

LEGISLATIVE BULLETIN

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INSIDE THIS ISSUE:

<i>NHMA Policy Bills Keep Moving</i>	2
<i>Sprinkler Bill Passes</i>	3
<i>House Calendar</i>	3
<i>House Floor Action</i>	4
<i>Senate Floor Action</i>	4

The Last Round

Yesterday was the deadline for the House and Senate to act on all bills remaining in their possession. Over the next week, committees of conference will be established to address bills that have passed the two chambers in different forms. Those committees will be meeting between now and June 20, which is the deadline for them to reach agreement. Once agreed on, a committee of conference report goes separately to the House and Senate, each of which must approve the committee's recommendation or the bill dies. The deadline for both houses to act on committee of conference reports (and thus the last day of the legislative session—barring unforeseen problems) is Thursday, June 27.

As of this writing, only a few committee of conference meetings have been scheduled, but many more will be scheduled in the next few days. Information about the membership and meeting schedules for the committees can be found [here](#), but please understand that meetings are often adjourned and rescheduled on short notice, so this site does not always have the most current information.

We do not plan to publish a *Legislative Bulletin* next week, but may issue a Legislative Alert if necessary to address issues that arise during the committees of conference. Our next *Bulletin* will be published on Friday, June 21.

Senate Adopts Budget

On Thursday the Senate voted 13-11 along party lines to adopt **HB 1** and **HB 2**, the biennial state operating budget and trailer bill, as recommended by the Senate Finance Committee. (See [Legislative Bulletin # 24](#) for the municipal budget items recommended by that committee). Most of the Senate debate on the budget consisted of floor amendments proposing to increase revenue estimates to support additional funding for social service programs, acceptance of federal funds for Medicaid expansion, and elimination of "back of the budget" reductions to state agency personnel costs. None of those floor amendments garnered support from a majority of the senators.

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Senate Adopts Budget - continued

The next step in the budget process will be the committee of conference phase, which begins next week. House and Senate conferees will deliberate the different revenue and spending priorities in the two versions of the budget and negotiate a final proposal by June 20, the deadline to sign the committee of conference report. As this budget process comes down to the wire, we will be monitoring the committee of conference activity closely and will alert members if your assistance is needed.

Policy Bills Keep Moving

Five NHMA policy bills saw legislative action this week. The Senate concurred with House amendments on the following three bills, which will go next to the Governor for action:

- **SB 11**, authorizing municipalities to establish water and sewer utility districts
- **SB 49**, modifying the procedure for appealing planning board decisions to the zoning board of adjustment and the superior court
- **SB 197**, authorizing towns with the official ballot referendum (SB 2) form of town meeting to adopt a default budget for water and sewer articles.

Meanwhile, the House requested committees of conference on two bills amended by the Senate, both dealing with election issues:

HB 183 repeals the requirement that processing of absentee ballots at state and municipal elections begin at 1:00 p.m. Both the House and the Senate versions allow processing to begin two hours after the polls open, but the Senate version adds a requirement that the moderator post, *at three public places*, notice of the time at which processing of absentee ballots will begin. That is an unnecessary requirement and should be eliminated.

In addition, the House version repeals the provision that requires the moderator to postpone the processing of absentee ballots until after the polls close upon the written challenge of ten or more voters; the Senate version leaves that requirement in place. This provision allows a small number of voters to disrupt and delay the election process for no legitimate reason, and it also should be eliminated.

While either version of **HB 183** is a vast improvement over existing law, the House version is better, and we urge the Senate to accept it.

HB 595 is the bill that modifies the voter identification law enacted last year. As we have reported several times, the House version repeals “phase 2” of the law, which is currently scheduled to take effect on September 1 of this year, while the Senate version leaves it intact but delays the effective date until 2015. The Senate version also allows fewer forms of identification during the period that phase 1 remains in effect.

Policy Bills - continued

It is critical that the legislature pass some form of this bill that, at the very least, prevents phase 2 from taking effect this year. It is fairly clear that very few people, in either party or in either chamber, believe phase 2 will ever be a good idea. For that reason, we encourage the committee to recommend repealing phase 2 altogether, and then consider a compromise on the acceptable forms of ID.

Sprinkler Bill Passes

The House this week concurred with a Senate amendment to **HB 278**, which amends the law adopted two years ago regarding the installation of fire suppression sprinklers in one- and two-family residences. The 2011 law prohibits a planning board from “requir[ing], or adopt[ing] any regulation requiring, the installation of a fire suppression sprinkler system in proposed one- or 2-family residences as a condition of approval for a local permit.”

That law led to a dilemma. If a planning board believed that a proposed subdivision created fire safety issues that could be addressed only by sprinklers, its only apparent option was to deny the application. Even if the applicant offered to install sprinklers as a condition of approval, it was unclear whether the planning board could accept that offer, because enforcement of the condition appeared to be illegal.

HB 278 addresses that problem by adding the following sentence: “Nothing in this paragraph shall prevent an applicant from offering to install fire suppression sprinkler systems in proposed one- or 2-family residences and, if the planning board accepts such offer, the installation of such systems shall be required and shall be enforceable as a condition of the approval.” The bill also allows the applicant, subsequent to approval, to substitute another means of fire protection if the planning board approves the substitution.

HOUSE CALENDAR

TUESDAY, JUNE 11

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. Subcommittee work session on retained **HB 422**, relative to the adoption, revision, and amendment of municipal charters.

FRIDAY, JUNE 14

ASSESSING STANDARDS BOARD (RSA 21-J:14-a), Department of Revenue Administration, 109 Pleasant Street, Concord

9:30 a.m. Regular meeting.

SENATE CALENDAR

There are no hearings on bills of municipal interest.



HOUSE FLOOR ACTION

Wednesday, June 5, 2013

SB 14, relative to the rulemaking authority of and administrative fine authority for the department of resources and economic development. **Passed. NHMA Policy.**

SB 90, establishing a committee to study developing a policy for veteran preference for government hiring. **Passed with Amendment.**

SB 99-FN, requiring the site evaluation committee to direct a study of site evaluation criteria and establishing a committee to study the criteria for siting of wind powered electric generating facilities, other electric generating facilities, and transmission facilities. **Passed with Amendment.**

SB 123-FN-L, relative to the use of proceeds from the regional greenhouse gas initiative program. **Passed with Amendment.**

SB 124-FN, establishing an integrated land development permit. **Passed with Amendment.**

SB 146-FN-L, relative to aid to the permanently and totally disabled and old age assistance. **Passed.**

SB 192-FN-L, establishing a committee to study the establishment of a state infrastructure bank. **Passed.**



SENATE FLOOR ACTION

Thursday, June 6, 2013

HB 1-A, making appropriations for the expenses of certain departments of the state for fiscal years ending June 30, 2014 and June 30, 2015. **Passed with Amendment. NHMA Policy.**

HB 2-FN-A-L, relative to state fees, funds, revenues, and expenditures. **Passed with Amendment. NHMA Policy.**

HB 25-FN-A, making appropriations for capital improvements. **Passed with Amendment.**

HB 124-FN, relative to the determination of gainful occupation for a group II member receiving an accidental disability retirement allowance from the retirement system, and relative to the director and assistant director of the division of homeland security and emergency management in the department of safety. **Passed.**

Senate Floor Action - continued

HB 295-FN, requiring criminal background checks for volunteers and employees at youth skill camps. **Passed.**

HB 357, prohibiting an employer from using credit history in employment decisions. **Passed with Amendment.**

HB 414, relative to privacy in the workplace. **Passed with Amendment.**

HB 518, relative to establishing an individual's status as a veteran and specifying that training for active duty is service for purposes of the veterans' tax credit. **Passed with Amendment.**