

LEGISLATIVE BULLETIN

Hearing on Bill to Slash Utility Property Tax Revenues

Bulletin 04, 2017 Session
January 20, 2017

The House Science, Technology & Energy Committee has scheduled a hearing on [HB 324](#) for next **Wednesday, January 25, at 9:00 a.m., in LOB Room 304**. This is the bill that, as discussed in [last week's Legislative Bulletin](#), would strip municipalities of their authority to assess public utility properties and give that authority to the Department of Revenue Administration. It would require the use of the property values determined by DRA under the utility property tax statute, RSA 83-F, for local property tax purposes.

As we explained last week, the values assessed by DRA are in most cases dramatically lower than those assessed by the municipalities; and the superior court and the Board of Tax and Land Appeals have consistently found the locally assessed values to be significantly more credible. Requiring the use of the DRA values would, in most municipalities, result in a loss of tax revenue from utility properties of at least a few hundred thousand dollars. In some municipalities, the lost revenue would be over \$1 million. The town of Seabrook would lose about \$4.5 million. In all cases, that revenue would be made up through increased tax bills for all other taxpayers.

Remember when the legislature eliminated the state contribution for local retirement system payments? This bill would have a similar impact on many municipalities and their taxpayers. We urge all local officials to contact their legislators to let them know how much this bill will cost their taxpayers. (Please contact us if you do not have the numbers.) In particular, if you have representatives on [the committee](#), please contact them with this information before Wednesday and **urge them to kill HB 324**.

SAG Saga Continues

On Tuesday, the House Finance Committee heard testimony on [HB 119](#), an **NMHA policy bill**, which restores state aid grant (SAG) funding to twelve wastewater projects that had received local financing approvals prior to the December 2008 moratorium on these environmental grants. The committee heard compelling testimony from municipal officials, legislators, and others, including the Department of Environmental Services, regarding the positive impact these grants have in providing infrastructure

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improvements necessary to support local, regional, and state economic expansion and directly boosting meals and rooms tax revenues to the state.

Specific examples cited were the sewer expansion needed to support the federal prison and a bio-mass facility in Berlin, and an increased capacity that allowed several large hotels and restaurants to be built in Conway. While committee members expressed commitment to fund these projects, House Finance Division I voted after the hearing to recommend Inexpedient to Legislate (ITL) on **HB 119**, stating that the more appropriate means for this funding will be in the state operating budget, once it is presented by the Governor in early February. You can be sure that we will watch closely for this funding in the budget!

SB 57 is a separate bill seeking to fund nine eligible and completed environmental projects under the State Aid Grant program. These projects received local approval *after* December 31, 2008, and were completed before July 1, 2013. A hearing on **SB 57** before the Senate Finance Committee is scheduled for **Tuesday, January 24, at 1:00 p.m., in Room 103 in the State House.**

Municipal officials from the North Conway Water Precinct, Merrimack, Nashua, Claremont, Newport, Dover, Enfield, and Berlin should contact members of the [Senate Finance Committee](#) by phone or email to urge their support of **SB 57**, and should attend the hearing if possible.

Retirement Day in House ED&A

The House Executive Departments and Administration Committee ([ED&A](#)) has been assigned a hefty number of New Hampshire Retirement System (NHRS) bills and has scheduled hearings on quite a few next week. The following bills will be heard on **Tuesday, January 24 in LOB Room 306:**

- **10:00 a.m.** - [HB 369](#) changes the amortization period for the NHRS unfunded liability (currently \$5 billion) from thirty years to forty years. Per the fiscal note, this change in the amortization period would result in lower employer rates in the short term, but would increase the amount of the unfunded liability by approximately \$4 billion.
- **10:45 a.m.** - [HB 425](#) would raise the assumed rate of return on investment earnings from 7.25 percent to 7.75 percent effective July 1, 2017. The bill also requires the NHRS to re-calculate and re-certify the employer rates for the period July 1, 2017 through June 30, 2019. Last spring, based on advice from its investment managers and actuaries, the NHRS Board of Trustees voted to reduce the assumed rate of return from 7.75 percent to 7.25 percent; this change primarily accounts for the increased rates employers will begin paying July 1, 2017. The fiscal note states that raising the assumed rate of return back to 7.75 percent would lower local government (municipal, school and county) contributions from employers by \$49.5 million and \$51.1 million in fiscal years 2018 and 2019, respectively.
- **11:30 a.m.** - [HB 413](#) is an **NHMA policy bill** that requires the state to pay 15 percent of the employer retirement contribution costs for teachers, police and firefighters. (Remember, the state used to pay 35 percent.) According to the fiscal note, local government (municipal, school and county) contribution costs would decrease by \$40.8 million and \$42 million in fiscal years 2018 and 2019, respectively.
- **1:15 p.m.** - [HB 542](#) requires that retirees working in a part-time position for an NHRS employer pay a fee equivalent to the contribution rates paid by employees (currently 7 percent for

- employees and teachers, 11.55 percent for police and 11.8 percent for firefighters). This fee would be deducted from the part-time employee's wages and remitted by the employer to NHRS effective July 1, 2017. According to the fiscal note, the impact of the fee would be reflected in employer rates beginning July 1, 2019, and would reduce local government employer contributions by \$3.7 million in fiscal year 2020 and \$3.8 million in fiscal year 2021.
- **2:00 p.m.** – [HB 543](#) prohibits an NHRS retiree from being employed in a part-time position with the same employer for which the retired member was employed at the time of retirement.
- **2:45 p.m.** – [HB 561](#) requires NHRS employers to pay contributions equal to the rate of the unfunded actuarial accrued liability (UAAL) on the compensation paid to an NHRS retiree who returns to work in a part-time position. UAAL rates effective July 1, 2017 are 8.92 percent for employees, 13.63 percent for teachers, 19.66 percent for police, and 20.74 percent for firefighters. Since NHRS contributions have never applied to part-time employees (retired or otherwise) one might ask whether this is a “new” or “expanded” responsibility in violation of the unfunded mandate provision of Part 1, Article 28-a of the New Hampshire Constitution.

Additionally, the bill prohibits an NHRS retiree from being employed in a part-time position for any NHRS employer for at least one year from the retiree's effective date of retirement. The bill also requires that a retiree's pension be suspended one month for every month, or part of a month, in which the retiree exceeds the 32-hours-per-week/1,300-hours-per-calendar-year limits imposed under RSA 100-A:1, XXXIV, or begins part-time employment prior to the one-year waiting period. The pension suspension also applies when a part-time employee inaccurately records or fails to record time worked, including volunteer time. The bill further imposes a penalty of three times the pension suspension amount on any employer who knew, or should have known, that the employee inaccurately recorded or failed to record time worked, including volunteer time. Exceptions are granted for those retirees providing emergency assistance under RSA 100-A:7-b.

Committee to Act on Broadband Bill

The House Science, Technology and Energy Committee is scheduled to vote on [HB 191](#), the **NHMA policy bill** allowing municipalities to issue bonds for broadband infrastructure, during its executive session on **Tuesday, January 24, at 1:00 p.m.** That means you have only until then to register your comments with members of [the committee](#). As we explained in [last week's Bulletin](#), this bill is a “no brainer.” It merely allows municipalities to provide the necessary infrastructure to move into the 21st century when the telecommunications industry is unable or unwilling to do so. Please contact members of the committee and urge them to ***support HB 191***.

RTK Bills—Death by a Thousand Cuts

The House Judiciary Committee has hearings on several bills amending the Right-to-Know Law next week. A couple of them are relatively minor, but they would gradually eat away at government efficiency and, in some cases, increase costs. The bills will be heard on **Tuesday, January 24, beginning at 1:00 p.m., in LOB Room 208.** (See House Calendar for specific times.) Here they are:

Attorney Fees. The first bill, [HB 365](#), provides that a public body or agency is *always* liable for the plaintiff's attorney fees in a Right-to-Know lawsuit if the plaintiff prevails and the court finds that the lawsuit was necessary to enforce compliance with the law. Under current law, fees are awarded

only if the court finds that the public body or agency “knew or should have known that the conduct engaged in was a violation of [the law.]” **HB 365** removes the “knew or should have known” standard, so that a municipality will have to pay the plaintiff’s attorney fees even in cases of unintentional or unwitting violations.

The existing attorney fee provision is already an exception to the general rule in New Hampshire that litigants pay their own fees, win or lose. This bill would make the situation that much more extreme. It’s a great bill for trial lawyers, bad for municipalities and their taxpayers.

Remote Participation in Meetings. The second bill, [HB 524](#), amends the provision of the Right-to-Know Law that allows a member of a public body to participate in a meeting by conference call or similar means. Under the existing law, a member may participate remotely when his or her attendance “is not reasonably practical,” subject to several conditions. However, that person’s participation may not be counted toward a quorum—a quorum of the public body must be physically present at the meeting’s location—*except in an emergency*. The statute defines “emergency” as a situation in which “immediate action is imperative and the physical presence of a quorum is not reasonably practical within the period of time requiring action.”

HB 524 deletes the emergency exception, thus requiring that a quorum be physically present in all circumstances. No matter how dire the emergency—flood, epidemic, threat of terrorism—a meeting may not be held if a quorum cannot be assembled in one location. We cannot imagine what purpose is served by this change, other than to make life as difficult as possible for public officials.

Objections Must Be Recorded in Minutes. Finally, [HB 460](#) adds this language to RSA 91-A:2, II:

Minutes of all [public body] meetings, including nonpublic sessions, shall also include any objections made to any discussion in a meeting of such body if a member of a public body believes that the discussion in a meeting of such body is in violation of the provisions of this chapter. The objection shall include the name of the person objecting to the discussion and a description of the specific violation. If such member's objections to the discussion in the meeting are overruled by the majority of those present, such member may continue to participate in such meeting without penalty, provided he or she has complied with the duties imposed upon him or her by this chapter.

This is simply an unnecessary exercise in micro-management of local board processes. If a board member wants to register objections to a discussion, he or she can request that the objection be noted and, if it is not, can put the objection in writing.

Please consider attending these hearings, or contact [committee members](#) and let them know that you oppose all of these bills.

There is one other Right-to-Know Law bill scheduled for a hearing on Tuesday, [HB 441](#). This bill actually has a benign intent—it is intended to protect the privacy of applications for public employment—but it is not drafted well, and needs significant revision. It is too much to discuss here, but we will keep you informed as necessary.

Two More Policy Bills

There are so many bills, good and bad, with hearings next week that we cannot give each one the space it deserves. Two more **NHMA policy bills** have hearings, one on Tuesday and one on Wednesday.

Sewer Violations. On **Tuesday, January 24, at 11:00 a.m., in LOB Room 305**, the House [Resources, Recreation and Development Committee](#) will hear **HB 470**, which clarifies and improves the process for a municipality to enforce its sewer ordinance. Among other things, it allows the municipality to establish a penalty less than the current amount of up to \$10,000 per day, authorizes injunctions in addition to fines, and allows the municipality to recover attorney fees if it prevails.

Bonding for Public Works Contracts. On **Wednesday, January 25, at 9:30 a.m., in LOB Room 201**, the House [Public Works and Highways Committee](#) will hear **HB 371**, which raises the dollar threshold above which local governing bodies (and the state) must obtain a bond for a public works contract. Currently, any project with a cost exceeding \$35,000 must be bonded. **HB 371** raises the threshold to \$150,000. The current requirement can cause undue expense and delays in contracting for small projects, limit competition, and discriminate against smaller contractors who may be perfectly qualified but unable to meet the bonding requirement.

If you want to chime in on these bills, you know what to do!

State Budget Discussions Begin

Serious budget deliberations won't get underway until the Governor presents his budget to the legislature in mid-February. The House Finance Committee is now reviewing what state agencies requested last fall in their "efficiency" budgets (same level of services as currently provided) and their "additional prioritized needs." This review included several discussions of funding and services provided to municipalities:

- The Department of Safety spoke at length about the impact of "upshifting" from municipalities. Of noted concern were municipalities that don't have full-time police, are cutting their forces from full-time to part-time, are choosing not to hire additional law enforcement officers, are eliminating specialty units and relying on state police for those services (such as K9, bomb squad, accident reconstruction), and are relying on the state lab for analysis—all at no charge to the municipalities. The Department requested funding for 22 new positions, and certainly left the impression that this so-called municipal "upshifting" is the reason for this request.
- The Police Standards and Training Council provided a high-level review of its budget request, and as we expected (we hate to say *we told you so*), questions from some committee members focused on the lack of tuition payments from municipalities when local law enforcement is benefiting from the academy.
- The Department of Revenue Administration was questioned about the interstate flood control compacts involving 18 municipalities. The perennial problem of "Massachusetts not paying its share" will continue to be a topic of discussion.

Obviously, we are in the early stages of the biennial budget process. But it's never too soon to talk with your legislative delegation about the impact state budget decisions have on municipal operations and property taxes. This week, every legislator received a copy of our ***State Aid Booklet***

highlighting the history and trends in state funding to municipalities. A copy of this booklet was sent to municipalities last fall, and is also available on our website [here](#). We encourage you to use the information in this booklet to assist your legislators in understanding how their votes in the State House effect their taxpayers at home.

Net Metering Bills

The House Science, Technology and Energy Committee will consider two bills next week dealing with net metering, something that is of interest to many municipalities. The first one, [HB 518](#), is titled “An act eliminating the cap on net metering.” That *sounds* good—NHMA supports legislation that either increases the current 100-megawatt cap or eliminates it entirely. However, the bill would also change the compensation rate under net metering to “the average monthly wholesale energy rate as determined by ISO New England.” In most instances, this would make it irrational for anyone to participate in net metering, because that rate is significantly below what customers are paying for electricity. Thus, [HB 518](#) not only eliminates the *cap* on net metering, it essentially eliminates net metering itself.

The other bill, [HB 535](#), implements **NHMA policy** by increasing to five megawatts (from one megawatt) the maximum allowable generating capacity for a municipal customer to qualify as an eligible customer-generator. This would remove a barrier that some municipalities have faced in trying to participate in net metering.

The hearings on these bills are on **Wednesday, January 25, at 1:00 p.m. (HB 535) and 2:00 p.m. (HB 518) in LOB Rooms 301 and 303. Please urge members of [the committee](#) to oppose HB 518 and support HB 535.**

Are Cities and Towns “Special Interests”?

A troubling discussion occurred this week during a meeting of the House Judiciary Committee. The bill under consideration was [HB 178](#), establishing a commission to study Right-to-Know Law complaints. As we had stated in [Legislative Bulletin #2](#), we think establishing this commission is a good idea, but the proposed commission was seriously unbalanced, including four representatives of “requesting” groups—one person who has brought a *pro se* claim under the Right-to-Know Law, one representative of the New Hampshire Press Association, one member of Right to Know New Hampshire, and one representative of the ACLU—but only one representative of “receiving” groups—a municipal official appointed by the Governor.

During the committee’s executive session this week, a committee member proposed an amendment that would have the commission include an additional municipal official, one school board member, and one county official, in addition to those already included. A lively debate ensued, primarily over the suggestion to have two municipal officials on the commission.

More than one committee member referred to municipal officials and NHMA as a “special interest.” Municipal officials were also referred to as “the bureaucracy” and “the people who break the law.”

(Special Interests? — Continued from Page 6)

This is not the first time this unflattering view of municipalities and local officials has appeared in this very young legislative session. It is quite apparent in the bills that would remove assessors and local officials from the Assessing Standards Board, transfer assessing authority from local officials to the Department of Revenue Administration, and prohibit municipalities from contributing to any organization that engages in lobbying.

In fairness to legislators, it is hard to turn off the noise from the handful of disgruntled “activists” who claim to speak for the public as they rant about how corrupt local officials are. Nor is it easy to ignore the pressure from the *real* special interests, such as utility companies that want to avoid paying taxes, when they constantly run to the legislature for relief from imagined unfair treatment at the local level.

We have made this point before: “Local government” is not some kind of detached entity, and local officials are not a separate species of nameless, faceless bureaucrats behind a wall. Everyone who is in local government started out as a private citizen, and most eventually return to that status. When legislators attack municipal government, they are attacking their neighbors, their friends, and often their own family members. Many local officials are volunteers, and 99 percent of them have no agenda other than to serve their municipalities—that is, the voters and taxpayers.

Although it seems unlikely, it may be that some legislators have never met a living, breathing local official. We again urge all local governing bodies to invite their legislative delegations to their meetings. Legislators are far more likely to appreciate your work and your legitimate concerns if they get a chance to meet you. Until that happens, we can expect these kinds of attacks to continue.

HOUSE CALENDAR

TUESDAY, JANUARY 24, 2017

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 10:00 a.m. **HB 350-FN**, prohibiting possession of a firearm at a polling place.
2:00 p.m. **HB 474-FN**, limiting the use of cell site simulator devices by law enforcement agencies.

EDUCATION, Room 207, LOB

- 10:00 a.m. **HB 354-FN-A-L**, making an appropriation to the department of education to provide additional adequate education grant payments to certain municipalities.
11:45 a.m. **HB 391**, relative to checklists in other districts.

ELECTION LAW, Room 308, LOB

- 10:10 a.m. **HB 379**, relative to political advertising in rights-of-way.
10:40 a.m. **HB 453**, relative to vacancies in the office of supervisor of the checklist.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 10:00 a.m. **HB 369-FN**, relative to the amortization of retirement system unfunded accrued liability.
10:45 a.m. **HB 425-FN-L**, relative to the retirement system assumed rate of return for the biennium beginning July 1, 2017.
11:30 a.m. **HB 413-FN-A-L**, relative to payment by the state of a portion of retirement system contributions of political subdivision employers. **NHMA Policy.**

Continued on next page....

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 1:15 p.m. **HB 542-FN**, relative to retired members employed in a part-time position by retirement system employers.
- 2:00 p.m. **HB 543-FN**, relative to part-time employment by a retiree for a retirement system employer.
- 2:45 p.m. **HB 561-FN**, relative to contributions by employers of part-time employees receiving retirement system pensions and relative to enforcement of provisions concerning retired members working part-time after retirement.

FINANCE, Rooms 210-211, LOB

- 2:00 p.m. **HB 423-FN**, relative to funding for fire standards instruction.

JUDICIARY, Room 208, LOB

- 11:00 a.m. **HB 441**, relative to confidentiality in applying for public sector jobs.
- 1:00 p.m. **HB 365-FN**, relative to awarding attorney's fees under the right-to-know law.
- 1:45 p.m. **HB 524**, relative to participation in meetings open to the public.
- 2:30 p.m. **HB 460**, relative to minutes under the right-to-know law.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 10:00 a.m. **HB 212-FN-L**, relative to police attendance at public meetings and functions.

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

- 10:15 a.m. **HB 380-FN**, relative to the oil discharge and disposal cleanup fund.
- 11:00 a.m. **HB 470-FN-L**, relative to storm water or sewage penalties. **NHMA Policy.**

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 2:30 p.m. **HB 547-FN**, relative to the recycling and disposal of electronic waste.

WAYS AND MEANS, Room 202, LOB

- 1:00 p.m. **HB 357-FN-L**, relative to the appraisal of telecommunications poles and conduits under local property taxation.
- 2:00 p.m. **HB 415-FN-A-L**, reducing business taxes, repealing certain taxes, establishing an income tax, and requiring payment by the state of a portion of retirement system contributions of political subdivision employers.

WEDNESDAY, JANUARY 25, 2017

ELECTION LAW, Room 308, LOB

- 10:00 a.m. **HB 389**, relative to voters with physical disabilities.
- 10:15 a.m. **HB 390**, relative to parties on certain election forms and ballots and relative to the voter registration form used on the day of the general election.
- 10:30 a.m. **HB 430**, relative to recording voters' out-of-state drivers' licenses.
- 11:00 a.m. **HB 464**, relative to voter identification requirements when obtaining a ballot.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB

- 1:15 p.m. **HB 446**, relative to state construction contracts.
- 2:00 p.m. **HB 405**, adding a duty to the decennial retirement commission.

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

- 10:00 a.m. **HB 115-FN**, establishing a state minimum wage and providing for adjustments to the minimum wage.
2:00 p.m. **HB 346**, relative to the payment of wages to an employee.
2:30 p.m. **HB 442**, relative to criminal records checks in the employee application process.

MUNICIPAL AND COUNTY GOVERNMENT, Room 304, LOB

- 10:00 a.m. **HB 86**, relative to voting on variances.
10:20 a.m. **HB 123**, relative to continuation of a public hearing of the zoning board of adjustment.
10:40 a.m. **HB 87**, relative to vacancies in the office of moderator.
11:00 a.m. **HB 299**, relative to notice by mail for zoning and planning purposes.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 9:30 a.m. **HB 371-L**, relative to bond requirements for public works contracts. **NHMA Policy.**

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 1:00 p.m. **HB 486**, relative to the protection of wetlands.
2:00 p.m. **HB 507**, establishing a committee to study the responsibility of a person who through their pollution makes drinking water non-potable.

SCIENCE, TECHNOLOGY AND ENERGY, Rooms 301-303, LOB

- 9:00 a.m. **HB 324**, relative to the valuation of utility property.
1:00 p.m. **HB 535**, relative to community net metering. **NHMA Policy.**
2:00 p.m. **HB 518**, eliminating the cap on net metering.

SENATE CALENDAR

TUESDAY, JANUARY 24, 2017

COMMERCE, Room 100, SH

- 1:15 p.m. **SB 22**, relative to employer immunity for disclosure of certain worker employment information.

ELECTION LAW AND INTERNAL AFFAIRS, Room 102, LOB

- 9:00 a.m. **SB 47**, relative to enforcement of election laws.

ENERGY AND NATURAL RESOURCES, Room 103, SH

- 10:30 a.m. **SB 49**, relative to permits for solid waste facilities.

FINANCE, Room 103, SH

- 1:00 p.m. **SB 57-FN-A**, making appropriations to the department of environmental services for the purposes of funding eligible drinking water and wastewater projects under the state aid grant program. **NHMA Policy.**
1:15 p.m. **SB 58**, relative to the authority of the department of state.

WEDNESDAY, JANUARY 25, 2017

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 101, LOB

10:10 a.m. **SB 55**, relative to backflow devices for water.

PUBLIC AND MUNICIPAL AFFAIRS, Room 102, LOB

9:00 a.m. **SB 72**, including certificates of deposit in the public deposit investment pool.

9:15 a.m. **SB 73**, relative to septic requirements in conversions to accessory dwellings.

WAYS AND MEANS, Room 100, SH

9:40 a.m. **SB 79**, relative to taxation of historic residential structures.

New 2017 House Bills

HB 503-LOCAL requires towns and cities to give notice to property owners when a revaluation affecting their properties is completed. Rep. Lewicke of Mason; **M&CG**.

HB 507 establishes a committee to study the responsibility of a person who makes drinking water non-potable by polluting it. Rep. Byron of Litchfield; **RR&D**.

HB 514 establishes qualifications for alternate members of an elected planning board. Rep. Valera of Windsor; **M&CG**.

HB 518 eliminates the cap on net metering, provides that each net metering tariff shall be equal to the average monthly wholesale energy rate as determined by ISO-New England, and allows a utility to charge a customer-generator for a connection to the grid. Rep. Barry of Merrimack; **ST&E**.

HB 520 prohibits collective bargaining agreements that require employees to join or contribute to a labor union. Rep. Hinch of Merrimack; **LABOR**.

HB 524 declares that when a member of a public body participates in a meeting other than by attendance in person, such participation shall not count toward a quorum of the membership. Rep. Hull of Grafton; **JUD-H**.

HB 525-FN removes the annual 4 percent reduction in stabilization grants made to certain municipalities and provides that the stabilization grant to a municipality in fiscal year 2018 shall be the same as in fiscal year 2017. Rep. Horn of Franklin; **EDUC-H**.

HB 528-FN establishes a municipal opioid reversal agent bulk purchase fund within the office of the state treasurer for the purpose of increasing access to opioid reversal agents for police, fire departments, and first responders. Rep. Massimilla of Littleton; **HHS&EA**.

HB 532-FN prohibits a person who desecrates a United States flag or New Hampshire flag from receiving financial assistance from the state of New Hampshire. Rep. L'Heureux of Merrimack; **HHS&EA**.

HB 534-FN requires the department of revenue administration to collect and report to cities and towns, and make publicly available, the amount of meals and room tax revenues collected in each city or town. Rep. Bean of Hampton; **W&M-H.**

HB 535 raises the total peak generating capacity for group net metering when the generator is a city or town. **NHMA Policy.** Rep. Murotake of Nashua; **ST&E.**

HB 539-FN-A-LOCAL requires the department of revenue administration to distribute a portion of the revenue collected from occupancies under the meals and rooms tax to each town or city in proportion to the amount of such taxes collected in the town or city. Rep. Tucker of Randolph; **W&M-H.**

HB 542-FN requires a retired member of the retirement system who becomes employed part-time with a retirement system employer to pay a fee to the retirement system. Rep. Proulx of Manchester; **ED&A-H.**

HB 543-FN provides that a retiree in the New Hampshire retirement system shall not hold part-time employment with the same employer for which the retired member was employed at the time of retirement. Rep. Danielson of Bedford; **ED&A-H.**

HB 547-FN establishes a program to recycle and dispose of electronic waste and requires manufacturers of certain electronic devices to register with the department of environmental services. Rep. Bixby of Dover; **ST&E.**

HB 548-FN changes the normal retirement age for non-vested and newly hired group I employees of retirement system employers to be the normal retirement age under the federal Social Security Act. Rep. Kurk of Weare; **ED&A-H.**

HB 551-FN regulates the use of cell site simulator devices and establishes a criminal penalty for misuse of such devices. Rep. Kurk of Weare; **CJ&PS.**

HB 552-FN requires the secretary of state to investigate letters of identity verification that are returned as undeliverable. Rep. Ohm of Nashua; **EL.**

HB 559-FN increases the amount that may be distributed from the energy efficiency fund to local governments from \$2 million to \$5 million and makes other changes to allocations from the fund. Rep. Richardson of Lancaster; **ST&E.**

HB 561-FN requires retirement system employers to make contributions based on the unfunded accrued liability and medical benefits employer share for retired members employed on a part-time basis and requires the retirement system to suspend a member's retirement allowance and assess a penalty on a retirement system employer for exceeding the limitations for part-time employment. Rep. Kurk of Weare; **ED&A-H.**

HB 564 requires that each member of a budget committee and each member of a school board in a school administrative unit are entitled to all necessary information to perform his or her duty. Rep. Weyler of Kingston; **M&CG.**

New 2017 Senate Bills

SB 47 authorizes the secretary of state to conduct investigations to determine whether election laws have been violated and to institute enforcement proceedings and impose penalties. Sen. Carson of Londonderry; **EL**.

SB 49 limits the department of environmental services' authority to deny a permit for a solid waste facility. Sen. Birdsell of Hampstead; **ENR**.

SB 55 clarifies the requirements for installing backflow devices in drinking water systems. Sen. Carson of Londonderry; **ED&A-S**.

SB 56-FN-A-LOCAL appropriates funds for additional adequate education grants to certain municipalities for costs incurred in the 2016 fiscal year. Sen. Birdsell of Hampstead; **F-S**.

SB 57-FN-A makes appropriations to the department of environmental services for the purposes of funding eligible drinking water and wastewater projects under the state aid grant programs. Sen. Bradley of Wolfeboro; **F-S**.

SB 58 exempts the office of the secretary of state from compliance with the biennial budget review process that applies to all state agencies and departments. Sen. D'Allesandro of Manchester; **F-S**.

SB 67 grants state police employees the authority to enforce motor vehicle laws and regulations relative to the transportation of hazardous materials on all state roads, including roads in cities and in towns having a population of more than 3,000. Sen. Bradley of Wolfeboro; **JUD-S**.

SB 72 allows town treasurers to deposit money into certificates of deposit offered through the public deposit investment pool. Sen. D'Allesandro of Manchester; **PMA**.

SB 73 defines single-family residence for purposes of approving plans for construction of sewage or waste disposal systems and provides that no additional load capacity shall be required when converting an existing bedroom to an accessory dwelling unit. Sen. Avard of Nashua; **PMA**.

SB 79 enables municipalities to reduce the assessed value of qualifying historic residential structures based on an analysis completed by an architectural historian. Sen. Carson of Londonderry; **W&M-S**.

SENATE FLOOR ACTION

Thursday, January 19, 2017

SB 11-FN, prohibiting collective bargaining agreements that require employees to join or contribute to a labor union. **Passed**.

SB 12-FN, repealing the licensing requirement for carrying a concealed pistol or revolver. **Passed**.

UPCOMING NHMA EVENTS

Please visit our [website](#) for upcoming NHMA events. See CALENDAR OF EVENTS on the left and click *View the Full Calendar*; scroll down to the event you are interested in to register (NHMA Members only).

January 30, 2017 NHMA Webinar: 2017 State Legislative Preview: Now What?

February 8, 2017 NHMA Webinar: Right-to-Know Law

February 11, 2017 Moderator's Workshop for Traditional Town Meeting

For more information, contact us by phone at 1-800-852-3358, Ext. 3350 or email us at NHMAregistrations@nhmunicipal.org