2017.**

***Biweekly Payment of Wages Authorized.*** [Chapter 45](#) (HB 194) requires an employer to pay wages “at regular intervals not to exceed 14 days.” Previous law required payment of wages at least weekly unless the employer received written permission from the Department of Labor to make payments less frequently. Under the new law, any employer may pay wages weekly or biweekly at its option, and may pay wages other than weekly or biweekly only with approval from the department. **Statute amended: RSA 275:43. E.D. July 11, 2017.**

***Motor Vehicle Information for Audit Purposes.*** [Chapter 65](#) (HB 417) authorizes municipal agents to provide certain motor vehicle registration information upon request to nongovernmental contractors for audit purposes only. The request for the information must be in writing and the municipal agent must keep a copy of the request, together with a copy of the information provided. **Statute amended: RSA 260:14, III. E.D. August 1, 2017.**

*(Section III— Continued from Page 11)*

***Revolving Funds Allowed for Any Public Safety Service.*** [Chapter 95](#) (HB 89) allows a town to establish a revolving fund for providing public safety services by municipal employees or volunteers outside of the ordinary detail of such persons “or for any other public safety purpose deemed appropriate by the municipality.” **Statute amended: RSA 31:95-h. E.D. August 7, 2017.**

***Retention of Electronic Records and Disposal of Paper Records.*** [Chapter 96](#) (HB 108) clarifies that any municipal records in paper form that are listed in the disposition and retention schedule under RSA 33-A:3-a may be transferred to electronic form, and the original paper records may be disposed of as the municipality chooses (subject to other limitations in law). Electronic records with a retention period of 10 years or less may be retained solely electronically in their original format; those with a retention period longer than 10 years must be transferred to paper or microfilm or stored in portable document format/archival (PDF/A). The municipal committee established under RSA 33-A:3 must review documents and procedures at least once every five years for compliance with guidelines issued by the Secretary of State and the municipal records board. **Statute amended: RSA 33-A:5-a. E.D. August 7, 2017.**

***Commission on Processes for Resolving RTK Complaints.*** [Chapter 126](#) (HB 178) establishes a commission to study alternative processes to resolve complaints under the Right-to-Know Law. The commission includes, among others, one municipal official appointed by NHMA. Its findings and any recommendations for legislation are due by November 1, 2017. **Statute added: RSA 91-A:8-a. E.D. June 16, 2017.**

***Capital Reserve Fund Appropriations.*** [Chapter 127](#) (HB 251) requires that all appropriations to capital reserve funds be made under a special warrant article rather than included in the operating budget appropriation. **Statutes amended: RSA 32:7, 32:10, 35:5, 35:12. E.D. August 15, 2017.**

***Recording Objection to Discussion by Public Body.*** [Chapter 165](#) (HB 460) states that if a member of a public body believes that any discussion in a meeting of the body violates the Right-to-Know Law, the member may object to the discussion; if the discussion continues, the objecting member may request that his or her objection be recorded in the minutes and may then continue to participate without being subject to penalties under the Right-to-Know Law. The public body must record the member’s objection in the meeting minutes. **Statute amended: RSA 91-A:2. E.D. January 1, 2018.**

***Municipalities May Authorize Operation of Keno Games.*** [Chapter 229](#) (SB 191) provides additional adequacy funding to school districts that offer full-day kindergarten and authorizes the New Hampshire Lottery Commission to license and oversee enforcement of keno operations. Keno operation in any municipality requires approval by the municipality. In a town, approval requires a ballot vote at an annual town meeting under an article on the warrant. In a city, approval of keno requires voting by ballot at any regular municipal election if the governing body votes to place the question on the ballot, or if a petition signed by five percent of the registered voters is submitted requesting such a vote. **Statutes added or amended: RSA 284:41-51, RSA 198:39, I (k), RSA 198:48-c. E.D. July 1, 2017. See also section X.**

***Posting Notices and Minutes on Website.*** [Chapter 234](#) (HB 170) requires that if a public body maintains an internet website, it must either post its meeting notices on the website “in a

consistent and reasonably accessible location,” or post and maintain a notice on the website stating where meeting notices are posted. Further, it must either post its approved minutes on the website in a consistent and reasonably accessible location, or post and maintain a notice on the website stating where minutes may be reviewed and copies requested. **Statute amended: RSA 91-A:2. E.D. January 1, 2018.**

#### **IV. PLANNING AND ZONING**

***Continuation of ZBA Hearing.*** [Chapter 4](#) (HB 123) allows a zoning board of adjustment to continue a public hearing to a specified time and place, with no additional notice required, if it cannot conclude the hearing within the time available. **Statute amended: RSA 676:7. E.D. May 30, 2017.**

***Notice by Verified Mail for Planning and Zoning Hearings.*** [Chapter 59](#) (HB 299) requires a planning board or zoning board of adjustment to give notice of certain hearings by “verified mail,” rather than by certified mail. Verified mail is defined as “any method of mailing that is offered by the United States Postal Service or any other carrier, and which provides evidence of mailing.” It includes but is not limited to certified mail. **Statutes amended: RSA 674:27, 674:66, 676:4, 676:4-a, 676:7. E.D. August 1, 2017.**

***Limitation on Requirement to Allow ADUs.*** [Chapter 89](#) (HB 265) clarifies that a municipality is not required to allow accessory dwelling units (ADUs) associated with multiple single-family dwellings attached to each other, such as townhouses, or with manufactured housing. It also prohibits subsequent condominium conveyance of an ADU separate from the principal dwelling unit, unless specifically allowed by the municipality. **Statute amended: RSA 674:72. E.D. June 5, 2017.**

***Notice of Energy Facility Siting.*** [Chapter 115](#) (SB 116) requires any applicant for a certificate to operate an energy facility to send notice of the application and of any public information sessions to the governing body of every municipality in which any part of the facility is proposed to be located or from which any part of the proposed facility would be visible or audible. It also requires the Site Evaluation Committee to notify those municipalities of the public hearings on the application, and to provide an opportunity at one or more hearings for comments from the governing body and residents of each municipality. **Statute amended: RSA 162-H, multiple sections. E.D. August 14, 2017. NHMA POLICY.**

***Alternate Ex Officio Planning Board Members.*** [Chapter 143](#) (HB 514) clarifies that the alternate for a city or town council member, selectman, or village district commissioner who serves as an *ex officio* member of a planning board shall be appointed in the same manner and subject to the same qualifications as the *ex officio* member. **Statute amended: RSA 673:6. E.D. August 15, 2017.**

***Petitioners to Pay Costs for Certain Zoning Notices.*** [Chapter 231](#) (HB 131) changes the requirements regarding notice of a proposed zoning amendment that affects 100 or fewer properties. When a proposed zoning amendment would change a zoning district boundary and affect 100 or



*(Section IV— Continued from Page 13)*

fewer properties, or would change minimum lot sizes or permitted uses in a district that includes 100 or fewer properties, notice of the planning board hearing on the proposed amendment must be sent by first-class mail to owners of affected properties. Previous law stated that petitioned zoning amendments were not subject to the notification by mail requirements. Under the new law, petitioned zoning amendments are subject to the requirements, but the cost of notice must be paid by the petitioners. If the petitioners fail to pay the cost of notice, the selectmen may, in their discretion, decide to accept or decline the petition for submission. **Statute amended: RSA 675:7. E.D September 16, 2017.**

***Septic Approval Required for ADUs.*** [Chapter 238](#) (HB 258) provides that before an accessory dwelling unit may be constructed, an application for approval for a sewage disposal system must be submitted in accordance with RSA 485-A “as applicable.” Installation of the approved sewage disposal system is not required in all cases, but will be required if the existing system was not approved under current or prior state rules, or if the existing system fails or otherwise needs to be repaired or replaced. **Statute amended: RSA 674:72. E.D. September 16, 2017. See also section V.**

***Regulation of Vacation and Short-Term Rentals.*** [Chapter 249](#) (HB 654) prohibits a municipality from using its authority under the housing standards statute, RSA 48-A, to impose additional regulations or restrictions on vacation or short-term rentals, which are defined as “any individually or collectively owned single-family house or dwelling unit or any group of units in a condominium, cooperative, or timeshare, or owner occupied residential home, that is offered for a fee and for less than 30 consecutive days.” It also establishes a committee to study the regulation and taxation of vacation and short-term rentals. The committee is to report its findings and any recommendations for legislation by November 1, 2017. **Statute amended: RSA 48-A:1, :2, :8. E.D. July 1, 2017.**

## **V. ENVIRONMENTAL REGULATION AND PROTECTION; SOLID/HAZARDOUS WASTE**

***Restrictions on Outdoor Wood-Fired Heaters.*** [Chapter 60](#) (HB 336) prohibits the sale or installation of an outdoor wood-fired hydronic heater (OWHH) unless it is certified by the Environmental Protection Agency as complying with applicable emission standards. Previously installed OWHHs are exempted as long as they are operated in compliance with existing law and are not reinstalled at a new location. **Statute amended: RSA 125-R. E.D. July 1, 2017.**

***Oil Discharge and Disposal Cleanup Fund.*** [Chapter 102](#) (HB 380) provides that the oil discharge and disposal cleanup fund is non-lapsing. It also clarifies that the fund is available for cleanup costs for owners of potential contamination source properties contaminated by gasoline ethers, and increases the limit for reimbursement to owners of on-premises facilities for costs to meet local and state operating standards. **Statutes amended: RSA 146-D:3, 146-D:6. E.D. August 7, 2017.**

***Commission to Study Drinking Water in Seacoast Area.*** [Chapter 138](#) (HB 431) establishes a commission to plan for long-term goals and requirements for drinking water on the seacoast. The commission is to include representatives from 12 seacoast area municipalities, as well as legislators

and representatives from several other entities. The commission is to make an interim report of its findings on November 1, 2017, and a final report of its findings and any recommendations for legislation by November 1, 2018. **Statute added: RSA 485-F:5. E.D. June 16, 2017.**

***Commission to Investigate Seacoast Cancer Cluster.*** [Chapter 197](#) (HB 484) establishes a commission to investigate higher than expected incidences of two forms of pediatric cancer in a five-town area of the seacoast. The commission includes, among others, one representative from each of the towns and cities of Portsmouth, Greenland, New Castle, Hampton, New Hampton, and Rye, appointed in each case by the governing body of the municipality. The commission is to report its findings and any recommendations for legislation on or before June 30, 2020, and issue interim reports on or before November 1, 2017, and November 1, 2018. **Statute added: RSA 126-A:73. E.D. July 5, 2017.**

***Community Revitalization Tax Relief for Coastal Resilience Measures.*** [Chapter 203](#) (SB 185) allows a municipality to establish a “coastal resilience incentive zone” and use the community revitalization tax relief incentive program under RSA 79-E to grant tax relief to qualifying structures within the zone for the purpose of resilience measures related to anticipated storm surge, sea level rise, and extreme precipitation. **Statutes amended, added: RSA 21-J:3, 79-E:2, 79-E:4-a. E.D. September 3, 2017.**

***Exemption from Sludge Application Restrictions Made Permanent.*** [Chapter 238](#) (HB 258) makes permanent the exemption from septage and sludge land application restrictions contained in RSA 483 for land on which septage or sludge was spread in accordance with state and federal rules prior to January 1, 1998. The exemption was enacted in 1998 for an initial five-year period and was extended several times since then. **Statute amended: None. (Amends Laws of 1998, 56:6, as amended, most recently, by Laws of 2011, 32:5.) E.D. September 16, 2017. See also section IV.**

***Commission on Delegation of NPDES.*** [Chapter 256](#) (SB 121) establishes a commission to determine whether the Department of Environmental Services should request delegation of the National Pollutant Discharge Elimination System from the Environmental Protection Agency, and, if so, to recommend a fee structure to pay for the additional staffing needed at the department. The commission includes three people representing affected water and sewer facilities, appointed by NHMA. The committee is to report its findings and any recommendations for proposed legislation on or before November 1, 2017. **Statute added: RSA 483-B:7-a. E.D. July 18, 2017.**

## **VI. PUBLIC SAFETY; POLICE; FIRE; BUILDING/HEALTH INSPECTION**

***Concealed Firearm License Requirement Repealed.*** [Chapter 1](#) (SB 12) repeals the license requirement for carrying a concealed pistol or revolver. A person may still apply for a license (which may allow the person to carry a concealed weapon in a state that has a reciprocity provision), and the license must be granted if the person has any proper purpose, unless he or she is

prohibited by state or federal statute from possessing a firearm. The new law also increases the period for which a license is valid to five years. **Statutes amended/repealed: RSA 159:4, 159:6, 159:6-d. E.D. February 22, 2017.**

***Municipalities Responsible for Enforcing OHRV Ordinances.*** [Chapter 56](#) (HB 163) clarifies that if a municipal governing body enacts an ordinance regulating the operation of off-highway recreational vehicles, the municipality (not the state) is responsible for enforcing it. **Statute amended: RSA 215-A:15. E.D. August 1, 2017.**

***Mandatory Fines for Disabled Parking Violations.*** [Chapter 68](#) (HB 432) states that when an appropriate law enforcement agency receives testimony under oath with clear photographic evidence that a vehicle was illegally parked in a parking space designated for persons with walking disabilities, the agency shall fine the violator a minimum of \$250. **Statute amended: RSA 265:69-a. E.D. January 1, 2018.**

***Revolving Funds Allowed for Any Public Safety Purpose.*** [Chapter 95](#) (HB 89) allows a town to establish a revolving fund for providing public safety services by municipal employees or volunteers outside of the ordinary detail of such persons “or for any other public safety purpose deemed appropriate by the municipality.” **Statute amended: RSA 31:95-h. E.D. August 7, 2017.**

***Certain Electric Grills Exempted From Open-Flame Device Definition.*** [Chapter 129](#) (HB 301) provides that for all residential dwellings, electric grills with a safety certification from a nationally recognized testing laboratory shall not be considered open-flame cooking devices under the state fire code. **Statute amended: RSA 153:5. E.D. August 15, 2017.**

***Temporary Police Authority Outside Jurisdiction; Release of Accident Reports.*** [Chapter 139](#) (HB 437) authorizes a police officer, when requested by an officer from another jurisdiction in the state, to exercise temporary authority in that jurisdiction for the purpose of holding an arrested person in need of medical treatment in temporary custody until the person is medically cleared to enter a correctional facility or municipal jail.

The new law also clarifies that a local law enforcement agency may release copies of a motor vehicle accident report to an owner, operator, or passenger of a vehicle involved in the accident, a pedestrian hit by a vehicle in the accident, the owner of property damaged in the accident, or the insurance company of any of those parties. **Statutes amended: RSA 105:13, 260:14, 264:25, 264:26. E.D. June 16, 2017.**

***Arc-Fault Circuit Interrupter Exception.*** [Chapter 157](#) (HB 85) provides that notwithstanding any requirement in the state building or fire code for the installation of arc-fault circuit interrupters (AFCI), an AFCI device may be replaced, subject to certain conditions, with one without AFCI protection if the existing AFCI device has repeatedly tripped and it has been determined that the branch circuit is not causing the AFCI to trip. **Statute added: RSA 155-A:3-c. E.D. June 28, 2017.**

***State Police Authority.*** [Chapter 199](#) (SB 67) gives state police employees statewide authority to enforce all provisions of the motor vehicle laws. It provides that the existing prohibition on their acting within the limits of a city or a town with a population in excess of 3,000 does not limit their

*(Section VI— Continued from Page 16)*

authority to enforce the motor vehicle laws within such a municipality, but the local police agency retains primary jurisdiction. **Statutes amended: RSA 106-B:12, 106-B:15. E.D. September 3, 2017.**

***Regulation of Electricians and Electrical Inspectors.*** [Chapter 201](#) (SB 135) requires the state electricians board to adopt rules requiring board approval of any person who conducts third-party electrical inspections within the state. The requirement of board approval does not limit the authority of a city or town to contract with any person of its choice to perform third-party electrical inspections. The new law authorizes a building official or code enforcement officer to check the license or identification card of an electrician. It also updates the state building code to include the 2017 version of the National Electrical Code, and removes the authority of the state fire marshal to issue citations to unlicensed electricians. **Statutes amended/added: RSA 21-P:4, 155-A:1, 155-A:2, 319-C:5, 319-C:5-a, 319-C:7. E.D. January 1, 2018, for update of building code; September 3, 2017, for remainder.**

***Police Standards and Training Council.*** [Chapter 206](#) (SB 13) repeals the administrative attachment of the Police Standards and Training Council to the community college system, recodifies the law governing the council into a new chapter, RSA chapter 106-L, and makes various changes to the statute. **Statutes added/repealed/amended: RSA 106-L, RSA 188-F:22 through :36, multiple other statutes with cross-references. E.D. September 8, 2017.**

***Restriction on Use of Cell Site Simulator Devices.*** [Chapter 224](#) (HB 474) prohibits the use of a cell site simulator device to locate an individual's phone or other communications device without (1) the individual's informed consent, (2) a judicially issued warrant, or (3) a judicially recognized exception to the warrant requirement. It also requires a law enforcement agency that uses a cell site simulator device as allowed under the law to immediately delete any information collected from a party not specified in the applicable court order, and to delete any information collected from the party specified in the court order within 30 days unless there is reason to believe the information is evidence of a crime. **Statute added: RSA 570-A:2-a. E.D. January 1, 2018.**

***Regulation of Vacation and Short-Term Rentals.*** [Chapter 249](#) (HB 654) prohibits a municipality from using its authority under the housing standards statute, RSA 48-A, to impose additional regulations or restrictions on vacation or short-term rentals, which are defined as "any individually or collectively owned single-family house or dwelling unit or any group of units in a condominium, cooperative, or timeshare, or owner occupied residential home, that is offered for a fee and for less than 30 consecutive days." It also establishes a committee to study the regulation and taxation of vacation and short-term rentals. The committee is to report its findings and any recommendations for legislation by November 1, 2017. **Statute amended: RSA 48-A:1, :2, :8. E.D. July 1, 2017.**

## **VII. PUBLIC WORKS; WATER & SEWER; ROADS AND HIGHWAYS; AIRPORTS; RAILS**

***Municipalities Responsible for Enforcing OHRV Ordinances.*** [Chapter 56](#) (HB 163) clarifies that if a municipal governing body enacts an ordinance regulating the operation of off-highway recreational vehicles, the municipality (not the state) is responsible for enforcing it. **Statute amended: RSA 215-A:15. E.D. August 1, 2017.**

***Mandatory Fines for Disabled Parking Violations.*** [Chapter 68](#) (HB 432) states that when an appropriate law enforcement agency receives testimony under oath with clear photographic evidence that a vehicle was illegally parked in a parking space designated for persons with walking disabilities, the agency shall fine the violator a minimum of \$250. **Statute amended: RSA 265:69-a. E.D. January 1, 2018.**

***Commission to Study Drinking Water in Seacoast Area.*** [Chapter 138](#) (HB 431) establishes a commission to plan for long-term goals and requirements for drinking water on the seacoast. The commission is to include representatives from 12 seacoast area municipalities, as well as legislators and representatives from several other entities. The commission is to make an interim report of its findings on November 1, 2017, and a final report of its findings and any recommendations for legislation by November 1, 2018. **Statute added: RSA 485-F:5. E.D. June 16, 2017.**

***State Aid Grant (SAG) Funding.*** [Chapter 207](#) (SB 57) appropriates \$3,518,391 to the Department of Environmental Services to fund nineteen specific water and sewer projects that received local financing approval prior to December 2008, and/or were completed prior to July 1, 2013. The bill also authorizes a \$5 million loan from the Drinking Water and Groundwater Trust Fund that was established in Chapter 11, Laws of 2016, to extend a water line in Amherst to properties affected by contamination. **Statutes amended: None. E.D. July 1, 2017, for extension of Amherst water line; July 10, 2017, for remainder. NHMA POLICY.**

***Highway and Bridge Funding.*** [Chapter 227](#) (SB 38) appropriates \$36.8 million from surplus funds in the 2016-2017 biennium to the Department of Transportation to provide targeted funding for local infrastructure projects. The bill allocates \$30 million for highway funding in addition to the highway block grants included in chapter 155, the state operating budget. (See section I.) These grants will be apportioned among municipalities under the same formula as regular highway block grants pursuant to RSA 235:23, I. The bill also allocates \$6.8 million as additional aid for the municipal bridge program under RSA 234. These funds may not be used to supplant local budget appropriations, but may be accepted and expended as unanticipated revenue under RSA 31:95-b, regardless of whether a municipality has adopted the provisions of that law. The additional funds were to be paid to cities and towns by the end of July. **NHMA POLICY.**

The bill also changes the definition of “red-list” bridge by defining a structurally deficient bridge as one with a primary element in poor or worse condition (National Bridge Inventory (NBI) rating of 4 or less), and requires at a minimum an annual inspection by DOT of all red-list municipal bridges and biannual inspection of all state-owned red-list bridges, with a report issued by April 1 of each year. Finally, the bill amends the formula used by DOT to allocate betterment funds to its various highway districts. **Statutes amended: RSA 235:23-a, RSA 235:25-a, RSA 234:25-b. E.D. July 11, 2017, for supplemental highway and bridge appropriations; July 1, 2017, for remainder.**

***Increased Contract Amount for Bond Requirement.*** [Chapter 242](#) (HB 371) increases to \$125,000 (from \$35,000) the contract amount for public works projects that gives rise to an obligation on the part of a municipality or other political subdivision to obtain a bond to secure payment for labor and materials. The amount for state contracts is increased to \$75,000. **Statute amended: RSA 447:16. E.D. September 16, 2017. NHMA POLICY.**



## VIII. TAXES; ASSESSING AND COLLECTIONS; EXEMPTIONS; CURRENT USE

*Phase-In of All-Veterans' Tax Credit.* [Chapter 109](#) (SB 80) allows a town or city adopting the all-veterans' tax credit against the property tax to phase in the amount of the credit over a three-year period to match the standard or optional veterans' tax credit. **Statute amended: RSA 72:28-b, II. E.D. June 8, 2017.**

*Standards for Revaluation of Property.* [Chapter 132](#) (HB 323) authorizes the Assessing Standards Board to establish standards for revaluation of property based on the most recent edition of the *Uniform Standards of Professional Appraisal Practice* (USPAP). Previous law had referred only to USPAP Standard 6. **Statute amended: RSA 21-J:14-b, I(c). E.D. August 15, 2015.**

*Taxability of Lease Interests in Public Property.* [Chapter 168](#) (HB 568) clarifies that when property owned by the state or a political subdivision is leased to another party, the party using the property is required to pay property taxes even though the lease does not contain the precise language required by the statute. It also allows a political subdivision to adopt an exemption from the tax obligation for land that is used exclusively for agriculture. **Statute amended: RSA 72:23, I (b). E.D. June 28, 2017. NHMA POLICY.**

*Tax Exemption for Commercial and Industrial Construction.* [Chapter 179](#) (HB 316) authorizes any municipality to adopt a property tax exemption for construction and renovation of commercial or industrial property. A municipality would adopt the exemption under RSA 72:27-a, which provides for adoption by the legislative body, unless the legislative body in a city or in a town that has adopted a charter under RSA 49-D votes to place the question on the official ballot for a regular municipal election. If adopted, the exemption applies only to municipal and local school property taxes, not to state education property taxes or county taxes, and is limited to a specified percentage on an annual basis, not to exceed 50 percent per year, of the increase in assessed value attributable to construction of new structures and additions, renovations, or improvements to existing structures. A property owner must apply to the selectmen or assessors for the exemption before beginning construction. The exemption may be granted for a maximum period of 10 years. **Statutes amended/added: RSA 72:27-a, 72:80 through :83. E.D. August 28, 2017.**

*Community Revitalization Tax Relief for Coastal Resilience Measures.* [Chapter 203](#) (SB 185) allows a municipality to establish a "coastal resilience incentive zone" and use the community revitalization tax relief incentive program under RSA 79-E to grant tax relief to qualifying structures within the zone for the purpose of resilience measures related to anticipated storm surge, sea level rise, and extreme precipitation. **Statutes amended, added: RSA 21-J:3, 79-E:2, 79-E:4-a. E.D. September 3, 2017.**

## IX. UTILITIES

*Notice of Energy Facility Siting.* [Chapter 115](#) (SB 116) requires any applicant for a certificate to operate an energy facility to send notice of the application and of any public information sessions to the governing body of every municipality in which any part of the facility is proposed to be located or from which any part of the proposed facility would be visible or audible. It also requires the Site Evaluation Committee to notify those municipalities of the public hearings on the

application, and to provide an opportunity at one or more hearings for comments from the governing body and residents of each municipality. **Statute amended: RSA 162-H, multiple sections. E.D. August 14, 2017. NHMA POLICY.**

***Committee to Study Broadband Access.*** [Chapter 163](#) (HB 238) establishes a legislative committee to explore opportunities to increase broadband availability in unserved and underserved areas, and explore means to expand wireless and wired broadband technologies into rural areas with low adoption rates. The committee is to make an interim report on or before November 1, 2017, and issue a final report of its findings and any recommendations for legislation by November 1, 2018. **Statute amended: None. E.D. June 28, 2017.**

***Taxability of Lease Interests in Public Property.*** [Chapter 168](#) (HB 568) clarifies that when property owned by the state or a political subdivision is leased to another party, the party using the property is required to pay property taxes even though the lease does not contain the precise language required by the statute. It also allows a political subdivision to adopt an exemption from the tax obligation for land that is used exclusively for agriculture. **Statute amended: RSA 72:23, I (b). E.D. June 28, 2017.**

## **X. EDUCATION FUNDING**

***Adequate Education Grants to Certain Municipalities.*** [Chapter 28](#) (HB 354) appropriates \$9,065,044 to the Department of Education for the purpose of providing additional adequate education grants to 24 municipalities for the fiscal year ending June 30, 2016. The grants will be disbursed as a lump sum payment and will be a charge against the education trust fund. **Statute amended: None. E.D. April 27, 2017.**

***Adequate Education Funding Study Committee.*** [Chapter 190](#) (HB 356) establishes a legislative committee to study education funding, comprising seven members of the House and one senator. Areas to be studied include the successes and shortcomings of the funding formula for kindergarten to grade twelve; modification of the education funding formula; causes of increased per-pupil costs; and trends and disparities across the state in student performance. The committee is to report its findings and any recommendations for proposed legislation on or before November 1, 2018. **Statute amended: None. E.D. June 30, 2017.**

***Kindergarten Funding and Keno.*** [Chapter 229](#) (SB 191) provides additional adequacy funding to school districts that offer full-day kindergarten. Under current law, kindergarten pupils are funded at half the adequate education rate of grades 1 through 12 students, even if attending full-day kindergarten. For fiscal year 2019, school districts will receive an additional grant of \$1,100 per pupil enrolled in an approved full-day kindergarten program. For subsequent fiscal years, this \$1,100 grant may be increased up to the same level as adequacy grants for other pupils if revenue from keno is sufficient to fund the increase. **Statutes added or amended: RSA 284:41-51, RSA 198:39, I(k), RSA 198:48-c. E.D. July 1, 2017. See also section III.**

## XI. SPECIAL ACTS

***Postponed Town Meeting Votes Ratified.*** [Chapter 20 \(HB 329\)](#) ratifies (to the extent necessary) the election of all persons to any elected positions during town meeting voting sessions that were rescheduled as a result of the snowstorm on March 14, 2017. It also authorizes the governing body of any political subdivision whose voting session was postponed to ratify all actions taken at the postponed session, following a public hearing. **Statutes amended: None. E.D. April 21, 2017.**

***Lakeshore Redevelopment Planning Commission.*** [Chapter 240 \(HB 340\)](#) establishes the Lakeshore Redevelopment Planning Commission to study the former Laconia state school land and buildings to identify potential development alternatives. The commission will comprise seven members, including one to be appointed by the mayor and city council of Laconia. The commission is to make its first report no later than September 1, 2018, and additional reports every six months thereafter. **Statute added: RSA 10:5. E.D. July 18, 2017.**

## NHMA 2017 Final Legislative Bulletin State Aid to Municipalities

LBA  
07/17/17

AID BY CATEGORY	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Actual	FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2017 Budget	FY 2018 Budget	FY 2019 Budget
<b>EDUCATION</b>											
1 Adequate Education Aid	891,013,576	940,762,976	941,830,717	941,357,888	941,911,353	929,874,227	926,031,426	933,258,763	932,482,099	925,637,420	912,081,734
2 Building Aid <sup>9</sup>	42,914,218	44,902,654	46,301,028	48,891,283	47,076,655	44,178,887	-	-	37,000,000	35,000,000	33,000,000
3 Court Ordered Placements	3,290,064	2,173,602	1,285,791	2,193,744	1,333,893	1,168,277	1,147,392	1,139,319	1,500,000	1,500,000	1,500,000
4 Driver Education	1,570,800	1,337,100	1,563,300	-	-	-	-	-	-	-	-
5 Dropout Prevention	1,730,024	1,004,666	2,122,110	486,880	711,635	373,782	820,126	350,400	600,000	725,000	600,000
6 Kindergarten Aid	957,600	2,661,675	2,842,800	1,707,750	1,776,750	-	-	-	-	-	-
7 Kindergarten Construction Aid <sup>1</sup>	404,402	3,261,884	2,741,088	3,038,661	798,100	-	841,000	-	-	-	-
8 Local Education Improvement	626,926	66,143	625,396	23,950	-	-	-	-	-	-	-
9 Reading Recovery <sup>2</sup>	459,198	(33,493)	-	-	-	-	-	-	-	-	-
10 Retirement Normal Contribution - Teachers <sup>3</sup>	30,811,480	32,537,542	27,809,968	2,198,706	-	-	-	-	-	-	-
11 School Breakfast	98,360	120,448	113,808	117,845	105,289	122,053	102,532	108,380	184,000	184,000	187,698
12 School Lunch	832,003	831,238	832,003	832,003	832,003	832,003	832,003	832,003	832,003	832,003	832,003
13 Catastrophic Aid (Special Education)	32,528,169	30,091,336	23,750,920	21,613,130	21,633,843	22,552,381	21,623,196	22,300,014	22,400,000	22,300,000	22,300,000
14 Tuition & Transportation	7,228,712	7,419,843	6,951,048	6,900,000	6,900,000	7,422,619	7,027,000	7,400,000	7,400,000	7,400,000	7,400,000
<b>Education Total</b>	<b>1,014,465,533</b>	<b>1,067,137,614</b>	<b>1,058,769,977</b>	<b>1,029,361,819</b>	<b>1,023,079,520</b>	<b>1,006,524,229</b>	<b>958,424,676</b>	<b>965,388,879</b>	<b>1,002,398,102</b>	<b>993,578,423</b>	<b>977,901,435</b>
<b>ENVIRONMENTAL</b>											
15 Flood Control <sup>6</sup>	912,884	811,515	811,515	221,952	221,952	787,898	1,330,570	811,407	825,000	866,250	866,250
16 Landfill Closure Grants	1,287,790	981,070	894,703	927,658	899,812	1,080,206	886,850	792,116	776,245	658,249	476,036
17 Public Water System Grants	1,281,908	1,101,762	1,149,844	1,184,996	1,131,619	1,170,678	1,073,438	876,821	771,750	791,421	701,865
18 State Aid Grants - Pollution Control <sup>8</sup>	-	-	-	-	-	-	-	-	5,705,957	5,883,058	4,205,815
19 Water Supply Land Protection Grants	571,655	-	-	-	-	-	-	-	-	-	-
<b>Environmental Total</b>	<b>4,054,237</b>	<b>2,894,347</b>	<b>2,856,062</b>	<b>2,334,606</b>	<b>2,253,383</b>	<b>3,038,783</b>	<b>3,290,857</b>	<b>2,480,344</b>	<b>8,078,952</b>	<b>8,198,978</b>	<b>6,249,966</b>
<b>OTHER GEN. FUNDS</b>											
20 Meals & Rooms Distribution	58,805,057	58,805,057	58,805,057	58,805,057	58,805,057	58,805,057	63,805,057	63,805,057	68,805,057	68,805,057	68,805,057
21 Railroad Tax - RSA 82:31 <sup>4</sup>	145,903	98,006	58,379	36,671	36,671	35,822	60,037	132,187	60,037	132,187	132,187
22 Railroad Tax - RSA 228:69 <sup>5</sup>	34,972	45,320	47,920	48,735	51,849	55,032	58,931	63,693	-	63,693	63,693
23 Revenue Sharing	25,216,054	-	-	-	-	-	-	-	-	-	-
24 Retirement Normal Contribution <sup>3</sup>	51,564,947	51,522,121	44,269,159	3,500,000	-	-	-	-	-	-	-
less: Teacher Normal Contribution	30,811,480	32,537,542	27,809,967	2,198,706	-	-	-	-	-	-	-
Net Police & Fire Normal Contribution	20,753,467	18,984,579	16,459,191	1,301,294	-	-	-	-	-	-	-
<b>Other General Funds Total</b>	<b>104,955,454</b>	<b>77,932,961</b>	<b>75,370,548</b>	<b>60,191,757</b>	<b>58,893,577</b>	<b>58,895,911</b>	<b>63,924,025</b>	<b>64,000,938</b>	<b>68,865,094</b>	<b>69,000,937</b>	<b>69,000,937</b>
<b>HIGHWAY FUNDS</b>											
25 Highway Block Grants <sup>7</sup>	30,512,000	29,665,000	-	-	-	-	-	-	34,331,094	35,226,028	35,349,278
26 Highway Construction Aid	2,738,625	1,699,338	2,098,821	2,663,100	2,140,210	1,298,657	2,005,862	1,424,102	1,681,400	-	-
27 Municipal Bridge Aid <sup>7</sup>	10,317,139	12,861,369	12,335,804	5,153,521	7,428,375	5,637,087	10,361,515	-	6,800,000	6,800,000	6,800,000
<b>Highway Funds Total</b>	<b>43,567,764</b>	<b>44,225,707</b>	<b>14,434,625</b>	<b>7,816,621</b>	<b>9,568,585</b>	<b>6,935,744</b>	<b>12,367,377</b>	<b>1,424,102</b>	<b>42,812,494</b>	<b>42,026,028</b>	<b>42,149,278</b>
<b>GRAND TOTAL</b>	<b>1,167,042,988</b>	<b>1,192,190,629</b>	<b>1,151,431,211</b>	<b>1,099,704,802</b>	<b>1,093,795,066</b>	<b>1,075,394,667</b>	<b>1,038,006,935</b>	<b>1,033,294,262</b>	<b>1,122,154,642</b>	<b>1,112,804,366</b>	<b>1,095,301,616</b>

**Notes:**

- 1 Kindergarten Construction aid added by Senate includes \$888,395 in FY 12 to pay for temporary kindergarten classrooms as permanent classrooms are built and appropriates \$3,700,000 in bonds for the biennium ending June 30, 2013 for kindergarten construction.
- 2 Negative amount is result of three school districts returning unused portions of their reading recovery funds.
- 3 Specific amounts distributed to school districts and municipalities are currently available for FY 07 through FY 11 only. For FY 12, the teacher contribution is not distinguished from police & fire contribution.
- 4 Amounts for FY 13 through FY 15 are estimated based on FY 12 actual expenditure.
- 5 Data unavailable for FY 07 and FY 08.
- 6 Chapter 276:185, Laws of 2015, reimbursed towns in FY 15 for the Massachusetts share of the Merrimack River flood control compact and the Connecticut River flood control compact for FY 13.
- 7 Chapter 227, Laws of 2017, appropriates \$30,000,000 for Apportionment A and \$6,800,000 for state bridge aid in FY 17 (general funds).
- 8 Chapter 207, Laws of 2017, Legislative Session, appropriates \$3,518,391 of general funds in FY 17 to fund 19 state aid projects over the biennium ending June 30, 2019.
- 9 Chapter 156, Laws of 2017, Legislative Session, appropriates \$2.25 million for school building aid in FY 17.

**2017 FINAL LEGISLATIVE BULLETIN**  
**CROSS REFERENCE (CHAPTER LAW TO HOUSE OR SENATE BILL NUMBER)**

CHAPTER LAW	BILL NUMBER	PAGE NUMBER(S)		CHAPTER LAW	BILL NUMBER	PAGE NUMBER(S)
Ch. 1	SB 12	15		Ch. 156	HB 517	8
Ch. 3	HB 87	6		Ch. 157	HB 85	16
Ch. 4	HB 123	13		Ch. 163	HB 238	20
Ch. 20	HB 329	6, 21		Ch. 165	HB 460	12
Ch. 28	HB 354	20		Ch. 168	HB 568	19, 20
Ch. 31	HB 424	6, 11		Ch. 179	HB 316	19
Ch. 37	SB 72	11		Ch. 190	HB 356	20
Ch. 45	HB 194	11		Ch. 191	HB 303	10
Ch. 49	SB 108	6		Ch. 193	HB 405	10
Ch. 56	HB 163	16, 17		Ch. 196	HB 389	7
Ch. 59	HB 299	13		Ch. 197	HB 484	15
Ch. 60	HB 336	14		Ch. 199	SB 67	16
Ch. 64	HB 391	6		Ch. 200	SB 113	7
Ch. 65	HB 417	6, 11		Ch. 201	SB 135	17
Ch. 67	HB 430	6		Ch. 203	SB 185	15, 19
Ch. 68	HB 432	16, 18		Ch. 205	SB 3	7
Ch. 72	HB 453	7		Ch. 206	SB 13	17
Ch. 89	HB 265	13		Ch. 207	SB 57	10, 18
Ch. 95	HB 89	12, 16		Ch. 216	SB 248	7
Ch. 96	HB 108	12		Ch. 222	HB 552	7
Ch. 102	HB 380	14		Ch. 224	HB 474	17
Ch. 109	SB 80	19		Ch. 227	SB 38	10, 18
Ch. 115	SB 116	13, 19		Ch. 229	SB 191	12, 20
Ch. 126	HB 178	12		Ch. 231	HB 131	13
Ch. 127	HB 251	7, 12		Ch. 234	HB 170	12
Ch. 129	HB 301	16		Ch. 237	HB 247	8
Ch. 132	HB 323	19		Ch. 238	HB 258	14, 15
Ch. 138	HB 431	14, 18		Ch. 240	HB 340	21
Ch. 139	HB 437	16		Ch. 242	HB 371	18
Ch. 143	HB 514	13		Ch. 249	HB 654	14, 17
Ch. 151	SB 140	8		Ch. 256	SB 121	15
Ch. 155	HB 144	8				



**2017 FINAL LEGISLATIVE BULLETIN**  
**CROSS REFERENCE (HOUSE OR SENATE BILL NUMBER TO CHAPTER LAW)**

BILL NUMBER	CHAPTER LAW	PAGE NUMBER(S)		BILL NUMBER	CHAPTER LAW	PAGE NUMBER(S)
HB 85	Ch. 157	16		HB 424	Ch. 31	6, 11
HB 87	Ch. 3	6		HB 430	Ch.67	6
HB 89	Ch. 95	12, 16		HB 431	Ch. 138	14, 18
HB 108	Ch.96	12		HB 432	Ch.68	16, 18
HB 123	Ch. 4	13		HB 437	Ch.139	16
HB 131	Ch. 231	13		HB 453	Ch.72	7
HB 144	Ch. 155	8		HB 460	Ch. 165	12
HB 163	Ch. 56	16, 17		HB 474	Ch.224	17
HB 170	Ch. 234	12		HB 484	Ch.197	15
HB 178	Ch.126	12		HB 514	Ch.143	13
HB 194	Ch. 45	11		HB 517	Ch.156	8
HB 238	Ch.163	20		HB 552	Ch. 222	7
HB 247	Ch. 237	8		HB 568	Ch.168	19, 20
HB 251	Ch.127	7, 12		HB 654	Ch.249	14, 17
HB 258	Ch. 238	14, 15				
HB 265	Ch. 89	13		SB 3	Ch.205	7
HB 299	Ch.59	13		SB 12	Ch. 1	15
HB 301	Ch. 129	16		SB 13	Ch. 206	17
HB 303	Ch. 191	10		SB 38	Ch.227	10, 18
HB 316	Ch. 179	19		SB 57	Ch.207	10, 18
HB 323	Ch. 132	19		SB 67	Ch. 199	16
HB 329	Ch. 20	6, 21		SB 72	Ch. 37	11
HB 336	Ch. 60	14		SB 80	Ch. 109	19
HB 340	Ch. 240	21		SB 108	Ch. 49	6
HB 354	Ch. 28	20		SB 113	Ch. 200	7
HB 356	Ch. 190	20		SB 116	Ch. 115	13, 19
HB 371	Ch. 242	18		SB 121	Ch. 256	15
HB 380	Ch.102	14		SB 135	Ch. 201	17
HB 389	Ch.196	7		SB 140	Ch. 151	8
HB 391	Ch. 64	6		SB 185	Ch. 203	15, 19
HB 405	Ch.193	10		SB 191	Ch.229	12, 20
HB 417	Ch.65	6, 11		SB 248	Ch.216	7