

LEGISLATIVE BULLETIN

New Process for Submitting Written Testimony to House Committees

The Legislature’s website was updated recently to allow written testimony to be submitted to House Committees. Previously, submitting written testimony required finding the appropriate committee and clicking the link to “email all committee members.” Now, those wishing to submit written testimony can simply navigate to the [front page](#) of the Legislature’s website and click the link for the “[House Testimony Submission Form](#)” below the header “Links to Meeting Schedules.”

Currently, no similar process exists for the Senate. Local officials should still submit their written testimony by clicking “email entire committee” on the committee page or register their position using the [Senate Remote Sign In Sheet](#).

Short-Term Rental Bill Hearing

As we mentioned [last week](#), [SB 249](#), which would prohibit planning and zoning ordinances that prohibit or regulate short-term rentals, will be heard on **Tuesday, January 25**, at **9:30 a.m.** in **State House Room 100**, before the **Senate Commerce Committee**. Please plan to attend the hearing and bring your stories about how short-term rentals have affected your community. If you are not able to attend, please contact members of the [Commerce Committee](#) (click on “Email Entire Committee”) and your own senator and urge them to *kill this bill*. In addition, use the online [Senate Remote Sign In Form](#) to register your opposition to the bill.

Remote Meetings

On **Tuesday, January 25** beginning at **1:30 p.m.** in **State House Room 100**, the **Senate Judiciary Committee** will hear two bills on the same topic: [SB 322](#) and [SB 344](#). A similar bill, [HB 1014](#), will be heard on **Thursday, January 27** at **11:00 a.m.** in **LOB Room 206 – 208**, by the

NHMA Legislative Bulletin 05
January 21, 2022

Inside this issue:

Local Transportation Fee	2
Vaccines	3
Policy Process	3
House Calendar	4
Senate Calendar	6
NHMA Events	8

GOVERNMENT AFFAIRS CONTACT INFORMATION

Margaret M.L. Byrnes
Executive Director

Natch Greyes
Government Affairs Counsel

Katherine Heck
Government Finance Advisor

Timothy W. Fortier
Communications Coordinator

Pam Valley
Administrative Assistant



25 Triangle Park Drive
Concord NH 03301
Tel: 603.224.7447
EM: governmentaffairs@nhmunicipal.org
Website: www.nhmunicipal.org

House Judiciary Committee. All three bills pertain to “remote” meetings, and NHMA is supporting all three bills. With more than one bill related to remote meetings, we are hopeful that the bills will generate discussion among legislators and lead to a compromise. NHMA has been hearing regularly from local officials about the need for more flexibility with public meetings.

There are several ways this compromise could take shape, and how it does depends on what aspect of the Right-to-Know Law’s meeting requirements the legislature focuses on. Currently, the law requires that a quorum of a public body appear at the physical location specified in the meeting notice to conduct the meeting, except in the case of an “emergency.” (In an “emergency” – which is defined by statute – less than a quorum may appear at that physical location.)

In other words, there are two intertwined aspects of the current law which work together to make meetings difficult at times. The first is that any meeting of a public body is required to have a *physical* location. The second is that a quorum of the board is required to be present at that *physical* location, except in the case of an emergency.

These issues are intertwined because there are many public bodies that could have a quorum but for the physical location requirement. In other words, they could manage to get a majority of the board members in a position to hear the discussion of the board and contribute to that discussion, but they would need to allow some number of board members to call-in via telephone or participate in a video conference such as with Zoom.

A bill that eliminates the *physical* location requirement allows a board to meet entirely remotely. This would solve the problem of trying to get a majority of the board members to a certain location. It would also alleviate any concerns about public health guidance compliance.

In the alternative, a bill that eliminates the *quorum* at the physical location requirement would help municipalities as well. Although there would still have to be a physical location for members of the public to be able to go to view the meeting, it would be easier for boards to gather enough members to conduct board business. That might cause some burden on municipal staff, but no more than currently exists.

We have heard from dozens of municipalities about how difficult it has been to get a majority of board members together for board meetings, especially since the advent of the pandemic. They have pointed out that many municipal board members have health concerns, difficulties with transportation, busy work schedules, and other routine issues that make it difficult for them to physically show up at a location to have a meeting, but which could be mitigated by the law including more flexibility in how they may attend meetings.

SB 322, SB 344, and HB 1014 all seek to address these concerns by providing a greater range of flexibility for bodies governed by the Right-to-Know Law. We encourage our members to contact the [Senate Judiciary Committee](#) and the [House Judiciary Committee](#) in advance of next week’s hearings to express their opinions about what type of flexibility would best suit their particular needs.

Increasing the Local Option “Transportation” Fee

On **Wednesday, January 26th at 9:00 a.m.** in **State House Room 100**, the **Senate Ways and Means Committee** will hear testimony on [SB 437](#), proposing to increase the cap on the local option transportation fee that municipalities may adopt to fund transportation related services and projects. RSA 261:153, VI(b) currently caps this fee at \$5. **SB 437** raises the cap on this local option fee to \$15. NHMA supports this change.

The local option fee was introduced in 1997, and, as of 2020, 35 of 234 municipalities (approximately 15%) had enacted the fee according to Transport, NH. This bill creates the option for additional revenue in the towns that have already adopted this provision and allows municipalities who have not adopted it to consider doing so.

This is how the local option fee currently works:

- It is a local option fee that requires the legislative body of the municipality (town meeting, city/town council, or board of mayor and aldermen) to vote to adopt the fee *up to* the statutory cap.
- The funds are placed in a capital reserve fund established for this purpose.
- The fee is assessed at the time of, and in addition to, the annual motor vehicle registration.
- The statute outlines a broad range of eligible transportation improvements, including:
 - Roads, bridges, bicycle and pedestrian facilities, parking and intermodal facilities, electric vehicle charging stations, and public transportation as well as engineering, right-of-way acquisition, and construction costs of transportation facilities, including electric vehicle charging stations, and for operating and capital costs of public transportation only.
- The funds may be used as matching funds for state or federal grants allocated for local or regional transportation improvements.

Please contact members of the [Senate Ways and Means Committee](#) and your own senator and urge them to **support this bill**. In addition, use the online [Senate Remote Sign In Form](#) to register your support for the bill.

Vaccines

On **Thursday, January 27**, in **Representatives Hall**, the **House Labor Committee** is holding hearings on a number of bills pertaining to vaccines and the workplace beginning at **10:30 a.m.** These include: [HB 1088](#), prohibiting employers from discriminating against employees who take precautions against Covid-19 in the workplace; [HB 1210](#), prohibiting employers from mandating vaccinations; [HB 1351](#) prohibiting any employer who receives public funds from mandating Covid-19 vaccinations; [HB 1358](#), requiring that employers grant exceptions to testing requirements; and [HB 1377](#), granting employees extended unemployment benefits if they are terminated for non-compliance with an employer-mandated vaccination requirement. In addition, the **House Judiciary Committee** is holding a hearing on [HB 1260](#), making immunization a protected class, on **Wednesday, January 26** in **LOB Room 206-208** at **9:00 a.m.** NHMA opposes attempts to interfere with municipal employers' ability to protect their workers' health and safety. Employers, not the state, are in the best position to determine what measures are most appropriate for their workplaces. We will oppose those bills that conflict with that principle.

Given the location of the scheduled hearing and the interest in these matters that has been seen so far this legislative session, we anticipate that the hearings on these bills will run most of the day. We encourage our members to contact the [House Labor Committee](#) and [House Judiciary Committee](#) in writing to express their views on these bills.

Get Involved in NHMA's Legislative Policy Process

NHMA's biennial legislative policy process is getting underway. As a first step, we are recruiting volunteers to serve on our three legislative policy committees. These committees will review legislative policy proposals submitted by local officials and make recommendations on those policies, which will go to the NHMA Legislative Policy Conference in September.

If you are a local official in an NHMA member municipality and are interested in serving on one of the policy committees, please contact the Government Affairs staff at 603-224-7447 or governmentaffairs@nhmunicipal.org.

Each of the committees deals with a different set of municipal issues. The committees and their subject areas are as follows:

- Finance and Revenue – budgeting, revenue, tax exemptions, current use, assessing, tax collection, retirement issues, education funding.
- General Administration and Governance – elections, Right-to-Know Law, labor, town meeting, charters, welfare, public safety.
- Infrastructure, Development, and Land Use – solid/hazardous waste, transportation, land use, technology, environmental regulation, housing, utilities, code enforcement, economic development.

When you contact us, please indicate your first and second choices for a committee assignment. We will do our best to accommodate everyone's first choice, but we do need to achieve approximately equal membership among the committees. We hope to have 15-20 members on each committee.

There will be an organizational meeting for all committees on **Friday, April 1**. After that, each committee will meet separately as many times as necessary to review the policy proposals assigned to it—typically three to five meetings, all held on either a Monday or Friday, between early April and the end of May.

HOUSE CALENDAR

MONDAY, JANUARY 24, 2022

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

3:30 p.m. Subcommittee Work Session on **HB 1429-FN-A**, establishing licensure for massage establishments.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301-303, LOB

9:00 a.m. **HB 1665-FN-A-L**, establishing a municipal road and bridge disaster relief fund.

TUESDAY, JANUARY 25, 2022

ENVIRONMENT AND AGRICULTURE, Room 301-303, LOB

9:30 a.m. **HB 1547-FN**, setting maximum contaminant levels for perfluorochemicals in the soil.

2:30 p.m. **HB 1186**, relative to companion animals during a declared state of emergency.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 302-304, LOB

10:00 a.m. **HB 1587-FN-A**, relative to determination of average final compensation under the retirement system and making an appropriation therefor.

10:45 a.m. **HB 1557**, relative to survivor benefit optional allowances under the retirement system.

1:00 p.m. **HB 1549**, relative to special duty hours worked by retired police members in the retirement system.

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 210-211, LOB

3:30 p.m. **HB 1455**, relative to state enforcement of federal vaccination mandates.

SCIENCE, TECHNOLOGY AND ENERGY, Room 306-308, LOB

9:00 a.m. **HB 1459-FN**, relative to recycling solar panels.

3:30 p.m. **HB 1258**, relative to the implementation of the department of energy.

TRANSPORTATION, Room 201-203, LOB

10:30 a.m. **HB 1024**, relative to local speed limits in business or urban residence districts.

2:30 p.m. **HB 1445-FN**, relative to the identification of police vehicles.

WEDNESDAY, JANUARY 26, 2022

CRIMINAL JUSTICE AND PUBLIC SAFETY, Reps Hall, SH

11:30 a.m. **HB 1178**, prohibiting the state from enforcing any federal statute, regulation, or Presidential Executive Order that restricts or regulates the right of the people to keep and bear arms.

1:30 p.m. **HB 1151-FN**, prohibiting the display of a deadly weapon at a parade, funeral procession, picket line, march, rally, vigil, or demonstration.

2:15 p.m. **HB 1096-FN**, prohibiting open carrying or display of a deadly weapon within 100 feet of a polling place.

JUDICIARY, Room 206-208, LOB

9:00 a.m. **HB 1260**, making immunization status a protected class.

10:30 a.m. **HB 1490-FN**, relative to equal access to places of public accommodation regardless of vaccination status

RESOURCES, RECREATION AND DEVELOPMENT, Room 305-307, LOB

3:30 p.m. **HB 1440**, relative to surface water quality standards for perfluorinated chemicals.

THURSDAY, JANUARY 27, 2022

COMMERCE AND CONSUMER AFFAIRS, Room 302-304, LOB

1:15 p.m. **HB 1595-FN**, relative to establishing a statewide food truck license.

JUDICIARY, Room 206-208, LOB

11:00 a.m. **HB 1014**, allowing public meetings to be conducted virtually.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room Reps Hall, SH

10:30 a.m. **HB 1088**, relative to employee protections from COVID-19 in the workplace

11:15 a.m. **HB 1210**, relative to exemptions from vaccine mandates.

11:45 a.m. **HB 1351**, prohibiting certain employers from requiring a COVID-19 vaccination as a condition of employment.

1:45 p.m. **HB 1358**, requiring public and private employers to establish procedures and exceptions for the use of mandatory intrusive testing as a condition of new or continued employment.

3:30 p.m. **HB 1538-FN-L**, requiring prevailing wages on state-funded public works projects.

PUBLIC WORKS AND HIGHWAYS, Room 201-203, LOB

9:30 a.m. Continued Public Hearing on **HB 1656-FN-A-L**, establishing a road usage registration fee and making an appropriation therefor.

FRIDAY, JANUARY 28, 2022

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 202-204, LOB

- 9:00 a.m. **HB 1468-FN**, relative to the legalization of cannabis.
9:45 a.m. **HB 1175**, relative to recording interactions with public officials.

MONDAY, JANUARY 31, 2022

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 302-304, LOB

- 10:45 a.m. **HB 1552-FN**, establishing a board for the certification of assessors.
11:30 a.m. **HB 314**, relative to homestead food operation licensure.
1:00 p.m. **HB 1681-FN**, relative to the state building code.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301-303, LOB

- 9:00 a.m. **HB 1374**, relative to the membership of local land use boards.
9:30 a.m. **HB 1375**, relative to the definition of veteran.
10:00 a.m. **HB 1056**, relative to veterans' tax credits.
10:30 a.m. **HB 1057**, relative to the tax exemption for the elderly.
11:00 a.m. **HB 1342**, relative to municipal charter provisions for tax caps.
11:30 a.m. **HB 1350**, relative to the procedure for valuation of property for property tax purposes.

TUESDAY, FEBRUARY 1, 2022

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 210-211, LOB

- 9:30 a.m. **HB 1224-FN**, prohibiting state and local governments from adopting certain mandates in response to COVID-19; and prohibiting employers and places of public accommodation from discriminating on the basis of vaccination status.

THURSDAY, FEBRUARY 3, 2022

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 305-307, LOB

- 10:00 a.m. **HB 1124**, requiring businesses to use the federal E-Verify system of the United States Citizenship and Immigration Services.
2:00 p.m. **HB 1415**, relative to employer health screening reimbursement.
2:30 p.m. **HB 1472**, prohibiting anti-union activities by employers.
3:15 p.m. **HB 1403**, establishing a commission relative to the minimum wage.

TUESDAY, FEBRUARY 8, 2022

EDUCATION, Room 205-207, LOB

- 11:00 a.m. **HB 1576-FN**, repealing the law relative to certain discrimination in public workplaces and education.

SENATE CALENDAR

MONDAY, JANUARY 24, 2022

ELECTION LAW AND MUNICIPAL AFFAIRS, Room 100, SH

- 1:15 p.m. **SB 244**, relative to non-conforming structures and variances.
1:30 p.m. **SB 245**, establishing a committee to study agreements between developers and municipalities on municipal trash removal fees paid by condominium owners and renters.
1:45 p.m. **SB 246**, relative to qualified private communities.
2:20 p.m. **SB 427-FN**, modifying the absentee voter registration process, absentee ballot application, and absentee ballot voting process.

TUESDAY, JANUARY 25, 2022

COMMERCE, Room 100, SH

9:30 a.m. SB 249, prohibiting planning and zoning ordinances that prohibit short-term rentals.

ENERGY AND NATURAL RESOURCES, Room 103, SH

9:30 a.m. SB 261-FN, relative to net metering participation.

FINANCE, Room 103, SH

1:00 p.m. SB 387-FN-A, making an appropriation to the body-worn and dashboard camera fund.

1:10 p.m. SB 402-FN, granting disaster relief for two presidentially declared disasters in response to July-August 2021 flood damage sustained by communities in Cheshire and Sullivan counties.

JUDICIARY, Room 100, SH

1:30 p.m. SB 322, relative to remote meetings under the right-to-know law.

1:45 p.m. SB 342, relative to the minutes of nonpublic sessions under the right to know law.

2:00 p.m. SB 344, relative to the quorum requirements under the right to know law of meetings open to the public.

WEDNESDAY, JANUARY 26, 2022

ELECTION LAW AND MUNICIPAL AFFAIRS, Room 103, SH

1:00 p.m. SB 247, relative to broadband infrastructure bonds.

1:15 p.m. SB 334-L, enabling municipalities to establish a vacant building registry.

1:30 p.m. SB 395, relative to the broadband matching grant initiative.

WAYS AND MEANS, Room 100, SH

9:00 a.m. SB 437-L, relative to the additional municipal fee for transportation improvements.

9:15 a.m. SB 441-FN-L, relative to the municipal share of fines for motor vehicle speeding offenses.

9:30 a.m. SB 343, establishing a committee to study the formula for distribution of room occupancy tax revenues.

THURSDAY, JANUARY 27, 2022

HEALTH AND HUMAN SERVICES, Room 101, LOB

10:30 a.m. SB 329, establishing a commission to study barriers to housing development in New Hampshire, including workforce and middle-income housing.

TUESDAY, FEBRUARY 1, 2022

COMMERCE, Room 101, LOB

9:30 a.m. SB 211, relative to an injured employee's right to reinstatement to a former position for purposes of workers' compensation.

JUDICIARY, Room 100 SH

1:00 p.m. SB 376-FN, establishing a committee to study the creation of a board to study mental health incidents among law enforcement officers.

1:20 p.m. SB 298, repealing the law relative to certain discrimination in public workplaces and education.

WEDNESDAY, FEBRUARY 2, 2022

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 103, SH

9:00 a.m. **SB 398**, relative to building code and fire code enforcement.

WAYS AND MEANS, Room 100, SH

9:00 a.m. **SB 379-FN**, establishing the solid waste management fund and establishing a solid waste disposal surcharge.

TUESDAY, FEBRUARY 8, 2022

COMMERCE, Room 100, SH

9:00 a.m. **SB 203**, relative to the state minimum hourly rate.

WEDNESDAY, FEBRUARY 9, 2022

HEALTH AND HUMAN SERVICES, Room 100, SH

10:00 a.m. **SB 374-FN**, relative to the SARS-CoV-2 vaccinations.

2022 NHMA UPCOMING MEMBER EVENTS	
Jan 27	Right-to-Know for Law Enforcement Workshop (Virtual) - 9:00 – 12:00
Feb. 12	Town & School Moderator Traditional Town Workshop (Virtual) - 9:00 – 1:30
Please visit www.nhmunicipal.org for the most up-to-date information regarding our upcoming virtual events. Click on the Events and Training tab to view the calendar.	
For more information, please call NHMA's Workshop registration line: (603) 230-3350.	