

# LEGISLATIVE BULLETIN

## Where We Are, and Where We're Going

As we mentioned last week, deadlines for most legislative activity have come and gone, and the legislature can keep going only if it suspends those deadlines. The House met in session yesterday for the first time in three months, and the principal question was whether it would muster the votes needed to suspend its rules and allow consideration of about three dozen bills on its calendar.

The motion to suspend the rules was defeated, failing to achieve the required two-thirds majority. This means the House cannot pass any more House or Senate bills this year. The only way a bill can become law now is (1) if it has already passed both chambers (there are extremely few of these), or (2) if the Senate passes it after it has already passed the House. (The Senate has its own deadlines to contend with, but apparently there is consensus to extend them.)

Thus, the only significant action left is in the Senate. If the Senate passes a House bill without amending it, the bill will go to the governor. If the Senate passes a House bill with an amendment, the bill will go back to the House with a request that the House concur. Ordinarily, the House would also have the option to request a committee of conference. However, because the deadline for forming committees of conference has passed, that is not an option. There is no deadline for the House to concur with Senate amendments, so that option remains.

This is why the Senate has attached the language of many House and Senate bills to House bills that are currently in the Senate's possession. The plan is that the Senate will pass those bills (at its next session, on June 16) with the amendments and send them back to the House. The House will then have only two options on each bill: concur and send the bill to the governor, or not concur and let the bill die. Predictably, House and Senate leaders have conferred about the amendments, and there are not likely to be any surprises: it is anticipated that the House will concur with the Senate amendments on all the bills.

NHMA Legislative Bulletin 25  
June 12, 2020

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Ultimately, then, except for the few bills that have already passed both chambers, the only bills that will become law this year are the House bills that the Senate will act on next week—but they will have a whole lot of amendments attached to them. The House is planning to meet on June 30 to concur (presumably) with the Senate amendments; those bills will then go to the governor, and the legislative session will end.

## Committee Recommends Town Meeting Bill

Among the many amendments to House bills that received hearings in the Senate this week was one that would provide relief for towns that have not been able to hold their annual meetings because of the coronavirus pandemic. [Amendment 1352s](#) to [HB 1129](#) would authorize a town, school district, or village district to hold a meeting using a procedure that a few school districts have already employed. NHMA spoke in support of the amendment.

Under this procedure, the governing body would hold a virtual informational session to review the warrant, then would solicit comments and proposed amendments in advance of a second virtual meeting. At the second meeting, the governing body could adopt amendments to the warrant articles and would produce a final warrant. The warrant would be incorporated into a ballot that voters could download and print and bring with them to a drive-up voting session. Each article would get an up-or-down vote, with no further amendment.

The amendment also extends the benefits of RSA 32:13, II, to towns and districts that have a May town meeting. Under the existing law, a town or district may make expenditures between January 1 and the date of its meeting that are reasonable in light of prior years' appropriations and expenditures for the same time period. The current law applies only to towns and districts with a March meeting and a calendar fiscal year, so it does not help those with a May meeting or a June 30 fiscal year. The amendment would fix that.

These are the same provisions that NHMA asked the governor to approve by emergency order in late April. That order has not yet been issued. We would be happy with either legislative or executive action on these issues.

NHMA also supports the underlying bill, which authorizes municipalities to publish notice of zoning amendment hearings electronically as an alternative to newspaper publication.

The Election Law & Municipal Affairs Committee approved the bill as amended by a 3-2 vote. The two senators who voted against it did not oppose the underlying bill or the town meeting provisions; they opposed other parts of the amendment on which NHMA has no position. There appeared to be unanimous support for the town meeting provisions.

The bill with the amendment will go to the full Senate at its session next Tuesday, June 16.

## Absentee Voting and Processing Absentee Ballots

Also on the Senate's agenda for Tuesday will be [HB 1672](#), which, [as amended](#), would authorize no-excuse absentee voting and allow for the processing of absentee ballots on the Thursday or Friday before an election. The importance of this bill, especially the early processing of absentee ballots, was discussed in [last week's Bulletin](#).

## Highway Block Grants

This morning the Senate Transportation Committee held a hearing on [amendment 2020-1366s](#) to [HB 1182](#). Section 29 of that amendment authorizes the Department of Transportation, with approval from the Legislative Fiscal Committee and the governor and executive council, to distribute funds at a percentage greater than the statutory 12 percent to municipalities for highway block grant aid. This provision would take effect if the department receives additional federal funds as part of COVID-19 relief and would provide distribution of municipal highway block grants up to the fiscal year 2021 budgeted amount.

Since the fiscal year 2021 block grant distribution is based on actual revenues received in the highway fund through fiscal year 2020 (*i.e.*, through June 30, 2020), it is currently anticipated that block grants to municipalities will be significantly lower than budgeted due to revenue shortfalls in the highway fund. Section 29 would allow municipalities to be made whole in the event the Department of Transportation receives significant federal COVID-19 relief funding.

<b>2020 NHMA UPCOMING MEMBER EVENTS</b>	
June 17	<b>Academy for Good Governance: Workshop</b> Financial Responsibility (5:00 – 7:00 p.m.)
July 15	<b>Webinar:</b> The Right-to-Know Law and Governmental Records (12:00 – 1:00)
Please visit <a href="http://www.nhmunicipal.org">www.nhmunicipal.org</a> 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.	