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INSIDE THIS ISSUE:

<i>Consultation with Counsel Under RTK</i>	2
<i>Gas Tax Repeal</i>	3
<i>Moratorium on State Aid Grants</i>	4
<i>Alternative Pension Plan</i>	5
<i>Restoring State Aid Grants</i>	5
<i>Definition of Default Budget</i>	6
<i>Part-Time Retiree Employment</i>	7
<i>Flood Control Funding</i>	7
<i>House Calendar</i>	8
<i>Senate Calendar, New Bills</i>	11
<i>NHMA Webinar</i>	17
<i>Moderators Workshop</i>	18

Corporate Welfare, Part 1

The legislature has an opportunity this year to close one of the biggest and most objectionable tax loopholes in New Hampshire law. Next **Tuesday, February 3, at 11:00 a.m., in LOB Room 301**, the House Municipal and County Government Committee will hear testimony on **HB 547, an NHMA policy bill** that would end the so-called “pollution control” exemption. This exemption not only redistributes wealth from thousands of local property taxpayers to a few big businesses, it is currently sucking \$3.5 million a year out of the state’s budget.

Under RSA 72:12-a, a property owner who installs equipment for “reducing, controlling, or eliminating any source of air or water pollution” may have the value of the equipment exempted from local property taxation. This is a state-mandated exemption; the municipality has no say. The exemption dates from the 1950s and was enacted to encourage businesses to install pollution control equipment voluntarily.

Obviously, much has changed since the 1950s, and pollution control is no longer a voluntary matter—it is mandated by state and federal law. Of the companies that currently get the exemption—most of which are big utilities, like PSNH and NextEra—almost all installed their pollution control equipment not to be good corporate citizens, but to comply with legal requirements. Thus, they are getting a property tax exemption for doing something they are legally required to do. That is crazy. It is like getting paid—by other taxpayers!—to obey the speed limit, or to dispose of trash properly.

Recognizing that the exemption actually does nothing to control pollution, its defenders instead justify it as an economic development imperative. The exemption, they say, must be preserved because it attracts and retains businesses. If the exemption is repealed, these businesses might leave the state.

Hooey. For one thing, we’re not sure how NextEra and PSNH would move their power plants, or where they would take them if they could. Beyond that, giving local taxpayers’ money to businesses to bring them

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Corporate Welfare - continued

to New Hampshire or keep them here is bad policy. It is simply wrong to take money from property owners for the benefit of for-profit businesses.

Further, if we're going to attract businesses through tax exemptions, why tie the exemption to pollution control equipment? Why not exempt every business in the state from property taxes? One of the arguments used to support the exemption is that if the utilities have to pay taxes on these properties, the cost will get passed along to ratepayers. Of course, that is how business works. No doubt the restaurant and the grocery store and the dry cleaner could all charge lower prices if they didn't have to pay property taxes, but no one seriously suggests that they should be exempt. What is the difference?

Finally, if the state wants to pay companies to come here or stay here, that's the state's business—but it shouldn't force cities and towns to subsidize them. This is another example of the state's downshifting its priorities to local taxpayers.

Many legislators come to Concord pledging to reduce taxes for ordinary citizens, and politicians of all persuasions agree that closing tax loopholes for special interests is a good place to start. Here is an opportunity for legislators to deliver on their promises. If taxpayers knew about this exemption, they would be outraged.

Even if legislators don't care about local taxpayers, there is one more reason to support the repeal. Utility property that qualifies for this exemption is also exempt from the statewide utility property tax. According to the Department of Revenue Administration, plugging this hole would **increase state revenues by over \$3.5 million per year**. That would provide an excellent start toward reducing the state's budget deficit.

Please contact your representatives and members of the [committee](#) and urge them to support HB 224.

Hearing on Legal Consultations Under Right-to-Know Law

The House Judiciary Committee will hear testimony next week on **HB 285, an NHMA policy bill** that would significantly enhance the ability of local boards to discuss confidential legal matters.

Under the Right-to-Know Law, a public body's consultation with its legal counsel is excluded from the definition of a "meeting" and therefore is not required to comply with the law's open-meeting requirements. Until a few years ago, some officials interpreted the "consultation with legal counsel" exception to include a discussion of legal counsel's written advice, even if the attorney was not present.

In 2011, however, the New Hampshire Supreme Court rejected that interpretation. In *Ettinger v. Madison Planning Board*, the court held that a board had violated the law

RTK Law - continued

when it met in private to discuss written legal advice from its attorney, without the attorney present. The court ruled that a “consultation with legal counsel” occurs only when the board’s attorney is present and participating in the discussion. If the attorney is not present, the board must hold its discussion in public.

This leaves local officials with a dilemma: they can either pay their attorney to travel and meet with them, or discuss the attorney’s advice at a public meeting. (A third option, holding an illegal private meeting, is not encouraged.) Discussing the advice in public obviously is not an option, so it really is a Hobson’s choice. If the board wants to discuss legal advice, it must pay the attorney to attend the meeting so members can have the same discussion they could have had in his or her absence.

This is great for lawyers, but no one else. The public’s right to know what its government is doing is not advanced in any way, and municipalities are forced to incur needless legal bills. The law is especially burdensome for small, rural towns whose lawyer might have to drive two hours or more to get to their meetings.

HB 285 would fix this by allowing public bodies to discuss written legal advice without holding a public meeting. The language of the bill is not as clear as it might be, and we will suggest an amendment, but the intent is good.

We know this has been an issue with a number of municipalities, but *your legislators need to hear about it from you*. We can expect this bill to be opposed by a few vocal activists who always oppose any effort to make the law less burdensome. Please contact your legislators and members of the [Judiciary Committee](#) and urge them to **support HB 285**. The hearing before the Judiciary Committee is scheduled for **Tuesday, February 3, at 11:00 a.m., in LOB Room 208**.

Road Toll (a.k.a. Gas Tax) Repeal

On **Tuesday, February 3, 2015 at 10:45 a.m. in LOB room 201**, the House Public Works and Highways Committee will hear testimony on **HB 591**, which proposes to repeal the road toll increase that was enacted last year in **SB 367**.

This 4.2-cent increase, which took effect on July 1, 2014, is projected to raise an additional \$33 million per year, of which 12 percent or approximately \$4 million in additional highway block grant funding will go to municipalities each fiscal year beginning July 1, 2015. Here are the preliminary [estimates by municipality](#) of the additional highway block grant funding that will be provided from 2016 through 2033. This road toll increase also **doubled** the amount of funding for municipal bridge aid, helping to reduce the decade-long waiting period for state assistance toward the costs of repairing or replacing municipal red listed bridges.

As you may recall, this 4.2 cent increase is per gallon of gasoline sold, and is not related to the actual price of gas. With the price of gas dropping as significantly as it has since last July, one might expect to see legislation proposing to increase the

Road Toll - continued

road toll again this year to address continued highway infrastructure needs, rather than a bill to repeal last year's legislation!

NHMA's member-adopted policy supported the increase in the road toll and continues to support the provision of adequate funding for highway improvements. Members of the [House Public Works and Highways Committee](#) need to hear that municipalities continue to support the road toll increase enacted last year, and how important the additional funding will be to your community. Repealing the road toll increase without an alternative proposal to pay for highway infrastructure improvements makes absolutely no sense. **Contact committee members and urge them to vote inexpedient to legislate (ITL) on HB 591.**

Repeal Moratorium on State Aid Grants

The House Resources, Recreation and Development Committee will hear testimony next week on [HB 511](#), an **NHMA policy bill** that seeks to unwind two provisions adopted by the legislature in HB 2, the trailer bill, of the 2014-2015 biennial state budget: (1) a moratorium on funding any new infrastructure projects that did not have local financing authorization by December 31, 2008; and (2) a restriction on the Department of Environmental Services from maintaining an infrastructure project list as it relates to state aid grants under RSA 486, RSA 486-A, or RSA 149-M.

HB 511 repeals the moratorium, requires DES to report to the legislature a list of current eligible and completed drinking water and wastewater infrastructure projects by November 1, 2015, and further requires DES to report a 10-year budget funding projection of infrastructure projects to the legislature by November 1, 2016.

This issue with this moratorium is simple. According to the SB 60 Commission Final Report issued in November 2013, substantial investment (approximately \$2.9 billion dollars over the next decade) is needed to maintain or make necessary improvements to municipal wastewater and stormwater systems, public drinking water systems, and municipal and state-owned dams. The commission found that investment by the state in water infrastructure is as important to New Hampshire's future as investment in areas such as transportation infrastructure. Recognizing the significant public benefits to a strong economy and healthy environment, lifting the moratorium on the local-state funding partnership for New Hampshire's municipal water infrastructure is an absolute necessity.

The hearing on **HB 511** is scheduled for **Tuesday, February 3, at 10:30 a.m., in LOB Room 305.**

Alternative Pension Plan for New Hires

The House Special Committee on Public Employee Pension Plans will hear testimony on Monday on **HB 556**, which proposes establishing a cash balance pension plan for all New Hampshire Retirement System members hired on or after July 1, 2015. A cash balance pension plan combines elements of both a defined benefit plan and a defined contribution plan. The bill requires contributions from both employees (at 7.5% of compensation) and employers (at 2.5% of compensation). Rather than guaranteeing a specific monthly benefit amount at the time of retirement like the current defined benefit plan, a cash balance plan guarantees the percent of interest that will be credited to the employee's individual pension account. Under the current defined benefit plan, employers bear all the risk of financing the amount needed to pay the required benefits to each employee. Theoretically, under a cash balance plan, the pension risk is shared by both the employer and the employee: the employer bears the risk of meeting the required interest amount, while the employee bears the risk of having to live on their accumulated pension savings.

NHMA's policy position supports the continued existence of a retirement system for state and local government employees that is strong, secure, solvent, fiscally healthy and sustainable, and on which both employees and employers can rely to provide retirement benefits for the foreseeable future. Our policy also supports participation in discussions on alternative pension plans, and complete financial analysis of any alternative plan proposal in order to determine the full impact on employees and employers.

The hearing on **HB 556** is scheduled for **Monday, February 2, 2015, at 10:00 a.m., in LOB Room 204.**

Supporters Rally to Restore State Aid Grants

On Thursday over 25 municipal officials and other supporters assembled at the House Finance Committee to testify in support of [HB 376](#), an **NHMA policy bill** that seeks to restore funding for the environmental state aid grant (SAG) program.

Historically, the legislature has supported municipal wastewater, public drinking water, and landfill closure projects through the SAG program administered by the New Hampshire Department of Environmental Services (DES). This program allows municipalities to receive state assistance of 20 to 30 percent toward principal and interest payments on eligible and completed water infrastructure projects.

HB 376 calls for an appropriation of approximately \$16.6 million to honor these state infrastructure obligations, which represents slightly over \$9.0 million in fiscal year 2016 and \$7.6 million in fiscal year 2017. The appropriation in **HB 376** merely fulfills the state's statutory responsibility to share in the cost of these projects.

Municipal officials from Exeter, Manchester, Keene, Portsmouth, Conway, Jaffrey, Peterborough, Laconia and Newmarket all testified in support of **HB 376**, while others from Nashua, Auburn, and Candia attended to show their support, and written testimony was offered from Hanover, Wolfeboro, Conway Village Fire District,

State Aid Grants - continued

Amherst, and Lee. Others such as Granite State Rural Water Association and Pen-nichuck Water also offered oral or written testimony in support of the bill. No one opposed it.

NHMA wishes to thank all our members, legislators, and others for their support on **HB 376**.

Most of these infrastructure investments are required by federal and/or state law, and cities and towns will continue to expend significant monies in the future to comply with regulations under the federal Clean Water Act and the Safe Drinking Water Act. Several members, including officials from Portsmouth, Exeter and Newmarket, discussed the need to maintain this program to offset future costs for new wastewater treatment plants in the Seacoast region to meet new nitrogen discharge limits imposed by the EPA.

CONTACT GOVERNOR HASSAN

Restoration of these grants is consistent with the state's statutory obligations under RSA 486, 486-A, and 149-M. We ask every member affected by the SAG issue to **contact Governor Hassan and respectfully request that she include these funds in her budget**, so that the state can honor these statutory obligations.

By Email:

[Email the Governor](#)

By Telephone:

(603) 271.2121

By FAX:

(603) 271.7640

It is very important that you keep NHMA staff informed about your actions. Please let NHMA's Tim Fortier know of your outreach efforts to Governor Hassan at governmentaffairs@nhmunicipal.org. **Members, this is your time for action. Governor Hassan needs to hear from you TODAY.**

Default Budget Bill Meddles in Local Decision Making

The House Municipal and County Government Committee will hear testimony next week on a bill that represents a dangerous attempt to interfere in local budget decisions. **HB 524** would redefine the "default budget" in official ballot referendum (SB 2) towns as "not more than 98 percent of the actual expenditures for the same appropriations for the previous year," subject to the same adjustments allowed under current law.

Default Budget - continued

The official ballot form of town meeting allows voters to vote on all warrant articles, including the proposed operating budget, by written ballot. If the voters fail to adopt an operating budget, there needs to be a backup plan—hence the “default budget.” Under current law, the default budget is the same amount as the previous year’s operating, subject to certain adjustments. This provision was included in the law as a necessary fail-safe, but it was never intended to establish an agenda for increasing or decreasing local budgets.

HB 524 would change that and codify a belief that town budgets should be constantly ratcheted down. If voters, or legislators, want to pursue that agenda at their own town meetings, that is fine, but they should not be seeking to dictate budgets in *other* towns. If some legislators want to set every town’s default budget at 98 percent, what’s to prevent others from trying to set it at 102 percent? Will town budgets become a political football to be debated and adjusted every year in the state legislature?

We believe the legislature has enough work to manage its own budget. It does not need to be debating whether town budgets should be 98 or 100 or 102 percent of last year’s budget. The hearing on this bill is scheduled for **Thursday, February 5, at 2:00 p.m., in LOB Room 301**. Please ask members of the committee and your own representatives to oppose **HB 524**.

Part-Time Employment of NHRS Retirees

HB 396 has a hearing before the House Executive Departments and Administration Committee on **Tuesday, February 3, 2015 at 10:00 a.m., in LOB Room 306**. This bill appears to make a simple and reasonable change to the law prohibiting New Hampshire Retirement System (NHRS) retirees from working more than 32 hours per week for an NHRS employer. In place of the 32-hour per week limit, the bill proposes a limit of 1,664 hours in any 12-month period, which is equivalent to 32 hours for 52 weeks. This would eliminate the need to make “exceptions” to the 32-hour limit for situations involving seasonal or temporary workers such as extra police needed for Motorcycle Week, or extra personnel needed during a state of emergency.

Flood Control Funding for 2013

On Thursday, the House Finance Committee heard testimony in support from several municipal officials on **HB 176**, which seeks an appropriation of \$542,672 to reimburse municipalities in the Merrimack and Connecticut Rivers flood control compacts for payments-in-lieu-of-taxes that were not funded in 2013. Division I of the Finance Committee is scheduled to hold a work session on this bill on **Tuesday, February 3, 2015 at 9:30 a.m. in LOB Room 212**.

HOUSE CALENDAR

Joint House/Senate Meetings Are Listed Under This Section

MONDAY, FEBRUARY 2

FINANCE, Room 210-211, LOB

- 1:30 p.m. **HB 463**, relative to state agency communications.
 2:00 p.m. **HB 534**, relative to the duties of the housing finance authority.

SPECIAL COMMITTEE ON PUBLIC EMPLOYEE PENSION PLANS, Room 204, LOB

- 10:00 a.m. **HB 556** establishing a cash balance plan for public employees in the retirement system.

WAYS AND MEANS, Room 202, LOB

- 9:30 a.m. **HB 576-FN-A**, repealing the provision allowing operators to retain 3 percent of meals and rooms taxes collected and continually appropriating 3 percent of meals and rooms tax revenues to school building aid.
 10:30 a.m. **HB 634-FN-A**, relative to applying the interest and dividends tax to trusts, increasing exemptions, and extending the tax to capital gains; and relative to homeowners property tax relief.
 1:00 p.m. **HB 623-FN**, providing property tax relief for taxpayers for the property tax year beginning April 1, 2016.

TUESDAY, FEBRUARY 3

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 204, LOB

- 1:00 p.m. **HB 492**, relative to military and historic reenactments and commemorations.

EDUCATION, Room 207, LOB

- 10:30 a.m. **HB 562-FN-L**, repealing the limitation on the total education grant distributed to a municipality in a fiscal year and reducing the stabilization grants to certain municipalities.

ELECTION LAW, Room 308, LOB

- 10:00 a.m. **CACR 11**, Relating to voting at elections. Providing that the general court may authorize all voters to choose to vote by absentee ballot.
 10:20 a.m. **CACR 12**, Relating to qualifications for public office. Providing that no person shall be qualified for any elective office unless previously residing in and having as domicile a place within the limits of the district for which the candidate is seeking office for no less than the term of the office sought.
 11:15 a.m. **HB 406**, relative to the date of the state primary election.
 11:30 a.m. **HB 432**, relative to counting votes.
 1:00 p.m. **HB 493**, relative to minimum voting booths for city or town elections.
 1:15 p.m. **HB 502**, relative to petitions for verification of checklists.
 2:00 p.m. **HB 530-FN-A**, authorizing a trial program for electronic voter check-in.

House Calendar - continued**TUESDAY, FEBRUARY 3 (continued)****EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 306, LOB**

10:00 a.m. **HB 396-FN**, relative to part-time employment by retirees in the New Hampshire retirement system.

JUDICIARY, Room 208, LOB

11:00 a.m. **HB 285**, relative to discussion with legal counsel under the right-to-know law. **NHMA Policy.**

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

10:00 a.m. **HB 313**, relative to municipal elections.

10:30 a.m. **HB 155**, relative to municipal contracts for police chief.

11:00 a.m. **HB 224-FN**, repealing the exemption for water and air pollution control facilities from local property taxation. **NHMA Policy.**

1:00 p.m. **HB 572-FN-L**, relative to taking land by eminent domain for high pressure gas pipelines and requiring payment of the land use change tax when land is taken by eminent domain to build energy infrastructure.

1:45 p.m. **HB 639-FN-L**, repealing the resident tax, relative to tax collection under RSA 80, and establishing a legislative commissioner to revise RSA 80 governing the collection and enforcement of taxes.

PUBLIC WORKS AND HIGHWAYS, Room 210, LOB

10:15 a.m. **HB 619-FN-L**, establishing noise barrier programs and making an appropriation therefor.

10:45 a.m. **HB 591-FN-A-L**, relative to the road toll rate and eliminating a capital appropriation for highway projects. **NHMA Policy to Oppose.**

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

10:30 a.m. **HB 511**, relative to funding of eligible infrastructure projects. **NHMA Policy.**

TRANSPORTATION, Room 203, LOB

11:00 a.m. **HB 414-FN**, relative to idling by commuter rail locomotives.

THURSDAY, FEBRUARY 5**ELECTION LAW, Room 308, LOB**

9:30 a.m. **HB 652-FN**, relative to undeclared voters.

9:45 a.m. **HB 659-FN-L**, allowing all voters to vote by absentee ballot.

10:30 a.m. **HB 627-FN**, relative to registering to vote.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

8:30 a.m. **HB 229**, relative to increasing the maximum amount of the optional veterans tax credit.

8:50 a.m. **HB 430**, relative to extending the veterans' property tax credit to all honorably discharged veterans.

9:10 a.m. **HB 501**, allowing municipalities to grant a veterans property tax credit to residents who served not less than one year active duty in the armed forces.

House Calendar - continued**THURSDAY, FEBRUARY 5 (continued)****MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB (continued)**

- 9:30 a.m. **HB 348**, allowing municipalities to adopt a property tax credit for elderly homeowners for the extent their tax bill exceeds 10 percent of income.
- 9:45 a.m. **HB 444-L**, exempting certain long-term residents from local school taxes.
- 10:00 a.m. **HB 368** relative to third party review required by the planning board.
- 10:15 a.m. **HB 397** relative to the duties of public servants.
- 10:30 a.m. **HB 199** relative to tax relief information contained on a property tax bill.
- 10:40 a.m. **HB 464** establishing the fishing family protection act, prohibiting political subdivisions from interfering with commercial and recreational operations of fishing families.
- 11:00 a.m. **HB 205-L** relative to lending practices of energy efficiency and clean energy districts.
- 11:15 a.m. **HB 257** relative to amending municipal charters.
- 1:00 p.m. **HB 339**, relative to transfer station income.
- 1:20 p.m. **HB 250**, relative to requirements for perambulation of town lines.
- 1:40 p.m. **HB 407**, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market.
- 2:00 p.m. **HB 524-FN-L**, relative to the calculation of default budgets.
- 2:20 p.m. **HB 546**, relative to exactions for improvements related to innovative land use controls.
- 2:40 p.m. **HB 662-FN-L**, relative to property taxes paid by chartered public schools leasing property.

MONDAY, FEBRUARY 9**WAYS AND MEANS, Room 202, LOB**

- 9:30 a.m. Continued public hearing on **HB 258-FN-L**, relative to fees for preparing motor vehicle registration documents.
- 10:00 a.m. **CACR 2**, Relating to dedicated funds. Providing that funds shall be used solely for the purpose of the fund.
- 2:00 p.m. **HB 222-FN**, exempting certain homeowners over 80 years of age from the statewide education tax.

TUESDAY, FEBRUARY 10**LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB**

- 11:00 a.m. **HB 496-FN-L**, prohibiting public employers from using criminal history in employment decisions.

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

- 1:00 p.m. **HB 349**, relative to state buffers for projects requiring wetland permits.

SENATE CALENDAR

TUESDAY, FEBRUARY 3

TRANSPORTATION, Room 103, LOB

1:15 p.m. **SB 231**, relative to the month of inspection for municipal fleets.

WEDNESDAY, FEBRUARY 4

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 101, LOB

9:20 a.m. **SB 129-FN**, allowing retired members of the retirement system to change an optional allowance election in certain circumstances.

9:40 a.m. **SB 191-FN**, relative to use of the state's procurement card services.

PUBLIC AND MUNICIPAL AFFAIRS, Room 102, LOB

9:00 a.m. **SB 146**, relative to accessory dwelling units.

9:45 a.m. **SB 143**, relative to defining phased development.

10:15 a.m. **SB 175**, relative to the regulation of blighted property.

10:35 a.m. **SB 141**, relative to powers of the zoning board of adjustment.

THURSDAY, FEBRUARY 5

COMMERCE, Room 100, SH

1:20 p.m. **SB 106-FN**, restricting the sale or possession of synthetic drugs.

2:00 p.m. **SB 156-FN**, prohibiting discrimination against employees who are victims of domestic violence, sexual assault, or stalking.

FINANCE, Room 103, SH

2:00 p.m. **SB 13**, relative to the disposition of dedicated funds.

TUESDAY, FEBRUARY 10

TRANSPORTATION, Room 103, LOB

1:45 p.m. **SB 230-FN-L**, relative to speed limits on state roads that are seasonally congested by pedestrian and bicycle traffic.

NEW BILLS

House Bills

[HB 501](#) allows municipalities to extend the veterans property tax credit to residents who served for a period determined by the city or town of at least one year active duty in the armed forces, without a requirement of having served in a qualifying war or armed conflict. Rep. Cheney of Dover; **M&CG**.

[HB 502](#) lengthens the time period during which voters may petition for verification of checklists. Rep. Cheney of Dover; **EL**.

New Bills - continued

[HB 510](#) establishes a commission to study the regulation of pawnbrokers, secondhand dealers, and junk or scrap metal dealers. Rep. Williams of Wilton; **ED&A-H**.

[HB 511](#) repeals a moratorium on the department of environmental services' maintaining a list of infrastructure projects eligible for state aid grants. Rep. Schroadter of Newmarket; **RR&D. NHMA Policy**.

[HB 512](#) inserts specific penalty provisions to be applied against a law enforcement officer who confiscates a firearm, firearm accessory, ammunition, or ammunition component during a declared state of emergency. Rep. LeBreche of Belmont; **CJ&PS**.

[HB 524-FN-LOCAL](#) defines the default budget in official ballot referendum towns as 98 percent of the previous year's actual expenditures for the same appropriations, subject to currently allowed adjustments. Rep. F. McCarthy of Conway; **M&CG**.

[HB 530-FN-A](#) authorizes a trial program for electronic voter check-in. Rep. Gray of Rochester; **EL**.

[HB 533](#) provides that arc-fault circuit-interrupter protection shall not be required in new residential construction. Rep. Groen of Rochester; **ED&A-H**.

[HB 534](#) requires the housing finance authority to disclose all terms and conditions associated with grants or loans made to municipalities. Rep. Flanagan of Brookline; **F-H**.

[HB 546](#) authorizes the assessment of exactions for improvements according to a fee schedule under the innovative land use controls law and authorizes a municipality to establish an advisory committee for such purposes. Rep. Abramson of Seabrook; **M&CG**.

[HB 547](#) exempts telecommunications poles and conduits from property taxation. Rep. C. McGuire of Epsom; **W&M-H. NHMA Policy to Oppose**.

[HB 556-FN-LOCAL](#) establishes a cash balance pension plan for all New Hampshire retirement system members hired on or after July 1, 2015. Rep. Kurk of Weare; **Special Committee on Public Employee Pension Plans**.

[HB 562](#) reduces the amount of a municipality's education funding stabilization grant, limits the circumstances under which a municipality would receive a stabilization grant, and repeals the limit on the total education grant distributed to a municipality. Rep. Bates of Windham; **EDUC-H**.

New Bills - continued

[HB 568-FN](#) requires a supervisory law enforcement officer to arrest a law enforcement officer when the supervisor knows that the law enforcement officer has committed a criminal offense. Rep. Tasker of Northwood; **CJ&PS**.

[HB 572-FN-LOCAL](#) allows a residential owner option when land is taken by a utility for a high pressure gas pipeline and requires payment of the land use change tax when land is taken by eminent domain to build energy infrastructure. Rep. J. Belanger of Hollis; **M&CG**.

[HB 574-FN](#) eliminates regional greenhouse gas initiative distributions to residential electric ratepayers from the sale of allowance. Rep. Borden of New Castle; **ST&E**.

[HB 576-FN-A](#) repeals the provision allowing operators to retain 3 percent of meals and rooms taxes collected and continually appropriates 3 percent of meals and rooms tax revenues to school building aid. Rep. Cahill of Newmarket; **W&M-H**.

[HB 582-FN](#) increases the length of time for which a license to carry a pistol or revolver is valid and repeals the requirement to obtain a license to carry a concealed pistol or revolver. Rep. Comtois of Barnstead; **CJ&PS**.

[HB 585-FN-A](#) establishes a penalty assessment for violation of alcoholic beverage laws and eliminates payments to counties and towns from fines for violation of alcoholic beverage laws. Rep. Cushing of Hampton; **CJ&PS**.

[HB 586-FN-LOCAL](#) authorizes registration of automobile utility trailers through nongovernmental agents of the department of safety, and provides discounts on fees for multiyear registrations and exempts registrations processed by the agents from municipal fees. Rep. Hill of Northfield; **TRANS-H**.

[HB 588-FN-A-LOCAL](#) extends the Coos county job creation tax credit to Carroll county. Rep. F. McCarthy of Conway; **W&M-H**.

[HB 590-FN](#) expands the grounds for charging a public servant with official oppression and provides for removal from office upon conviction, with no right to appeal. Rep. L. Christiansen of Hudson; **CJ&PS**.

[HB 591-FN-A-LOCAL](#) repeals the 2014 increase in the road toll. Rep. Spillane of Deerfield; **PW**.

[HB 596-FN-LOCAL](#) prohibits the state or any political subdivision from offering its employees any health care plan subject to the excise tax under the Patient Protection and Affordable Care Act unless the extra expense arising from the tax is borne by the plan participants. Rep. Murphy of Bedford; **COM-H**.

[HB 600-FN](#) requires employers to provide paid sick leave for employees. Rep. Giles of Concord; **LABOR**.

New Bills - continued

[HB 602-FN](#) regulates the use of drones by government agencies and individuals. Rep. Kurk of Weare; **ED&A-H**.

[HB 606-FN-LOCAL](#) provides that a public body or agency shall not charge a fee under the right-to-know law to inspect records filed electronically. Rep. Bickford of New Durham; **JUD-H**.

[HB 607](#) provides that fees for issuing a concealed carry license shall be for the use of the city or town issuing the license, rather than for the police department. Rep. Bickford of New Durham; **M&CG**.

[HB 613](#) exempts names and addresses contained in license applications from disclosure under the right-to-know law. Rep. Sad of Walpole; **JUD-H**.

[HB 619-FN-LOCAL](#) establishes two programs for the construction of noise barriers on existing highways and allows a municipality to request a noise barrier upon funding 20 percent of the cost. Rep. Murphy of Bedford; **PW**.

[HB 623-FN](#) reduces the amount of statewide education property taxes for the property tax year beginning April 1, 2016 by \$1.4 million, with the reduction to be funded by tobacco taxes and tobacco settlement funds. Rep. Brewster of Barnstead; **W&M-H**.

[HB 627-FN](#) eliminates election day voter registration and enacts provisions of the National Voter Registration Act. Rep. Marston of Manchester; **EL**.

[HB 633-FN](#) establishes a right-to-know grievance commission and requires the posting of notice and an agenda at least 72 hours before a public meeting held pursuant to the right-to-know law. Rep. Weyler of Kingston; **JUD-H**.

[HB 634-FN-A](#) applies the interest and dividends tax to trusts, increases exemptions for the tax, extends the interest and dividends tax to capital gains, increases the eligibility levels for the low and moderate income homeowners property tax relief, requires property tax bills to include information about the low and moderate income tax relief program, and provides for revenue sharing payments of approximately \$25 million per year to municipalities. Rep. Ames of Jaffrey; **W&M-H**.

[HB 636-FN](#) recodifies RSA 617, relative to the forfeiture of personal property. Rep. D. McGuire of Epsom; **CJ&PS**.

[HB 639-FN-LOCAL](#) repeals the resident tax, adds a definition of tax collector, repeals certain fees authorized to be assessed by tax collectors under RSA 80, and establishes a legislative commission to revise RSA 80 governing the collection and enforcement of taxes. Rep. Ulery of Hudson; **M&CG**.

New Bills - continued

[HB 640-FN](#) establishes the crime of criminal coercion and provides that any public official who engages in criminal coercion shall be “ipso facto” removed from office. Rep. Marple of Hooksett; **CJ&PS**.

[HB 643-FN](#) allows the department of health and human services to recover certain lottery winnings where the winner has received public assistance. Rep. Beaudoin of Rochester; **W&M-H**.

[HB 646-FN-LOCAL](#) allows public bodies or agencies to charge for the costs of retrieval of public records under the right-to-know law under certain circumstances. Rep. P. Long of Manchester; **JUD-H. NHMA Policy**.

[HB 652-FN](#) allows undeclared voters to vote at primaries without registering as members of a party and makes various changes relating to undeclared voters on the checklist. Rep. Hansberry of Nashua; **EL**.

[HB 656-FN-LOCAL](#) declares that a public body or agency shall not charge a fee to view a public record either in-house or online. Rep. Leeman of Rochester; **JUD-H**.

[HB 658-FN](#) prohibits collective bargaining agreements that require employees to join or pay dues or fees to a labor union. Rep. Baldasaro of Londonderry; **LABOR**.

[HB 659-FN-LOCAL](#) allows all voters to vote by absentee ballot regardless of whether they will be absent on election day. Rep. Rogers of Concord; **EL**.

[HB 660-FN](#) exempts small farms and farmstands from certain laws, including building codes. Rep. Comtois of Barnstead; **E&A**.

[HB 662-FN-LOCAL](#) requires a municipality to refund the pro rata share of property taxes paid by a chartered public school pursuant to a lease of property from a non-exempt owner. Rep. Williams of Wilton; **M&CG**.

[HB 667-FN](#) authorizes the department of environmental services to develop a mechanism for containing an aquatic invasive plants infestation in a waterbody and authorizes the department of environmental services to inspect certain boats for the presence of aquatic invasive species. Rep. Spang of Durham; **RR&D**.

[HB 669-FN-LOCAL](#) requires law enforcement agencies to report on the receipt of certain equipment and grants from the federal government and on the deployment of tactical teams. Rep. Sylvia of Belmont; **CJ&PS**.

[HB 679-FN](#) establishes a 5-year tax deferral from certain state taxes for the expansion of natural gas distribution systems and allows municipalities to adopt a 5-year deferral for local property taxes. Rep. Shattuck of Hillsborough; **W&M-H**.

New Bills - continued

[HB 680-FN-LOCAL](#) establishes the rate of the statewide education tax at \$8 per 1,000 of the value of taxable property, transfers the authority to collect the tax to the department of revenue administration, establishes a homestead exemption from the education property tax for the first \$250,000 of assessed value of homestead property, and requires an annual transfer of \$150,000,000 from the education trust fund to the general fund. Rep. Shattuck of Hillsborough; **W&M-H**.

[HB 681-FN-A](#) increases the marriage license fee. Rep. Cushing of Hampton; **COM-H**.

[HB 682-FN](#) grants group II status to certain positions in the department of corrections. Rep. Cushing of Hampton; **ED&A-H**.

[HB 683-FN](#) requires precious metals dealers to be licensed by the municipality and have a permanent place of business. Rep. Williams of Wilton; **COM-H**.

[HB 684-FN](#) increases the state minimum wage. Rep. Cilley of Barrington; **LABOR**.

[HB 685-FN](#) prohibits a state agency, state employee, or political subdivision from enforcing any federal law regarding a firearm, firearm accessory, or ammunition. Rep. Hoell of Bow; **CJ&PS**.

[HB 686-FN-A](#) establishes a single payer health care system for New Hampshire. Rep. McNamara of Hillsborough; **COM-H**.

Senate Bills

[SB 105](#) revises the indoor smoking act. Sen. Pierce of Hanover; **HHS**.

[SB 106](#) prohibits the sale, use, or possession of synthetic drugs in the state. Sen. Kelly of Keene; **COM-S**.

[SB 213](#) distributes an additional one percent of the net income from the meals and rooms tax to towns and cities in proportion to the amount collected within each town or city. Sen. Stiles of Hampton; **W&M-S**.

[SB 227](#) makes various changes to the method of calculating, distributing, and reporting education grants to municipalities, and repeals the provisions relating to differentiated aid. Sen. Stiles of Hampton; **EDUC-S**.

New Bills - continued

[SB 228-FN-LOCAL](#) increases the amount of the total education grant that may be distributed to a municipality, repeals the limit on total education grants distributed to municipalities, increases funding for pupils attending full-day kindergarten programs, and reduces stabilization grants to municipalities that have less than the state average number of pupils receiving a free or reduced price lunch. Sen. Waters of Dover; **EDUC-S**.

[SB 231](#) allows the director of the division of motor vehicles to set a one-time inspection date for municipal fleet vehicles, which shall be valid for 6 months. Sen. Stiles of Hampton; **TRANS-S**.

NHMA Webinar

NHMA Webinar: Local Regulation of Agriculture

Event Date: February 11, 2015
Time: 12:00 PM - 1:00 PM

Join Staff Attorneys Stephen Buckley and Margaret Byrnes to explore and discuss local regulation of agriculture. We will discuss statutory protections afforded agricultural uses, creation and powers of Agricultural Commissions, master plans and planning for agricultural uses, regulation of roadside farms stands as commercial vs. agricultural uses, and the importance of off-premise signs for local farms. We will also discuss whether agricultural uses require greater flexibility through site plan review by the planning board, and the manner of regulating and taxing agricultural structures, such as greenhouses.

This webinar is open to members of the NH Municipal Association and is of interest to planning boards, zoning boards, building inspectors, health officers, land use coordinators, and zoning administrators.

REGISTER TODAY!

2015 Town & School Moderators Workshops

SB 2 Meeting

Saturday, January 17

(Snow date: Saturday, January 24)

Traditional Meeting

Saturday, February 21

(Snow date: Saturday, February 28)

9 a.m.—12:30 p.m. 25 Triangle Park Drive, Concord, NH

Cost: \$40

Registration and continental breakfast begin at 8:30 a.m.

Attendees will receive a copy of NHMA's 2014 edition Town Meeting and School Meeting Handbook and a copy of the 2015 supplement.

Topics include:

The Basic Law of Town, Village District and School District Meeting

Statutes governing the moderator's duties at town, village district and school district meetings will be discussed along with issues related to warrant articles, the operating budget, secret ballot voting and other town meeting issues. These topics will be addressed in two concurrent sessions tailored for new and experienced moderators. Ample time will be devoted to questions and answers.

Strategies for Running a Smooth Meeting

Moderators are faced with a challenging task: keeping meetings focused and fair to all participants, while effectively facilitating the flow of debate. This session will highlight suggested strategies for running respectful and efficient meetings.

Sample Scenarios

A series of sample scenarios will help attendees prepare for a wide range of meeting challenges.



Register online at www.nhmunicipal.org under CALENDAR OF EVENTS. Online pre-registration required one week prior to each date. *Space is limited.*

Questions? Call 800.852.3358, ext. 3350 or email NHMAregistrations@nhmunicipal.org