

# LEGISLATIVE BULLETIN

## Senate Bill: State Aid Grants for Wastewater Projects

Bulletin 06, 2019 Session  
February 1, 2019

On Tuesday, February 5, at 10:00 a.m., in State House Room 103, the Senate Energy and Natural Resources Committee will hold a public hearing on [SB 254](#), an NHMA policy bill which appropriates \$3,652,347 in fiscal year 2020 and \$3,781,024 in fiscal year 2021 to fund the state share of 70 eligible and completed wastewater projects in 35 municipalities across the state under the State Aid Grant (SAG) program pursuant to [RSA 486](#). This bill should sound familiar as it is identical to [HB 352](#) which had a hearing in House Finance last month. Tuesday’s hearing is an important opportunity for members of the Senate to hear concerns about the moratorium on SAG funding that has been in place since 2014 and the impact these 20% state grants will have on municipal wastewater projects. The list of impacted municipalities, along with the New Hampshire Department of Environmental Services estimated grants for these 70 projects is available [here](#).

As we explained in [Bulletin #3](#), in 1959 the legislature enacted RSA 149-A, *Aid to Municipalities for Water Pollution Control*, the predecessor statute to RSA 486, based on the following principles stated in the law:

- A recognition that the state and/or federal governments have required certain municipalities to construct wastewater control systems to control the pollution of its surface waters thereby improving the quality of such waters in the interest of health, recreation and industry;
- A recognition that these municipalities have in the past and others in the future will expend significant taxpayer monies to pay for these systems in accordance with developing federal and state laws and regulations;
- A recognition that the program benefits not only the local municipality but also residents of the entire state;
- *A recognition that the state should assume its proportionate share of the financial obligations resulting from the installation of such systems acting in the best interest of the general public, health and welfare.*

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*(State Aid Grants— Continued from Page 1)*

Municipalities eligible for this funding are urged to either attend the hearing or provide a letter in support of **SB 254** to the [Senate Energy and Natural Resources Committee](#). Also ask your [senator](#) and [representatives](#) to sign in support of **SB 254** on Tuesday. Please provide us with a copy of your written testimony, which we will be happy to submit to the committee on your behalf.

### **Utility Valuation Hearing Rescheduled**

The hearing on [HB 700](#), discussed in last week's Bulletin and originally scheduled for Wednesday of this week, was postponed because of weather. To complicate things further, the original notice of the postponement gave an incorrect date for the rescheduled hearing. The correct information for the rescheduled hearing is next **Thursday, February 7, at 11:00 a.m., in LOB Room 202**. Please see the article in [last week's Legislative Bulletin](#) (page 1) for a description of the bill. As we advised last week, please talk to your assessors about how the bill would affect your municipality and, if you have thoughts about the bill, attend the hearing or contact members of the [House Ways and Means Committee](#).

### **Local Option Hotel Occupancy Fee**

Due to the length of testimony on earlier bills, the House Municipal and County Government Committee did not have time on Wednesday to hold the hearing on [HB 641](#), an **NHMA policy bill** that allows municipalities to enact a local option hotel occupancy fee. The hearing on **HB 641** has been rescheduled for **Tuesday, February 5, at 1:30 p.m., in LOB Room 301**.

As we explained in last week's Bulletin, the bill allows the local legislative body to authorize collection of a fee as a daily charge of up to \$2 per room, or as a percentage of the price of the room not to exceed \$2 per night. Revenues from the fee would be deposited in a capital reserve fund, tourism support fund, revolving fund, or other special revenue fund as authorized. In a town, adoption of this optional fee would be by ballot at an annual or special town meeting. Adoption in a city would be in accordance with the procedures provided in the city charter. In either case, a public hearing would be required before a vote by the legislative body.

Municipalities interested in assessing and collecting this optional occupancy fee are encouraged to testify at the hearing on Tuesday or provide written testimony to the [Municipal and County Government Committee members](#).

### **Additional Funding for Roads and Bridges**

Two bills that will provide additional funding for roads and bridges are scheduled for hearings next week in the [House Public Works and Highways Committee](#). Both are **NHMA policy bills**.

[HB 478](#) proposes to establish a road usage fee for highly fuel-efficient vehicles registered in New Hampshire. This state fee would be collected at the time of the annual motor vehicle registration and would increase the highway block grants distributed to municipalities. The hearing on **HB 478** is scheduled for **Wednesday, February 6, at 10:00 a.m., in LOB Room 201**.

**HB 538** proposes to increase the road toll, otherwise known as the gas tax, by 6 cents from the current rate of 22.2 cents per gallon of gas to 28.2 cents. This increase will provide an estimated additional \$51 million to the state highway fund, of which 12 percent, or approximately \$6.1 million, would go to municipalities for roads and bridges. The hearing on **HB 538** is scheduled for **Thursday, February 7, at 10:30 in LOB Room 201.**

## **Second Housing Appeals Board Bill**

We wrote in a prior Bulletin about **HB 104**, which would have created a housing appeals board. The House killed **HB 104** yesterday, but a separate bill dealing with the same subject, which we anticipated, was released this week.

**SB 306**, which is scheduled for a hearing before the [Election Law and Municipal Affairs Committee next Wednesday](#), is very similar to a bill that passed the Senate last year but died in the House. The bill would create a three-person board, following the same model as the Board of Tax and Land Appeals, to hear appeals from local land use board decisions involving “questions of housing and housing development.” The bill requires the board members to “individually and collectively be learned and experienced in questions of land use law or housing development or both.” At least one member must be a New Hampshire-licensed attorney and at least one must be either a professional engineer or a land surveyor.

Local planning and ZBA decisions could be appealed either to the housing appeals board or (as now) to the superior court. We understand the intent is that the board would apply the same law and the same standards that a judge would apply, so a municipality would not be prejudiced by having an appeal brought to the board rather than to the court. In fact, part of the bill’s stated intent is to “establish an alternative track for review . . . *without affecting local control or changing the legal standards by which local decisions are adjudicated.*”

Upon a close reading of the bill, however, we realized that it creates at least one significant difference in procedure—which, frankly, we should have noticed in last year’s bill. As drafted, the bill allows the housing appeals board to “introduce into evidence and . . . take into consideration . . . any information obtained through its own investigations, including information obtained by [the board’s staff].” Under current law, except in unusual cases, land use board appeals to the superior court are decided based only on the certified record, with no additional evidence introduced—and the judge certainly is not permitted to conduct his or her own investigation outside the courtroom. This language presents a problem, but we understand that an amendment may be in the works to fix it.

The bill also does not indicate what the standard of review would be on an appeal to the board. For planning board and ZBA appeals to the superior court, it is clear that the local board’s decision may be reversed only for an error of law or if the court finds, “on the evidence before it,” that the board’s decision was unreasonable. The judge may not simply substitute his or her own judgment for that of the local board. The bill should be clarified to state that the housing appeals board will apply the same standard; again, we understand that an amendment is in the works.

*(Housing Appeals— Continued from Page 3)*

We have heard from some local officials both in support of and opposed to the proposal. If our concerns are addressed, we do not plan to oppose the bill, but if you have concerns about it (or if you support it), please contact members of the [committee](#), or attend the hearing, which is scheduled for **Wednesday, February 6, at 10:15 a.m., in LOB Room 102.**

## The Ombudsman Rings Thrice

We wrote in [Legislative Bulletin #3](#) about [HB 103](#), which would allow a citizen claiming a violation of the Right-to-Know Law to file a complaint with a right-to-know ombudsman as an alternative to filing suit in superior court. A superior court action would still be an option; a party would have the choice, and by choosing one option would waive the right to the other. Decisions by the ombudsman could be appealed to the superior court for a trial *de novo*. That bill had a hearing three weeks ago before the House Judiciary Committee and was assigned to a subcommittee for consideration.

A second ombudsman bill, [HB 729](#), had a hearing this week before the same committee and is awaiting further action. A third—and final, we believe—bill, [SB 313](#), is scheduled for a hearing in the [Senate Judiciary Committee](#) next **Tuesday, February 5, at 10:05 a.m., in State House Room 100.**

We support the ombudsman concept and much of what the bills have in common. All three bills are similar in establishing the ombudsman’s office and the alternative resolution process, but there are several differences. **HB 103** would have the ombudsman’s office administratively attached to the attorney general’s office, while **HB 729** and **SB 313** would attach it to the secretary of state’s office. All three bills would have the ombudsman appointed by the governor, with the approval of the executive council.

We don’t like any of those options. Part of the idea is to have an officer who is, as much as humanly possible, independent of political and governmental influence. That is why we have consistently suggested that the ombudsman, a quasi-judicial official, be appointed by the supreme court (as members of the Board of Tax and Land Appeals are) and be separate from any other state agency.

**HB 729** and **SB 313** also provide for the establishment of a “citizens’ right-to-know appeals commission,” while **HB 103** does not. In both **HB 729** and **SB 313**, the commission would be responsible for (1) establishing rules of procedure for the ombudsman, (2) making recommendations for legislation, and (3) providing educational materials about the Right-to-Know Law. Despite its title, neither bill gives the commission any role in appeals.

We have never understood the need for the commission. There would be 15 members under **HB 729** and 12 members under **SB 313**, and in both cases the members would not be required to have any expertise on the Right-to-Know Law, or any legal expertise at all. Under both bills, ten of the members would be “citizen members” appointed by the governor and council—again raising concerns about political influence. The commission’s limited role seems to make it harmless, except for the part about writing rules—a very technical process that requires some experience and is not

*(RTK Ombudsman— Continued from Page 4)*

well suited to a large commission, regardless of expertise. The ombudsman, who under both bills would be a lawyer with at least 10 years of experience and with expertise on the Right-to-Know Law, seems the obvious candidate to write the rules of procedure.

All of that said, we continue to support the concept, and we will encourage the Senate Judiciary Committee to make changes to improve **SB 313**.

## **Retirement COLA**

On Wednesday, the House Executive Departments and Administration Committee heard testimony on [HB 616](#), which would provide a 1.5 percent cost-of-living-adjustment (COLA) to all New Hampshire Retirement System (NHRS) retirees who have been retired at least 5 years by July 1, 2019. As in previous legislative sessions when a COLA bill has been filed, many retirees showed up to support the bill, since there has been no COLA granted in 8 or 9 years.

NHMA testified in opposition to the bill because funding the COLA would increase the existing \$5 billion NHRS unfunded liability by \$78 million – all of which would be paid by increased employer contribution rates over the next 20 years. We are certainly sympathetic to former public (state, city, town, county, and school district) employees who receive very modest pensions and have not seen even minimal adjustments to those pensions in nearly a decade. Unfortunately, unlike some public pension systems, NHRS was not initially designed to provide automatic COLAs, but instead relied for years on ad hoc COLAs granted by the legislature and paid for out of the state’s general fund. To alleviate the pressure this caused on the general fund, in 1983 the “special account” was created; this diverted money from the pension corpus to be used for additional benefits such as COLAs and medical subsidies. The special account has since been abolished, but not before this diversion of funds significantly contributed to the \$5 billion unfunded liability that exists today – again, a liability that employers are paying off through their contribution rates over the next 20 years.

We urge the committee to consider the impact that retirement costs have on municipal, school and county budgets—and ultimately on the property taxpayers who fund those budgets—and to consider options that may help lessen the cost of this COLA, such as limiting the COLA to retirees with annual pensions under a certain dollar amount.

## **State Contribution for Retirement Costs**

The same committee dealing with the COLA bill discussed above will be voting in executive session on Wednesday on [HB 497](#), an **NHMA policy bill** that proposes to reinstate a portion (15%) of the state contribution toward the New Hampshire Retirement System (NHRS) costs for teachers, police, and firefighters. As we explained in [Bulletin #4](#), the fiscal note on **HB 497** indicates that this bill will relieve local governments of approximately \$42 to \$43 million annually in retirement costs in fiscal years 2020-2021. Just as the elimination in 2013 of the 35% state contribution increased property taxes, restoration of a portion of that state contribution will provide property tax relief across the state. Please urge members of the [House Executive Departments and Administration Committee](#) to recommend **Ought to Pass on HB 497**. If your state representatives are not on this committee, still make sure **HB 497** is on their radar, as this bill will be coming to the full House for a vote in the very near future.

## Health Facilities Licensing Bill Could Cost Municipalities

A bill about licensing health facilities licensing ordinarily would make our eyes glaze over, but some alert local officials called our attention to [SB 97](#) this week and explained why cities and towns should be concerned about it. The short answer is that it could affect what you pay for medical benefits for your employees.

Very briefly: RSA 151 governs the licensing of health and residential care facilities—hospitals, nursing homes, ambulatory surgical centers, walk-in clinics, all those things. RSA 151:4 establishes the requirements for license applications. Paragraph III(a)(7) of that section states that for a facility that would be located within a 15-mile radius of a “critical access hospital,” the application must include a written determination by the commissioner of Health and Human Services that the proposed new facility will not have a *material adverse impact* on the *essential health care services* provided in the service area of the critical access hospital.

Federal law defines “critical access hospital”—essentially, it is a small, rural hospital that provides certain essential services. Thirteen of New Hampshire’s 26 hospitals are classified as critical access hospitals. The purpose of RSA 151:4, III(a)(7) is to provide a level of protection to critical access hospitals, because there is an obvious public interest in keeping them open and viable. Currently, DHHS will grant a license to a new facility within the 15-mile radius, if all other requirements are satisfied, unless the critical access hospital demonstrates that licensing the new facility would render the hospital unable to provide an essential health care service.

That gets us to **SB 97**. The bill makes several changes to RSA 151:4, III(a)(7). Among other things, it defines “material adverse impact” to mean that the proposed facility would “cause health care services provided by the critical access hospital to be reduced.” Stated differently, if there would be *any* impact on *any* services provided by the existing hospital (not just “essential” services), the application must be denied. Further, it requires the *applicant* to provide a detailed report showing how the proposed facility would “affect the health care services in the proposed service area in terms of utilization, patient charges, market share, physician referral patterns, personnel resources, and referral sources.”

The overall impact is to make it impossible for any facility that might compete with a critical access hospital, even with respect to non-essential services, to obtain a license. This is of concern to municipalities because the cost of a visit to a stand-alone urgent care center or walk-in clinic is significantly less than the cost of a hospital emergency room visit. In fact, one risk pool that provides coverage to many municipalities in the state indicates that its average cost for an emergency room visit is almost \$2,400, compared to about \$360 for an urgent care center and \$200 for a walk-in clinic. And of course, lower costs for the risk pool mean lower premiums for municipalities.

In a region that does not have access to a walk-in clinic or urgent care center, emergency medical treatment will necessarily be higher overall. Most, but not all, of the critical access hospitals are in the northern part of the state; but because of the way medical premiums are established within a risk pool, all members of the pool are affected—some more, some less, but all negatively—when one region has higher costs.

The hearing for **SB 97** has not been scheduled yet, but we encourage local officials to talk to their risk pool representatives about the potential effect, and then talk to your senator about your concerns.

## NHDES Proposes Water Quality Standards

The New Hampshire Department of Environmental Services (NHDES) is proposing new and amended administration rules under Env-Dw 700 and 800 regarding water quality standards, monitoring, compliance, reporting, and public notification for certain perfluorochemicals (PFCs). Env-Dw 700 establishes water standards as maximum contaminant levels (MCLs) and requires public water systems to monitor and comply with the standards and report monitoring results to the department. Env-Dw 800 establishes public notice requirements for public water systems. The new MCLs would apply to all community and non-transient/non-community public water systems in the State of New Hampshire. The proposed MCLs are as follows:

PFOA.....	38 parts per trillion
PFOS.....	70 parts per trillion
PFOA and PFAS (combined)..	70 parts per trillion
PFHxS.....	85 parts per trillion
PFNA.....	23 parts per trillion

Copies of the proposed administrative rules for these water quality standards are available on the NHDES website [here](#). Accompanying the proposed standards is an extensive report documenting how NHDES arrived at these recommended levels. Click here for a copy of the [Summary Report on the New Hampshire Department of Environmental Services Development of Maximum Contaminant Levels and Ambient Groundwater Quality Standards](#).

While the administrative rulemaking notice states that the proposed rules *do not* mandate or assign any new, expanded or modified programs or responsibilities to any political subdivision in such a way as to necessitate additional local expenditures by the political subdivision in violation of Part I, Article 28-a of the New Hampshire Constitution, page 11 of the report includes *estimated costs* for public water systems to comply with the proposed standards based on existing sampling data available to NHDES.

## Can't Do Everything

The Legislative Bulletins are getting longer, but we will never be able to write about everything that is of interest to municipal officials. We also are not able to go to every hearing. Nevertheless, we are paying attention.

For example, there are about a million labor bills this year. There are bills limiting the ability of employers to consider [credit history](#), or [criminal history](#), or [salary history](#), in making employment decisions. There are at least two minimum wage bills, several bills requiring notification about employee rights, several more regarding the number of hours worked, and, of course, a right-to-work bill. We are not able to get to all of them, but we attend to the most significant, and we often rely on others with similar interests to take the lead and keep us informed.

There are bills providing for new property tax exemptions or credits to veterans, disabled veterans, active military personnel, people over 60, people over 55, people with no children, and—just to mix it up a little—telecommunications antennas. We are on top of these. There are also umpteen billion education funding bills. We do not get involved in education funding, but we know our members are interested, so we try to at least list them under “new bills” so people will be aware.

*(Can't Do Everything — Continued from Page 7)*

There also are some false alarms. We frequently hear from local officials who are aggressively mustering the troops to fight a bill that doesn't need to be fought. Maybe there already has been an 18-0 ITL vote in the committee, or the committee chair has assured us that it will go nowhere, or it's a bill that comes back every year and never gets any support. With a quick call to NHMA's legislative services staff, you can find out whether you really need to get ready for battle.

As always, if you have any questions about a bill, whether it's one we're reporting or not, do not hesitate to call or e-mail us.

## Delivery Problems?

We heard from one legislator this week who said he received his hard copy of last week's Legislative Bulletin *yesterday*—obviously too late to be of much use. We always mail the Bulletin on Friday, unstayed by snow, rain, heat (ha!), or gloom of night, and we assume people receive it on Saturday, or Monday at the latest. If it is arriving on Wednesday or Thursday, that is a problem.

We want to believe this was a one-time local post office snafu (or perhaps a delayed effect of the government shutdown?), but if anyone else encounters similar problems, please let us know. As a reminder, if you want to receive the Bulletin even earlier, you can ask us to put you on the e-mail delivery list; and each week's Bulletin is posted on our website, [www.nhmunicipal.org](http://www.nhmunicipal.org), every Friday even before we send it by e-mail.

## HOUSE CALENDAR

### TUESDAY, FEBRUARY 5, 2019

#### **CRIMINAL JUSTICE AND PUBLIC SAFETY, Representatives Hall, SH**

1:00 p.m. **HB 481-FN-A-L**, relative to the legalization and regulation of cannabis and making appropriations therefor.

#### **ENVIRONMENT AND AGRICULTURE, Room 303, LOB**

10:00 a.m. **HB 484-FN-L**, relative to group dog licenses.

1:30 p.m. **HB 501-FN**, establishing a cost of care fund to assist municipalities caring for animals during animal cruelty cases.

#### **MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB**

10:00 a.m. **HB 370**, relative to membership on city and town planning boards.

10:30 a.m. **HB 388-L**, requiring code compliance inspection for building permits.

11:00 a.m. **HB 443**, relative to municipal watering restrictions.

1:00 p.m. **HB 589**, relative to signs for New Hampshire liquor and wine manufacturers.

1:30 p.m. **HB 641-L**, allowing municipalities to collect an occupancy fee from operators of local room rentals. **NHMA Policy.**

#### **SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB**

9:45 a.m. Executive session on **HB 635-L**, enabling a payment in lieu of taxes for a combined heat and power agricultural facility.

**WEDNESDAY, FEBRUARY 6, 2019**

**HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB**

1:00 p.m.      **HB 694-FN**, establishing a take-back program for illegal controlled drugs.

**LEGISLATIVE ADMINISTRATION, Room 303, LOB**

10:00 a.m.      **HB 456-FN**, relative to persons required to register as a lobbyist.

**MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB**

10:00 a.m.      **HB 215**, requiring the legislative body to approve the appointment of town managers and prohibiting town managers from hiring contractors to perform the duties of town managers.

**PUBLIC WORKS AND HIGHWAYS, Rooms 201-203, LOB**

10:00 a.m.      **HB 478-FN-A**, establishing a road usage fee and making an appropriation therefor. **NHMA Policy.**

**RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB**

10:00 a.m.      **HB 542-FN-A**, establishing a grant program to support municipalities in updating their wetlands regulations.

**SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB**

1:00 p.m.      **HB 477-FN**, relative to allowance sales under the New Hampshire regional greenhouse gas initiative program.

2:00 p.m.      **HB 582-FN**, relative to the regional greenhouse gas initiative cap and trade program for controlling carbon dioxide emissions.

**THURSDAY, FEBRUARY 7, 2019**

**COMMERCE AND CONSUMER AFFAIRS, Room 302, LOB**

1:15 p.m.      **HB 561**, relative to zoning ordinances for formula businesses.

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB**

11:00 a.m.      **HB 506-FN-L**, establishing state holidays for elections.

**LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Rooms 305-307, LOB**

1:00 p.m.      **HB 622-FN**, prohibiting collective bargaining agreements that require employees to join or contribute to a labor union.

**PUBLIC WORKS AND HIGHWAYS, Rooms 201-203, LOB**

10:30 a.m.      **HB 538-FN-A-L**, increasing the road toll and providing funding for state road and bridge projects. **NHMA Policy.**

**SCIENCE, TECHNOLOGY AND ENERGY, Rooms 210-211, LOB**

10:00 a.m.      **HB 358**, relative to combustion of wood residue at municipal waste combustors.

1:30 p.m.      **HB 466**, relative to the capacity of electricity customer generators for eligibility for net energy metering.

**WAYS AND MEANS, Room 202, LOB**

11:00 a.m.      **HB 700**, relative to valuation of utility company assets for local property taxation.

**TUESDAY, FEBRUARY 12, 2019**

**RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB**

2:00 p.m. **HB 192-FN-L**, abolishing fluoridation in water.

**SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB**

3:00 p.m. **HB 464**, relative to the definitions of solar energy systems and wind-powered energy systems for assessed value of real estate exemptions.

**WEDNESDAY, FEBRUARY 13, 2019**

**RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB**

1:00 p.m. **HB 543**, relating to the protection of wetlands.

1:45 p.m. **HB 326**, relative to the definition of prime wetland.

**SENATE CALENDAR**

**TUESDAY, FEBRUARY 5, 2019**

**COMMERCE, Room 100, SH**

1:30 p.m. **SB 151-FN**, establishing an administrative hearing procedure and penalty for an employer who fails to make payment of wages or who fails to secure workers' compensation cover age.

2:30 p.m. **SB 272-FN**, relative to mental health parity under the insurance laws.

**ENERGY AND NATURAL RESOURCES, Room 103, SH**

9:00 a.m. **SB 164**, establishing a committee to study the long-term sustainability of the drinking and groundwater trust fund.

10:00 a.m. **SB 254-FN-A**, appropriating funds to the department of environmental services for the purpose of funding eligible wastewater projects under the state aid grant program. **NHMA Policy.**

10:30 a.m. **SB 285-FN**, establishing a coastal resilience and economic development program.

10:45 a.m. **SB 307-FN**, relative to outdoor lighting.

**JUDICIARY, Room 100, SH**

10:05 a.m. **SB 313-FN**, establishing a citizen's right-to-know appeals commission and a right-to-know law ombudsman and making an appropriation therefor.

**TRANSPORTATION, Room 103, LOB**

1:00 p.m. **SB 238-FN**, relative to the registration of motor vehicles owned by veterans.

1:45 p.m. **SB 264-FN**, relative to motorcycle registration for a period of less than one year.

2:30 p.m. **SB 53-L**, relative to maintenance of roads and highways to summer cottages.

**WEDNESDAY, FEBRUARY 6, 2019**

**ELECTION LAW AND MUNICIPAL AFFAIRS, Room 102, LOB**

10:00 a.m. **SB 305-FN**, relative to voter registrations accepted by other state agencies.

10:15 a.m. **SB 306-FN**, establishing the housing appeals board.

11:00 a.m. **SB 229-FN**, relative to audit recounts.

*(Senate Calendar— Continued from Page 10)*

**EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 101, LOB**

10:00 a.m. **SB 257-FN**, prohibiting foams containing perfluoroalkyl chemicals for use in fighting fires.

**WAYS AND MEANS, Room 100, SH**

10:00 a.m. **SB 134-FN**, relative to the administration of the meals and rooms tax.

**THURSDAY, FEBRUARY 7, 2019**

**COMMERCE, Room 100, SH**

1:00 p.m. **SB 146-FN**, relative to eliminating the waiting period before eligibility to receive unemployment benefits.

**EDUCATION AND WORKFORCE DEVELOPMENT, Room 103, LOB**

9:15 a.m. **SB 265-FN-L**, relative to maintaining stabilization grants at the current level.

10:45 a.m. **SB 303-FN**, relative to state aid to school districts.

11:30 a.m. **SB 143**, relative to administrative costs of state aid for special education.

**ENERGY AND NATURAL RESOURCES, Room 103, SH**

9:00 a.m. **SB 77-FN**, relative to costs of care for animals seized in cruelty cases and prohibiting the future ownership of animals in certain animal cruelty cases.

**JUDICIARY, Room 100, SH**

10:40 a.m. **SB 317-FN**, prohibiting sanctuary jurisdictions in New Hampshire.

**TUESDAY, FEBRUARY 12, 2019**

**TRANSPORTATION, Room 103, LOB**

1:30 p.m. **SB 56**, establishing a committee to study motor vehicle registrations of active duty military personnel.

2:15 p.m. **SB 221**, establishing a commission to study highway fund revenue for hybrid and electric vehicles.

**HOUSE FLOOR ACTION**

Thursday, January 31, 2019

HB 104-FN, establishing a housing appeals board within the attorney general's office. **Inexpedient to Legislate.**

HB 191-FN, relative to the accountability of public officials. **Inexpedient to Legislate.**

HB 193, relative to unalienable rights of inhabitants. **Inexpedient to Legislate.**

HB 194-FN, relative to public bonds. **Inexpedient to Legislate.**

HB 195, relative to the process for inhabitants of the state to effectuate the protections of Article 14. **Inexpedient to Legislate.**

*(House Floor Action — Continued from Page 11)*

HB 217-FN, relative to bonds for public employees and repealing the board of claims. **Inexpedient to Legislate.**

HB 246, relative to penalties for corrupt practices. **Inexpedient to Legislate.**

HB 255, relative to shift differential pay for employees who work overnight. **Inexpedient to Legislate.**

## **SENATE FLOOR ACTION**

Thursday, January 31, 2019

SB 18, relative to authorized employee wage deductions. **Passed.**

SB 37, relative to the registration of motor vehicles. **Passed.**

SB 43, establishing a commission to study barriers to increased land development in New Hampshire. **Passed with Amendment.**

## **New 2019 House Bills**

HB 737 establishes a commission to investigate and analyze the environmental and public health impacts relating to releases of perfluorinated chemicals in the air, soil, and groundwater in Merrimack, Bedford, and Litchfield. Rep. Murphy of Merrimack; **RR&D.**

## **New 2019 Senate Bills**

SB 254-FN-A appropriates funds to the department of environmental services for the purpose of funding eligible wastewater projects under the state aid grant program. Sen. Bradley of Wolfeboro; **ENR.**

SB 257-FN prohibits the use of foams containing perfluoroalkyl chemicals in fighting fires. Sen. Sherman of Rye; **ED&A-S.**

SB 262-FN establishes the property interest in abandoned personal materials and penalties for violations of the property interest by a person or government. Sen. Fuller Clark of Portsmouth; **JUD-S.**

SB 264-FN provides for the seasonal registration of motorcycles. Sen. Ward of Stoddard; **TRANS-S.**

SB 265-FN-LOCAL provides that, beginning in fiscal year 2020, stabilization grants shall remain at the level provided in fiscal year 2018 rather than decreasing by 4 percent per year. Sen. Dietsch of Peterborough; **EDUC-S.**

SB 271-FN-LOCAL requires certain workers employed in the construction of public works in the state of New Hampshire to be paid the prevailing minimum hourly wage and benefits. Sen. Feltes of Concord; **COM-S.**

*(New Senate Bills— Continued from Page 12)*

SB 272-FN authorizes the insurance commissioner to enforce the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008. Sen. Morgan of Brentwood; **COM-S**.

SB 280-FN-LOCAL changes the formula for determining the education tax rate and permits school boards to contract with religious affiliated schools to provide education for children who live in the school district. Sen. Reagan of Deerfield; **EDUC-S**.

SB 283-FN requires the secretary of state to study the use of high speed, optical/digital scan ballot counting devices for use in conducting post-election audits of electronic ballot counting devices used in state and federal elections. Sen. Gray of Rochester; **EL&MA**.

SB 285-FN allows municipalities to unify as a result of a climate change emergency and to create revitalization districts as a result of a climate change emergency. Sen. Watters of Dover; **ENR**.

SB 286-FN-LOCAL permits municipalities and counties to develop plans for electric aggregation programs. Sen. Feltes of Concord; **ENR**.

SB 287-FN requires the commissioner of the department of environmental services to revise rules relative to perfluorinated chemical contamination in drinking water. Sen. Sherman of Rye; **ENR**.

SB 301-FN-A-LOCAL amends the rates of the business profits tax and the business enterprise tax and provides for revenue sharing with the cities and towns for each year of the biennium ending June 30, 2021. Sen. Feltes of Concord; **W&M-S**.

SB 305-FN allows the division of motor vehicles to accept voter registration forms as part of the drivers' license issuance or renewal process. Sen. Gray of Rochester; **EL&MA**.

SB 306-FN establishes a housing appeals board to hear appeals of decisions of municipal boards, committees, and commissions regarding questions of housing and housing development. Sen. Giuda of Warren; **EL&MA**.

SB 307-FN requires the public utilities commission to adopt rules enabling the state and its subdivisions to own and operate street lights on utility poles that comply with specific standards. Sen. Hennessey of Hanover; **ENR**.

SB 309-FN-LOCAL modifies the education stabilization grants to municipalities. Sen. Birdsell of Hampstead; **F-S**.

SB 310-FN-LOCAL allows the licensing and operation of 2 video lottery and table gaming facilities, with a portion of the proceeds to be distributed to municipalities. Sen. D'Allesandro of Manchester; **F-S**.

SB 313-FN establishes the citizens' right-to-know appeals commission and the office of the right-to-know ombudsman. Sen. Giuda of Warren; **JUD-S**.

(New Senate Bills— *Continued from Page 13*)

SB 316-FN establishes criminal penalties for failure to protect another person’s personal information. Sen. Hennessey of Hanover; **JUD-S**.

SB 317-FN prohibits sanctuary jurisdictions in New Hampshire. Sen. Giuda of Warren; **JUD-S**.

**2019 Upcoming NHMA Workshops and Webinars for Members:**

- Feb. 13: NHMA Webinar: Something’s in the Air: Outdoor Wood Boilers and Open Burning Regulations
- Mar. 13: NHMA Webinar: The Right-to-Know Law and Governmental Records
- Mar. 26: Regional Right-to-Know Workshop—The Right-to-Know Law and Governmental Meetings (6:30-8:30 p.m.—Derry Municipal Center)

To register for an upcoming event, go to our website: [www.nhmunicipal.org](http://www.nhmunicipal.org) and scroll down on the left under CALENDAR OF EVENTS. Click on the green bar *View the Full Calendar* and go to the workshop or webinar you are interested in. For more information, please call NHMA’s Workshop registration line: (603) 230-3350.