

# LEGISLATIVE BULLETIN

## Committee Votes to Restore State Retirement Contribution!

Bulletin 05, 2017 Session  
January 27, 2017

The House Executive Departments and Administration Committee heard testimony and voted Ought to Pass this week on [HB 413](#), the **NHMA policy bill** that would restore a portion (15%) of the state contribution toward the retirement costs of teachers, police and firefighters. While the vote was close (10-9), this is a huge step in the right direction for easing some of the financial pain felt at the local level since the contribution was eliminated in 2013. *We need every town and city to contact its representatives and urge them to support this bill.*

Committee members supporting the OTP motion noted that the committee is responsible for making a “policy” recommendation to the full House and, should the House support the policy recommendation, then the bill will go to the Finance Committee to deal with the financial aspects of the bill (*i.e.*, how to pay for it). Supporters also noted that the retirement contribution was a commitment the state had made to local governments as an incentive to join the retirement system, and that when the state retirement contribution was lowered from 35% to 30% in 2010, then to 25% in 2011, it was intended to just be a temporary measure to help the state weather the recession. NHMA provided the committee with a [graph](#) showing the employer rate increases from 2002 through 2019.

The fiscal note prepared by the New Hampshire Retirement System indicates that enactment of this bill would reduce local government (municipal, school, county and village district) retirement costs by an estimated \$40.8 million in fiscal year 2018 and \$42.1 million in fiscal year 2019. To determine what this bill might mean for each municipality, NHMA provided the committee with two lists (one for [teachers](#) and one for [police and fire](#)) prepared by the Legislative Budget Assistant’s Office showing the state retirement contribution attributed to each municipality from 2007 until 2013, when the contribution was repealed. The percentage of state contribution varied in those years, but the figures for 2011, which total \$44 million, are our best estimate of the retirement cost reduction each local government entity would experience if **HB 413** passed.

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**HB 413** has not yet been scheduled to go the full House, but with the extremely close committee vote, we expect some lively debate and a close vote in the House. It is very important that representatives hear from municipal officials about the importance of restoring a portion of the state retirement contribution for teachers, police and firefighters, and what that retirement cost reduction will mean to their property taxpaying constituents. ***Please contact your representatives and urge them to support the committee recommendation of OTP on HB 413***. Contact information for every House member is available [here](#). If you are not sure who your representative(s) is, use the “Who’s My Legislator?” tool available [here](#).

### **Committee Hears Utility Valuation Bill; May Vote Next Week**

In a packed committee room, the House Science, Technology & Energy Committee heard three hours of testimony this week on [HB 324](#), the bill that would strip municipalities of any authority to assess utility property, transfer that authority to one person at the Department of Revenue Administration, and result in tens of millions of dollars in lost property tax revenue for municipalities around the state. Selectmen, town managers and administrators, assessors, and legislators representing 17 municipalities testified against the bill, while many others submitted letters or signed in opposition.

We wrote about this bill at length in [Legislative Bulletin #3](#), and will not repeat ourselves here, other than to remind readers that there is an appeal before the New Hampshire Supreme Court on this very issue, which has been briefed and argued and is simply awaiting decision. Municipalities prevailed before the Board of Tax and Land Appeals, and the utilities appealed. Now, anticipating a loss in the supreme court, the utilities are asking the legislature to change the law—something it has always been loath to do while a court case is pending.

Predictably, one of the most often repeated points at this week’s hearing was that property taxes are a cost passed directly through to the ratepayers, so the utilities’ assessments should be lowered to help reduce electric rates. As we have noted many times in many contexts, there is no business in the state that could not make exactly the same point. Yes, we know that property taxes affect the prices of a company’s goods or services. Why not then exempt all businesses from paying property taxes?

Even assuming there were any validity to the argument, it would be persuasive only if the anticipated reduction in electric rates came anywhere close to offsetting the increase in all other taxpayers’ property tax bills. It will not. The president of the New Hampshire Electric Cooperative estimated that using the Department of Revenue Administration’s assessment numbers could lower the average customer’s electric bill by \$34 a year. That is a fraction of the property tax increase that most taxpayers in the affected municipalities would experience.

It was also suggested that some unscrupulous assessing consultants have convinced municipalities to hire them in order to “jack up” the utility property assessments. Perhaps one can look at it that way, but not without adding that those “jacked up” assessments have routinely been upheld in the courts and the Board of Tax and Land Appeals. And another way to look at it is that municipalities hire these consultants once they realize that they have been under-valuing the properties.

*(Utility Valuation Bill — Continued from Page 2)*

There is reason for optimism about killing the bill. We know that legislators have been flooded with letters, e-mails, and phone calls from their local officials, and it is working. At the hearing, one of the co-sponsors testified that, after hearing from local officials and others about the impact of the bill, he could no longer support it. We understand that at least one other co-sponsor is also backing away from it. But it is important to keep up the pressure.

The committee has scheduled a work session for next **Tuesday, January 31, at 10:00 a.m., in LOB Room 304**, and an executive session the same day at **2:45 p.m.** The committee may well vote on the bill at that executive session. If you have not already done so, ***please contact members of the [committee](#) and your own representatives*** to share your concerns about this bill. Please contact NHMA's government affairs staff if you have any questions.

### **Committee Votes Against Broadband Bill; House Votes Next**

By a 14-7 vote, the House Science, Technology & Energy Committee voted this week to recommend killing **[HB 191](#)**, the **NHMA policy bill** that would enable municipalities to issue bonds for broadband infrastructure. The arguments against the bill were the usual ones, and the same ones made at the hearing two weeks ago (see [Legislative Bulletin #3](#), page 4).

Before voting, several members recited the familiar argument that towns should not compete with private industry. As we have mentioned before, this is a curious argument, given that the reason for this bill is the industry's failure/refusal to provide service where it is needed. The industry is not competing—it is absent.

Nor is this “competition” a novel concept. When necessary, municipalities provide many services and facilities that *could* be provided by private industry, but are either unavailable or available only at excessive cost. Examples include ambulance service, parking facilities, water supply, solid waste disposal, road construction, bus service, libraries, and cemeteries. For that matter, while some businesses and individuals hire their own private security services, that does not eliminate the need for local police.

How is this different? Well, the only real difference is that in this case there is a powerful lobbying machine trying to prevent municipalities from providing a needed service.

Another recycled argument was that towns don't know anything about providing internet service, and therefore will go broke trying to do it. (And yet opponents are worried about the competition from towns. Go figure.) In support, they trotted out the false claim that “every place this has been tried, it's been a failure.” That bit of misinformation comes directly from the telecommunications lobbyists, who cite the same few cities every year—Burlington, Vermont; Groton, Connecticut; and Provo, Utah—intentionally failing to mention the scores of cities where such projects have been successful.

One member who opposed the bill said, “Sometimes the legislature just needs to act like an adult and tell people that something is stupid.” That prompted one of the bill's supporters to respond that he seemed to be suggesting a “nanny state” approach. Good point. What other “stupid” things should be prohibited? Smoking? Eating too much sugar? Driving without wearing a seatbelt?

*(Broadband Bill — Continued from Page 3)*

On the merits, this is a simple issue: the industry is not providing what people need, so towns want to do it. That is why this bill has a broad bipartisan coalition of sponsors and the strong support of many individuals, businesses, and municipalities.

The battle on this is not over. The bill will go to the full House next **Thursday, February 2**. An identical bill last year was defeated in the House by a 188-142 vote, which means that if 24 members had voted differently, the bill would have passed. That is not an impossible number to reach, especially given that there are so many new members this year. ***Please contact your legislators and urge them to vote down the committee's recommendation and support a subsequent motion of Ought to Pass.***

### **Committee Votes to Saddle Taxpayers with RTK Attorney Fees**

In a stunning move, the House Judiciary Committee voted 10-8 this week to recommend Ought to Pass on [HB 365](#), a bill that requires a public body or agency to pay the plaintiff's attorney fees if the plaintiff prevails in a claim under the Right-to-Know Law, even if the public body or agency had no reason to know that its conduct violated the law. The bill does not contain any reciprocal provision requiring the plaintiff to pay attorney fees if the defendant prevails.

Much of the discussion before the vote centered on the claimed difficulty in bringing suit under the law and the perceived inequality between the inexperienced plaintiff and the sophisticated town with its army of lawyers. As one member pointed out, however, the plaintiff is often a newspaper with plenty of experience and a large legal budget. One could also mention that there is a small band of self-appointed public advocates who spend their lives filing Right-to-Know lawsuits, and who consequently have far more experience with the law than most local officials and even many attorneys. To suggest that the playing field is always tilted in favor of the municipality is simply wrong.

Nevertheless, one committee member insisted that “the government should know the law.” We presume the reference to “the government” was to the ordinary citizen volunteers who constitute much of local government. They apparently are expected to “know the law” even when lawyers and judges do not. In several recent decisions that have run as long as 20 pages, the New Hampshire Supreme Court has recognized that the Right-to-Know Law was sufficiently unclear that the court had to review the law's legislative history and consider cases from other jurisdictions before announcing a new interpretation. Yet a majority of the Judiciary Committee believes the local selectmen, or planning board, or police chief, should be expected to “know the law.”

Another justification was that “towns have infinite resources.” That is true in the sense that towns can, in theory, raise taxes until every taxpayer has paid every dime he or she has. But it was surprising to hear a legislator suggest this as an acceptable option.

Five years ago, the Right-to-Know Law was amended to impose harsher penalties for violations. Since then, several changes have been made to make the law stricter, and more are under consideration. Any honest person would agree that compliance with the law has improved in recent years as local officials have become more familiar with it (primarily through NHMA's efforts); and the

courts already have the ability to award attorney fees in appropriate cases, as evidenced by a recent award of over \$200,000 against one town. Any honest person would also acknowledge that frivolous and excessive requests under the law have increased in recent years, burdening local officials and wasting taxpayer dollars. And yet, some legislators believe they need to keep tightening the screws on local government and taxpayers.

We believe this vote can be overturned on the House floor, if local officials let their representatives know how bad it is. The bill will not go to the full House next week, but probably will the following week, on **Thursday, February 9**. Please call your representatives before then and urge them to ***vote down the committee recommendation and kill HB 365.***

### Notice of Energy Facility Siting

The Senate Energy and Natural Resources Committee has a hearing next week on [SB 116](#), an **NHMA policy bill** requiring notice to municipalities of any application to the Site Evaluation Committee for a certificate to construct an energy facility (wind towers, pipeline, high-voltage transmission lines, *etc.*). The bill requires the applicant to notify any municipality in which the facility would be located or from which it would be visible or audible, at least 14 days before a public information session about the proposed facility. The bill also allows an opportunity for the governing bodies and residents of the affected municipalities to provide comments at a public hearing.

Under current law, the applicant is merely required to hold a public information session in each *county* where the proposed facility will be *located*, and publish notice of the hearing in a newspaper of general circulation in that county. So, if someone wanted to put a wind farm in, say, Londonderry (Rockingham County) that would have significant sight and noise impacts on neighboring Hudson (Hillsborough County), they could publish notice in the *Portsmouth Herald* and hold the public information session in Hampton, and it's possible that no one in Hudson would find out about it until it's too late.

The bill does not give municipalities any role in deciding whether a certificate should be issued or any ability to block a facility; it merely ensures that affected municipalities will know about a proposal early in the process.

The hearing is scheduled for **Tuesday, January 31, at 11:00 a.m., in State House Room 103.**

### Perambulation Issue Circles Back

On **Wednesday, February 1, at 9:45 a.m., in State House Room 102**, the Senate Public and Municipal Affairs Committee will hear testimony on [SB 171](#), an **NHMA policy bill** that would repeal the requirement for selectmen to perambulate town boundaries every seven years. This issue has come up repeatedly over the years, always in the House, but the bills to repeal the law have always been defeated. It's time to pass one.

Perambulation is a quaint New Hampshire tradition, and we are all for quaint New Hampshire traditions—but continuing to *require* something that long ago became archaic is just silly. Some towns

*(Perambulation — Continued from Page 5)*

still have hog reeves and fence viewers, but they are not required. Perambulation ought to be in the same category.

We can anticipate that several surveyors and other perambulation enthusiasts will show up to oppose the bill, pointing out that perambulation can uncover boundary errors and misplaced markers. No doubt it can, and if the bill passes, perambulation would still occur any time “the selectmen of any town deem it necessary that the town lines be perambulated or any marks and bounds renewed.” If no one deems it necessary, why do it?

As we have pointed out before, no other state requires perambulation. Only Massachusetts comes close, requiring that “the boundary markers of every town shall be located, the marks thereon renewed, and the year located marked upon the face thereof which bears the letter of the town locating its boundary, once every five years.” Somehow, the other 48 states have managed to avoid border wars without a perambulation requirement. Maybe New Hampshire can, too.

The good news is that **SB 171** has 13 Senate sponsors, so passage in that body seems a decent bet. We will keep you posted.

### State Aid Grants

The Senate Finance Committee held a hearing this week on **SB 57**, which would fund several wastewater treatment projects that were completed prior to July 1, 2013, when the state aid grant moratorium date of December 2008 was enacted. Committee members asked a few questions regarding funding needs beyond the specific projects in this bill, but also indicated that the state operating budget, rather than a separate bill such as this one, would be the more appropriate means to address these grants. This is similar to the view of the House Finance Committee which on Tuesday voted Inexpedient to Legislate on **HB 119**, dealing with 12 other projects, on the understanding that the issue would be addressed in the budget. We don’t disagree that these appropriations should be in the budget, and we will be watching to ensure that they are.

### More Retirement Bills

This week the House Executive Departments and Administration (ED&A) Committee held hearings on several retirement bills and voted on a few.

**HB 369**, extending the amortization period for employers to pay off the \$5 billion unfunded liability from 30 years to 40 years (thereby reducing employer rates in the short-term) was retained. The committee indicated that further review of the amortization period is warranted and would be an appropriate subject for the Decennial Commission to consider. The 17-member Decennial Commission, comprising legislators, investment experts, and a variety of retirement system stakeholders—including municipal and school representatives—will convene July 1, 2017, to review all aspects of the New Hampshire Retirement System (NHRS) and will issue a report by December 1, 2017, on recommendations for improvements to the system.

A number of people testified in opposition to **HB 542**, **HB 543**, and **HB 561**, dealing with limitations, fees or penalties for retirees returning to work in part-time positions for NHRS employers. Data provided by NHRS indicate that approximately 10 percent of retirees are working an average

of 20 hours per week in part-time positions for NHRS employers. NHMA believes that this issue is more a perception problem than a financial problem, particularly when a high-profile “double-dipper” makes headlines, and suggested that the Decennial Commission referred to above take an in-depth look at this issue and recommend appropriate policy changes if necessary. All three bills have been referred to the ED&A pension subcommittee for further consideration.

The committee voted 18-0 to recommend ITL on [HB 425](#), which would have raised the assumed rate of return on NHRS investment earnings from 7.25 per cent to 7.75 per cent. While this would have reduced employer contribution rates in the short term, it would have set the investment earnings assumption outside the range recommended by NHRS actuaries and investment advisors.

### **Semi-Trailers, Road Usage Fees and a Cash Balance Plan—Again**

Not surprisingly, there are several bills this session that are repeats of very similar bills addressed during the 2016 session:

[HB 579](#) deals with the registration of out-of-state semi-trailers by nongovernmental agents; it is similar to a proposal presented to the Senate last year as an amendment to HB 1271 ([amendment 1783](#)). [HB 579](#) sets up a process for non-governmental registration agents to register semi-trailers from out-of-state residents at a significant discount from what an in-state resident would pay. Concerns raised last year were that this process is designed to encourage residents from all over the country to violate their own state laws to register these trailers in New Hampshire. Our main concern was that this process entices residents to register their semi-trailers through these non-governmental registration agents with a potential loss of municipal revenue for those municipalities that register a significant number of semi-trailers. Municipalities that currently register a significant number of semi-travels should carefully review [HB 579](#) (which is slightly different from last year’s amendment to HB 1271) to determine the potential impact on municipal revenues. [HB 579](#) is scheduled for a hearing in the House Transportation Committee on **Wednesday, February 1, at 10:45 a.m., in LOB Room 203.**

[HB 621](#) proposes to establish a motor vehicle road usage fee to be collected at the time of annual registration; it is similar to HB 1602 from last session. [HB 621](#) attempts to address the declining trend in road toll (*i.e.*, gas tax) revenue due to more fuel-efficient vehicles. Fees would be set using the US Department of Environmental Services miles per gallon (MPG) data system. According to the fiscal note, estimated annual fees would range from \$7.70 for vehicles with 22.5 MPG to \$77.08 for vehicles with 50 MPG. Non-fuel vehicles would pay \$123.33 annually, while vehicles with less than 22.5 MPG would pay no fee. It is estimated that [HB 621](#) would bring in approximately \$12.3 million annually in additional highway fund revenue, which would result in an increase of \$1.4 million annually in highway block grant funding to municipalities. [HB 621](#) is scheduled for a hearing before the **House Ways and Means Committee on Wednesday, February 1, at 1:00 p.m., in LOB Room 202.**

[HB 631](#) proposes to change the New Hampshire Retirement System’s current defined benefit pension plan to a cash balance plan for all state employees hired after July 1, 2017, and for any local

government employees hired after the date the governing body elects to participate in the cash balance plan. This is similar to HB 556, which was introduced in the 2015 legislative session and retained during the 2016 session. The bill requires that both the employer and employee contribution rates for the cash balance plan be the same as the rates required to be paid into the defined benefit plan. A hearing on **HB 631** is scheduled in the House Executive Departments and Administration Committee on **Wednesday, February 1, at 11:15 a.m., in LOB Room 306.**

## **HOUSE CALENDAR**

### **TUESDAY, JANUARY 31, 2017**

#### **CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB**

10:30 a.m. **HB 643-FN-A**, mandating the wearing of body cameras by certain law enforcement officers.

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

1:00 p.m. **HB 593-FN**, granting group II retirement system status to certain positions in the department of corrections.

1:45 p.m. **HB 421-FN**, relative to revocation of retirement and other benefits for persons convicted of certain crimes while in public service.

3:00 p.m. **HB 599-FN**, establishing the office of ombudsman in the department of state.

#### **JUDICIARY, Room 208, LOB**

10:30 a.m. **HB 617-FN**, relative to jury trials for imposition of fines in zoning violations.

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

10:20 a.m. **HB 491-L**, relative to default budgets.

10:40 a.m. **HB 495**, relative to amendments to warrant articles.

11:00 a.m. **HB 514**, relative to alternate members of an elected planning board.

11:20 a.m. **HB 564**, relative to information available to members of school boards or budget committees.

11:40 a.m. **HB 568-FN**, relative to the taxability of lease interests in public property.

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

10:15 a.m. **HB 582-FN-A**, relative to public bathing facilities.

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

11:00 a.m. **HB 559-FN**, relative to expenditures from the energy efficiency fund.

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

1:30 p.m. **HB 566-FN-L**, repealing the community revitalization tax relief incentive.

### **WEDNESDAY, FEBRUARY 1, 2017**

#### **CRIMINAL JUSTICE AND PUBLIC SAFETY**

##### **Representatives Hall**

10:00 a.m. **SB 12-FN**, repealing the licensing requirement for carrying a concealed pistol or revolver.



**ELECTION LAW, Room 308, LOB**

- 10:30 a.m.      **HB 320**, relative to procedures for apportioning electoral districts.  
11:00 a.m.      **HB 459**, relative to challenged voter affidavits.

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

- 10:00 a.m.      **HB 624**, relative to group II vested deferred retirements, the age of dependents in the retiree health plan, and retired judges' participation in the retiree health plan.  
11:15 a.m.      **HB 631-FN**, establishing a cash balance pension plan for new hires and non-vested employees.

**JUDICIARY, Room 208, LOB**

- 1:30 p.m.      **HB 614-FN**, relative to forfeiture of personal property.

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

- 10:00 a.m.      **HB 325**, permitting certain towns to appoint a town clerk. **NHMA Policy**.  
10:20 a.m.      **HB 437**, relative to the authority of municipal law enforcement officers.  
10:40 a.m.      **HB 481**, relative to the use of small capacity, light weight plastic bags by retailers.  
11:00 a.m.      **HB 483**, prohibiting the issuance of a summons or warrant for failure to license a dog.  
11:20 a.m.      **HB 565-FN-L**, relative to collection of delinquent property tax payments by manufactured housing owners.

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

- 10:00 a.m.      **HB 393-FN**, relative to the Winnepesaukee river basin control program reserve account.

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

- 9:00 a.m.      **HB 462**, relative to rules of the site evaluation committee.

**TRANSPORTATION, Room 203, LOB**

- 10:00 a.m.      **HB 570-FN**, relative to car and truck rental agency fleet vehicle registration.  
10:45 a.m.      **HB 579-FN**, relative to registration of semi-trailers.  
2:30 p.m.      **HB 598-FN-L**, relative to voluntary registration of motor vehicles.

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

- 9:30 a.m.      **HB 534-FN**, relative to reporting of meals and rooms tax revenue by the department of revenue administration.  
10:30 a.m.      **HB 644-FN-A-L**, extending the interest and dividends tax to capital gains, increasing exemptions from the tax, and providing for retirement system contributions on behalf of employers other than the state.  
1:00 p.m.      **HB 621-FN-A-L**, establishing a road usage fee and making an appropriation therefor.

**TUESDAY, FEBRUARY 7, 2017**

**SCIENCE, TECHNOLOGY AND ENERGY, Representatives Hall**

- 10:00 a.m.      **HB 592-FN**, repealing the regional greenhouse gas initiative.

**WEDNESDAY, FEBRUARY 8, 2017**

**LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Representatives Hall**

- 10:00 a.m.      **SB 11-FN**, prohibiting collective bargaining agreements that require employees to join or contribute to a labor union.  
10:05 a.m.      **HB 520**, relative to right to work.

## SENATE CALENDAR

### TUESDAY, JANUARY 31, 2017

#### ELECTION LAW AND INTERNAL AFFAIRS, Room 102, LOB

9:00 a.m. **SB 109**, authorizing a moderator to conduct a verification count of machine-counted ballots.

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

10:20 a.m. **SB 117-FN**, establishing the stormwater management and flood resilience fund within the department of environmental services.

11:00 a.m. **SB 116**, requiring notice to affected municipalities of energy facility siting. **NHMA Policy.**

#### TRANSPORTATION, Room 103, LOB

1:00 p.m. **SB 178-FN**, relative to motor vehicle registration transfer credits.

1:40 p.m. **SB 180-FN**, including low digit number plates as vanity plates.

### WEDNESDAY, FEBRUARY 1, 2017

#### PUBLIC AND MUNICIPAL AFFAIRS, Room 102, LOB

9:00 a.m. **SB 80**, relative to implementation of the all veterans' tax credit.  
**and proposed amendment #2017-0142s** (Amendment title: relative to implementation of the all veterans' tax credit, and relative to applications for recovery from the FRM victims' contribution recovery fund.)

9:30 a.m. **SB 168**, relative to increasing the maximum amount of the optional veterans tax credit.

9:45 a.m. **SB 171-L**, relative to the perambulation of towns. **NHMA Policy.**

10:15 a.m. **SB 174-L**, relative to municipal parking surcharges and parking maintenance and operations.

10:45 a.m. **SB 173**, relative to the use of accessory dwelling units.

#### WAYS AND MEANS, Room 100, SH

9:40 a.m. **SB 182**, relative to meals and rooms tax annual revenue reporting by the department of revenue administration.

10:00 a.m. **SB 186**, establishing a committee to study the tax characterization of stormwater utility fees.

### THURSDAY, FEBRUARY 2, 2017

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

2:00 p.m. **SB 124**, establishing a commission to study municipal regulation and incentives for solar energy.

### **New 2017 House Bills**

HB 462 requires the site evaluation committee to amend certain adopted rules. Rep. Harrington of Strafford; **ST&E.**

HB 565-FN-LOCAL allows towns and cities to adopt a program for the collection of delinquent payments and a requirement for subsequent year's escrow for property taxes on manufactured housing. Rep. Abbott of Hinsdale; **M&CG.**

HB 566-FN-LOCAL repeals the provisions of RSA 79-E, the community revitalization tax relief incentive program. Rep. Bean of Hampton; **W&M-H.**

HB 567-FN repeals the exemption from property taxes for the appraised value of water and air pollution control facilities. Rep. Bean of Hampton; **W&M-H**.

HB 568-FN clarifies the taxability of lease interests in public property and allows for political subdivisions to adopt an exemption from the taxability requirement for land leased exclusively for agriculture. Rep. Almy of Lebanon; **M&CG**.

HB 570-FN provides that motor vehicles in rental fleets of car and truck rental businesses shall pay a state registration fee of 1/3 of regular motor vehicle registrations. Rep. Spillane of Deerfield; **TRANS-H**.

HB 573-FN limits the exemption from property taxation granted to charitable nonprofit hospitals to apply only to the main campus of the hospital. Rep. Murphy of Bedford; **W&M-H**.

HB 577-FN establishes additional restrictions on the use of number plate scanning devices. Rep. McGuire of Epsom; **TRANS-H**.

HB 579-FN authorizes registration of semi-trailers through nongovernmental agents of the department of safety, authorizes multiyear semi-trailer registrations, provides discounts on fees for semi-trailer registrations, and allows registrations through the agents by nonresidents for semi-trailers not garaged exclusively in this state. Rep. Pearl of Loudon; **TRANS-H**.

HB 582-FN-A requires the department of environmental service to make rules regarding inspection, licensing, and fees for public bathing facilities, and establishes fees for applying for a public bathing facility license. Rep. Suzanne Smith of Hebron; **RR&D**.

HB 585-FN-LOCAL prohibits the introduction of fluoride into the drinking water of the state. Rep. Fraser of New Hampton; **M&CG**.

HB 588-FN requires a voter who does not present a valid photo identification to vote by provisional ballot. Rep. Testerman of Franklin; **EL**.

HB 592-FN repeals the regional greenhouse gas initiative. Rep. Harrington of Strafford; **ST&E**.

HB 593-FN grants group II status to certain positions in the department of corrections. Rep. Cushing of Hampton; **ED&A-H**.

HB 598-FN-LOCAL requires the division of motor vehicles to give automobile owners a decal and identification card that states the holder is exempt from registering his or her car under the Uniform Commercial Code. Rep. Marple of Hooksett; **TRANS-H**.

HB 599-FN establishes the office of ombudsman in the department of state. Rep. Itse of Fremont; **ED&A-H**.

HB 614-FN limits the conditions under which seized property may be transferred to a federal agency. Rep. Sylvia of Belmont; **JUD-H**.

*(House Bills — Continued from Page 11)*

HB 616-FN-LOCAL requires persons executing election affidavits to provide proof of qualifications within 10 days. Rep. Bates of Windham; **EL**.

HB 617-FN grants the right to a jury trial for a person charged with planning and zoning violations. Rep. Brewster of Pittsfield; **JUD-H**.

HB 621-FN-A-LOCAL establishes a road usage fee for motor vehicles based on the equivalent miles per gallon of the vehicle, to be collected at the time of annual registration of the vehicle and deposited in a separate restricted road usage account within the highway fund. Rep. Major of Plaistow; **W&M-H**.

HB 622-FN-LOCAL allows all voters to vote by absentee ballot and allows any eligible person to register to vote using the absentee registration process. Rep. Read of Newmarket; **EL**.

HB 625-FN-LOCAL makes the day of the state primary election and the day of state general election legal holidays of the state. Rep. Read of Newmarket; **ED&A-H**.

HB 631-FN establishes a cash balance pension plan for retirement system members who begin service with the state on or after July 1, 2017. Rep. Kurk of Weare; **ED&A-H**.

HB 634-FN-A repeals the penalty assessment on criminal offenses. Rep. Brewster of Pittsfield; **CJ&PS**.

HB 638-FN-LOCAL repeals the New Hampshire health protection program. Rep. Hoell of Dunbarton; **HHS&EA**.

HB 639 limits the use of affidavits to prove qualifications to vote to persons registering to vote at the polling place on election day and eliminates separate voter registration forms for persons registering at the polling place. Rep. Bates of Windham; **EL**.

HB 642-FN eliminates election day voter registration, requires voter registration by 30 days before the election, requires that a voter be registered as a member of a party prior to the date of the primary in order to be eligible to vote in that party's primary, and makes several other changes relative to voter registration. Rep. Silber of Gilford; **EL**.

HB 643-FN-A requires a law enforcement officer to wear a body-worn camera if the officer is the subject of a substantiated complaint based on the officer's conduct while in the line of duty and raises the penalty assessment imposed for criminal offenses by 3 percent. Rep. Dyer of Pelham; **CJ&PS**.

HB 644-FN-A-LOCAL extends the interest and dividends tax to capital gains, increases exemptions for the tax, and makes state contributions to retirement system costs for employers other than the state. **Includes NHMA Policy**. Rep. Ames of Jaffrey; **W&M-H**.

HB 648-FN establishes requirements for van-only parking spaces for persons with disabilities. Rep. O'Brien of Nashua; **TRANS-H**.

*(House Bills— Continued from Page 12)*

HB 654-FN allows a lodging marketplace to be licensed by the department of revenue administration to collect meals and rooms taxes on behalf of vacation and short-term rentals and limits the authority of municipalities to regulate vacation and short-term rentals. Rep. Ohm of Nashua; **COM-H**.

HB 655-FN-A-LOCAL establishes a local option sales tax, administered by the department of revenue administration, with local revenue to be used to reduce the amount raised by property taxes to fund appropriations. Rep. Gauthier of Claremont; **W&M-H**.

### **New 2017 Senate Bills**

SB 3 modifies the definition of domicile for voting purposes. Sen. Birdsell of Hampstead; **EL&IA**.

SB 80 allows a town or city adopting the all veterans' tax credit against property taxes to phase in the amount over 3 years. Sen. Watters of Dover; **PMA**.

SB 83-FN-LOCAL establishes a state minimum wage. Sen. Soucy of Manchester; **COM-S**.

SB 90-FN raises the minimum contribution rate to the unemployment compensation fund. Sen. Feltes of Concord; **COM-S**.

SB 106 expands the definition of domicile for voting purposes and requires that a voter be a resident of the state for at least 13 days. Sen. Gannon of Sandown; **EL&IA**.

SB 107 establishes an independent legislative redistricting commission to prepare a plan of apportionment of representative and senatorial districts following each decennial census. **NHMA Policy**. Sen. Lasky of Nashua; **EL&IA**.

SB 108 provides absentee ballot applicants with the option to provide a phone number and an email address. Sen. Soucy of Manchester; **EL&IA**.

SB 109 authorizes a moderator to conduct a verification count of machine-counted ballots. Sen. Fuller Clark of Portsmouth; **EL&IA**.

SB 113 authorizes a trial of electronic poll book devices for voter registration and check-in. **NHMA Policy**. Sen. Lasky of Nashua; **EL&IA**.

SB 116 requires applicants for an energy facility certificate to give notice to affected municipalities. **NHMA Policy**. Sen. Ward of Stoddard; **ENR**.

SB 117-FN establishes the stormwater management and flood resilience fund within the department of environmental services. Sen. Watters of Dover; **ENR**.

SB 121 requires the department of environmental services to send the MS4 list to the environmental protection agency. Sen. Sanborn of Bedford; **ENR**.

SB 124 establishes a commission to study municipal regulation and incentives for solar energy. Sen. Fuller Clark of Portsmouth; **ENR**.

SB 135-FN allows for the regulation of electrical installations done without compensation, authorizes voluntary inspection fees and identification of inspectors, and updates the National Electrical Code in the state building code. Sen. D'Allesandro of Manchester; **ED&A-S**.

SB 136 eliminates the land use board, requires approval of federal land acquisitions by the governor and executive council, and requires the commissioner of the department of resources and economic development to issue a certificate of compliance with the approval process before land may be sold or transferred to the federal government. Sen. Giuda of Warren; **ED&A-S**.

SB 140 establishes terms for the retirement system's independent investment committee members and requires one member to be an active member trustee. Sen. Soucy of Manchester; **ED&A-S**.

SB 168 allows towns and cities to adopt an increased amount of the optional veterans' tax credit. Sen. Gannon of Sandown; **PMA**.

SB 169 modifies the definitions of agriculture and agritourism. Sen. Giuda of Warren; **PMA**.

SB 170 permits municipalities to issue bonds for the purpose of providing or expanding broadband infrastructure. **NHMA Policy**. Sen. Kahn of Keene; **PMA**.

SB 171-LOCAL repeals the requirement that selectmen perambulate the lines between towns every 7 years. **NHMA Policy**. Sen. Watters of Dover; **PMA**.

SB 172-FN requires that no dam located on residential property shall be declared a menace unless the local governing body of a municipality where such dam is located votes to declare it such. Sen. Sanborn of Bedford; **PMA**.

SB 173 provides that accessory dwelling units may not be used as short-term rentals. Sen. Fuller Clark of Portsmouth; **PMA**.

SB 174-LOCAL expands the provisions pertaining to a municipality's plan for public parking facilities to include the repair of existing parking facilities. Sen. Feltes of Concord; **PMA**.

SB 178-FN allows a refund for a vehicle registration transfer which shortens the registration period. Sen. Fuller Clark of Portsmouth; **TRANS-S**.

SB 180-FN includes low digit number plates as vanity plates. Sen. Feltes of Concord; **TRANS-S**.

SB 182 requires the department of revenue administration to collect and report to cities and towns the amount of meals and room tax revenues collected in the city or town. Sen. Kahn of Keene; **W&M-S**.

SB 185 allows municipalities to adopt a program for tax and other relief for coastal properties subject to storm surge, sea level rise, and extreme precipitation, under the community revitalization tax relief program. Sen. Watters of Dover; **W&M-S**.

*(Senate Bills — Continued from Page 14)*

SB 186 establishes a committee to study the tax characterization of stormwater utility fees. Sen. Watters of Dover; **W&M-S**.

SB 187 modifies the description of vehicles using special fuel on which the supplier has prepaid the road toll fees and repeals the provision entitling diplomats to a refund of the road toll. Sen. Feltes of Concord; **W&M-S**.

### **HOUSE FLOOR ACTION**

Thursday, January 26, 2017

**HB 178**, establishing a commission to study processes to resolve right-to-know complaints. **Passed with Amendment.**

**HB 183**, establishing a commission to study costs of requests for information under the right-to-know law. **Inexpedient to Legislate.**

### **Upcoming Events for NHMA Members**

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.

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

February 8, 2017      NHMA Webinar: Right-to-Know Law: Open to the Public—  
A Primer on Public Meetings

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](mailto:NHMAregistrations@nhmunicipal.org)