

LEGISLATIVE BULLETIN

Mostly Quiet on the Legislative Front

We’re running out of ways to say that nothing is happening at the legislature. And, in fact, it is not accurate to say *nothing* is happening. We know that House and Senate leaders are working in various ways to manage the fallout from the COVID-19 emergency, while exploring options for getting the legislature back on track. But as for committee meetings and House and Senate sessions—nothing is happening.

We’ve written the last few weeks about the possibility of virtual committee hearings, which both chambers have been pursuing since the shutdown began. The most recent word, however, is that those will not happen anytime soon.

There may be some committee executive sessions in the House relatively soon. [Today's House Calendar](#) includes a notice from the Speaker authorizing committees to meet electronically, so long as a telephone option is afforded. Meetings must otherwise comply with House rules and the Right-to-Know Law. The notice states, however, that the ruling “is temporary in nature and is only intended to allow for committees to meet in executive session on second committee bills previously scheduled.” That is a very limited set of bills. As of today, no such sessions have yet been scheduled.

It thus becomes clear that if the legislature is going to finish its work this year, or even finish a significant part of it, we will be publishing Legislative Bulletins well into June, and possibly later.

GOFERR Advisory Board Hears from NHMA

Last week the governor announced the establishment of the Governor’s Office for Emergency Relief and Recovery (GOFERR), which is charged with the investment and oversight of COVID-19 relief and stimulus funds provided to New Hampshire by the federal government. He then appointed a Legislative Advisory Board to gather information and provide recommendations on the disbursement of the federal funds. The committee comprises the Senate President and minority leader, the House Speaker and minority leader, and the chairs and ranking minority members of the House and Senate Finance Committees.

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The committee met by conference call on Monday and Wednesday of this week, and was meeting again this morning. The committee plans to continue meeting every Monday, Wednesday, and Friday at 1:00 p.m.

In last week's Bulletin we said we would be preparing a survey for all municipalities to gather information about expenditures and lost revenues

resulting from the coronavirus; we hoped to distribute the survey by April 24. That schedule was expedited significantly after the Legislative Advisory Board said at its Monday meeting that it would like to hear from municipalities, including from NHMA, at today's meeting. With a little less time than we had planned for refining and polishing, we got the survey done overnight and distributed it on Tuesday. We were extremely pleased to receive responses to the survey from 125 municipalities in only 48 hours. Thank you to all our members who responded so promptly.

The high response rate demonstrates that municipalities are extremely concerned about the financial impacts, and the answers indicate that the expected effects are significant, but that it's too early to estimate them with anything approaching precision. We do know that municipalities are at least as concerned about lost revenues—especially but not only property tax delinquencies—as they are about additional expenditures. Many have also expressed concern about potential loss of state aid, especially meals and rooms tax revenue and the one-time \$20 million appropriation that was approved last year.

As this Bulletin went to press this morning, NHMA representatives were presenting the survey results and other information to the Legislative Advisory Board. We will produce a written summary of the results and make it available to our members soon. Other local officials were also providing information to the board this morning about the challenges their municipalities are facing.

It is early in this process, and no decisions have been made. We will keep you posted about developments in this Bulletin and, as necessary, with updates on our website or by e-mail. In the meantime, we continue to urge all municipalities to track all COVID-19-related expenses and lost revenues for possible reimbursement.

Who's In Charge?

Even as the GOFERR proceeds with its work, there is a dispute between the governor and state legislative leaders over who gets to make decisions about distribution of the anticipated \$1.25 billion in federal aid. The governor says the emergency authority granted to him by state law includes the authority to receive and spend the federal funds, while legislative leaders say that advice and consent of the legislature's Fiscal Committee is required. The matter is now in court, and a hearing is scheduled for Monday at 8:00 a.m.

FEMA Assistance

As we mentioned last week, The Federal Emergency Management Agency (FEMA) has given notice of its intent to provide financial assistance to the State of New Hampshire, local governments, and certain private nonprofit organizations under the national emergency declaration. Eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of public health officials may be reimbursed. State and local government entities and certain private nonprofit

organizations throughout the entire state are eligible to apply for assistance.

The New Hampshire Division of Homeland Security and Emergency Management (HSEM) will disseminate information regarding assistance guidelines and the application process in the near future.

Absentee Voting in 2020 Elections

Most people are aware by now, but because it came out just after we published last week’s Bulletin, we call your attention to the [Memorandum](#) regarding absentee voting (available on our website under “COVID-19 Resources”) issued by the attorney general and the secretary of state. To get right to the conclusion, the memorandum states that all voters may request absentee ballots at upcoming municipal elections, and “[a]ny voter may request an absentee ballot for the September 2020 Primary and November 2020 General Elections based on concerns regarding COVID-19.”

NHMA had requested that the governor issue an emergency order authorizing all voters to request absentee ballots at upcoming municipal elections. This memorandum resolves that issue, and takes care of the fall elections as well. There are, however, a number of remaining election concerns, including poll worker safety, whether registration by mail will be permitted, and how to deal with the significant increase in absentee ballots. The memorandum from the attorney general and the secretary of state indicates that further guidance on the last issue will be forthcoming. Clearly, there will be plenty of legal and logistical issues to work out in coming weeks and months.

2020 NHMA UPCOMING MEMBER EVENTS	
Apr. 29	Webinar: Fostering Greener Yards: A Look at the State’s Motor Vehicle Salvage Yard Program (12:00 – 1:00 p.m. online)
May 6	Virtual Workshop: Right-to-Know Law: Meetings and Governmental Records
May 8	Virtual Workshop: A Guide to Effective Code Enforcement
Please visit www.nhmunicipal.org for the most up-to-date information regarding our upcoming training opportunities and events.	
For more information, please call NHMA’s Workshop registration line: (603) 230-3350.	