

LEGISLATIVE BULLETIN

NHMA Webinar

2016 State Legislative Preview: What’s All the Excitement About?

Staff and officials from NHMA member municipalities are invited to join us on **Monday, January 11, from noon to 1:00 p.m.** for a webinar presentation highlighting the bills and issues that will be of importance to municipalities during this legislative session, along with suggestions on how best to connect with legislators to get your municipal vote heard! [Register here](#) by **9:30 a.m. on Monday.**

Also, please note that the webinar that was scheduled for this past Wednesday, “Makes Your City or Town ‘Election Ready’ in 2016,” has been rescheduled to next **Wednesday, January 13, from noon to 1:00 p.m.** [Register here](#) by noon on **Tuesday, January 12.**

Hearings Begin Next Week!

House and Senate committees begin hearings on new bills next week. There is a **huge** number of hearings on municipal bills, and it is impossible to comment on all of them here. The following articles describe some of the more important bills of municipal interest that are scheduled for hearings. Please see the House and Senate calendars later in this *Bulletin* for a full listing.

State Aid Grant Funding

The House Finance Committee will hear testimony next week on [HB 1428](#), an **NHMA policy bill** dealing with funding for specific water and wastewater projects currently on the Department of Environmental Services delayed and deferred list. These are all projects that received financing approval from their legislative bodies (town meetings or city councils) prior to December 30, 2008 (the effective date of the state aid grant moratorium), with the understanding that state grants would be available to pay at least 20 percent, and in some cases 30 percent, of the annual debt

Bulletin #3, 2016 Session
January 8, 2016

INSIDE THIS ISSUE

- The Edge 2
- Pollution Control Exemption .. 2
- Bill Marginalizes Clerks..... 3
- Local Hotel Occupancy Fee..... 3
- Municipal Transportation Fee 4
- Uber Vs. Municipalities..... 4
- Agritourism 5
- Cash Balance Pension Plan 6
- Accessory Dwelling Units..... 6
- House and Senate Calendars... 6
- New Bills..... 9
- House/Senate Floor Action..... 12
- Workshops/Webinars 14

GOVERNMENT AFFAIRS CONTACT INFORMATION

- Judy A. Silva**, Executive Director
- Cordell A. Johnston**, Government Affairs Counsel
- Barbara T. Reid**, Government Finance Advisor
- Timothy W. Fortier**, Communications & Member Services Coordinator



25 Triangle Park Dr., Concord NH 03301
Tel: 603.224.7447, Fax: 603.415.3090
EM: governmentaffairs@nhmunicipal.org
Website: www.nhmunicipal.org

(State Aid Grant—Continued from Page 1)

on those projects. However, grant money for those projects was *not* included in the state’s 2016-2017 operating budget enacted last year. The hearing on **HB 1428** is scheduled for **1:00 p.m. on Wednesday, January 13, in LOB Room 210**. Officials from the affected municipalities are urged to contact [Finance Committee members](#) about the need for the state to honor its financial commitments for water and wastewater infrastructure.

Committee Will Hear Pollution Control Exemption Bill

Yes, it’s back. On **Tuesday, January 12, at 1:00 p.m., in LOB Room 301**, the House Municipal and County Government Committee will hear testimony on [HB 1427](#), relative to the pollution control exemption under RSA 72:12-a. Unlike a bill that was killed last year, which would have repealed the exemption entirely, **HB 1427** would merely suspend the exemption until June 30, 2017. But there’s more.

At the local level, the pollution control exemption does not reduce total revenue; rather, it raises tax rates for all taxpayers by reducing the tax bills for multi-billion-dollar corporations. At the *state* level, however, it *does* reduce revenue, by over \$3.5 million per year. This is because the exemption is applied to the statewide utility property tax, which is imposed at a flat rate of \$6.60 per thousand dollars of value. An exemption from the utility property tax does not change the rate of the tax; it reduces the amount of revenue raised.

Under **HB 1427**, the state revenue recovered from suspending the exemption would be appropriated to the Department of Environmental Services to fund state grants to municipalities for the acquisition and construction of water pollution control facilities under RSA 486:1. The bill specifically directs funding to 74 projects in **30 cities and towns** around the state. Please check [the text of the bill](#) to see whether your municipality is among those that would receive funding.

The bill thus advances two important **NHMA policies**: eliminating (temporarily) the taxpayer-funded corporate welfare under RSA 72:12-a and funding state aid grants for water and wastewater facilities. It would benefit taxpayers not only in those municipalities that host property subject to the exemption, but in many others as well, including almost all of the largest cities and towns.

We know legislators are tired of this issue. They could make it go away by doing what they know is the right thing: end this corporate welfare scheme and cast a vote for the taxpayers of New Hampshire by **supporting HB 1427**. Although the bill is only a temporary measure, it is certainly a step in the right direction.

THE EDGE

Where can I find my legislator’s voting record?

With state elections coming up in 2016, maybe you want to know how your representatives and/or your senator have voted on issues that matter to you. How can you find out?

Well, it’s complicated. Finding the roll call vote on a specific bill is easy enough—find the bill on the legislature’s website and click on “roll calls”—but finding out how a legislator voted on every bill that had a roll call vote takes a little more work. Here’s how:

From the legislature’s [home page](#), go to the [House’s home page](#) either by clicking on “House of Representatives” on the left side of the page, or by clicking on the picture on the House of Representatives Dash Board. Near the top of that page, click on “Roll Call Votes” to go to the [roll call search page](#). Choose the House or the Senate, highlight the year you’re interested in, and click on “Search.” If you then highlight your senator / representative’s name and click on “Search,” you will see a list of all roll call votes for the year and how he or she voted on each.

(continued on next page)

Bill Marginalizes City Clerks

Does your city clerk do a good job running local and state elections? If your answer is yes, you might want to take a look at [SB 349](#), which is scheduled for a hearing before the Senate Public and Municipal Affairs Committee next **Wednesday, January 13, at 9:45 a.m., in LOB Room 102.**

Current law states that the city clerk shall be the city's chief elections officer. **SB 349** would change that to provide that the clerk is the chief elections officer *only if he or she is a registered voter in the city*. If the clerk resides outside the city, the governing body would be required to elect a registered voter—any registered voter, regardless of qualifications—to serve as the chief elections officer, and presumably to supervise the clerk.

What's the point? Well, recall that two years ago, [HB 541](#) would have required the city clerk to be a resident of the city. Only one person spoke in support of that bill, while city officials from around the state rallied against it and in support of their clerks. The bill died on a 20-0 committee vote of Inexpedient to Legislate.

But some bills never go away. **SB 349** seems a pretty clear attempt to implement, indirectly, the same bad idea that the legislature has already rejected overwhelmingly. City officials, please contact members of the [committee](#) and your own senator and urge them to *oppose SB 349*.

Local Option Hotel Occupancy Fee

On **Wednesday, January 13, at 1:30 p.m., in LOB Room 301**, the Municipal and County Government Committee will hear testimony on [HB 1214](#), which authorizes a local option surcharge on hotel occupancy of up to \$2 per 24-hour period. Hotel operators would collect this local surcharge and pay it to the Department of Revenue Administration under the current provisions of the meals and rooms tax statute, RSA 78-A. The Department would then remit the funds generated from the surcharge back to the municipality for deposit into a capital reserve, revolving, or special revenue fund from which the legislative body could appropriate it for any specific purpose.

This past fall, a legislative study committee considered several options to address concerns raised by municipalities that incur increased costs associated with tourism-related services. **HB 1214** is one of several bills filed in response to that review. New Hampshire is one of the few states that do not currently allow some form of local option tax or fee to help offset the cost of vital public services (such as police, fire, water/sewer, waste disposal) that are stressed due to tourism-related activities. For example, in Vermont 14 municipalities have adopted a local optional hotel tax of either 1

THE EDGE (Continued)

This provides a wealth of information. Interpreting it is the difficult part. You may see a bill titled, "relative to capital punishment," and see that your representative voted "Yea." But was the bill to repeal capital punishment, or to expand it? If the title says nothing more, you will need to find the bill and read it.

Even then, be sure to check what motion the legislator was voting on. If he voted "Yea" on an "Inexpedient to Legislate" motion, that means he was voting against the bill. And, of course, there may be several different votes—on amendments, on procedural maneuvers, and on the main bill. Figuring all of this out can be more than a little complicated; as a result, compiling a useful voting record for any legislator—let alone all 424 of them—is almost impossible. But with enough time and patience, you at least can figure out how your own legislators voted on issues you care about.



(Hotel Occupancy—Continued from Page 3)

percent or 2 percent, in addition to the 9 percent state tax. In Massachusetts approximately half of the municipalities have enacted a local option tax of 2 percent to 6 percent.

While it may not be worthwhile for many New Hampshire municipalities to exercise this option, there are a good number of cities and towns that are economic engines of the state's tourism industry, benefiting not only the municipality, but the region and the entire state. These municipalities should be given the option to raise additional funds to provide the expanded public services needed to promote and support a vibrant tourism industry.

Municipal Transportation Improvement Fee

On **Tuesday, January 12, at 3:00 p.m., in LOB Room 301**, the House Municipal and County Government Committee will hear testimony on [HB 1119](#), an **NHMA policy bill** that would increase from \$5 to \$10 the maximum fee that a municipality may collect under RSA 261:153, VI. For those unfamiliar with that statute, it allows a municipality, by vote of the legislative body, to establish a transportation improvement fund “to fund, wholly or in part, improvements in the local or regional transportation system, including roads, bridges, bicycle and pedestrian facilities, parking and intermodal facilities and public transportation.” Money for the fund comes from an additional motor vehicle registration fee, established by the legislative body, not to exceed \$5 per vehicle.

With local roads and bridges badly in need of repair, and with state funding coming nowhere close to keeping up with the need, allowing municipalities the option of increasing this local charge (in most cases by vote of the town meeting) is a sensible approach to providing a modest amount of additional funding. Please ask [committee members](#) and your own legislators to support **HB 1119**.

Uber Bill Tramples Local Authority

The House Transportation Committee will hear testimony next Tuesday on [HB 1697](#), which would regulate “transportation network companies” (TNCs) and, most notably, would completely preempt local regulation of such companies.

What is a TNC? Well, it's Uber. The bill is the product of a “Committee to Study the Adequacy and Safety of Services to the Public Through Uber and Existing Taxi Services.” One of the concerns expressed to that committee was that Uber has “a different business model” from “traditional” taxi companies and therefore should not be regulated in the same manner. Thus, under the bill, a TNC must obtain a permit from the Department of Safety to operate in the state, but would be exempt from any regulation in the municipalities where it operates.

What remains unexplained is why Uber's “different business model” makes local regulation inappropriate. Although **HB 1697** proclaims that “No TNC or TNC driver . . . provide[s] taxicab services,” that is exactly what they do. State law defines a taxicab as “any rubber-tired motor vehicle, having a manufacturer's rated capacity of not more than 7 passengers, used in the call and demand transportation of passengers for compensation to or from points chosen or designated by the passengers and not operated on a fixed schedule, between fixed termini.” The use of a smartphone app and a credit card does not exempt anyone from this definition. Uber is a taxi service, just like any other.

(Uber Bill—Continued from Page 4)

This bill—which was drafted by Uber—seems an unnecessary capitulation to a large company that doesn't want to play by the rules that apply to everyone else. Any municipality that has existing taxi service, or in which a “TNC” currently operates or is likely to operate, should take an interest in this bill. The hearing is scheduled for **Tuesday, January 12, at 3:00 p.m., in LOB Room 203**. Please attend the hearing or contact [committee members](#) and your own legislators with your concerns.

Agritourism, Take 1

On **Tuesday, January 12, at 1:30 p.m., in LOB Room 303**, the House Environment and Agriculture Committee will hear testimony on [HB 1141](#), which would amend the definition of “agriculture” under state law to include “agritourism.”

Some background may help. In response to a New Hampshire Supreme Court decision last summer, two bills—one in the House and one in the Senate—have been introduced dealing with “agritourism.” A number of legislators were concerned that the court’s decision did not give appropriate protection to activities that many farmers have been pursuing to keep their farms economically viable, such as on-site farm stands, tours, farm-related recreational activities, overnight stays, and serving of meals.

Both bills seek to encourage these activities by giving them a level of protection under the zoning laws. Recognizing the importance of agriculture to the state and local economies—as well as the political reality that legislation in some form is likely to pass—NHMA worked with other interested parties on a Senate bill that defines agritourism and protects agritourism activities without enabling farms to reinvent themselves as hotels, restaurants, or function halls. The Senate bill has not yet been scheduled for a hearing.

The House bill is considerably simpler than the Senate bill. It does not re-define agritourism, which under current law is defined as “attracting visitors to a working farm for the purpose of eating a meal, making overnight stays, enjoyment of the farm environment, education on farm operations, or active involvement in the activity of the farm which is ancillary to the farm operation.” **HB 1141** merely incorporates that definition of agritourism in the definition of agriculture, “where permitted by local regulation.”

Under state land use statutes, agricultural activities are afforded favorable treatment. Thus, under **HB 1141**, agritourism would benefit from the same treatment if “permitted by local regulation.”

NHMA’s goal is to make sure that whichever bill passes will preserve an appropriate level of local control. We believe both bills do that, but we will continue to watch them carefully. If you have any concerns, please contact [committee members](#) and your own legislators (and NHMA), and consider attending the hearing.

Cash Balance Pension Plan

HB 1673, relative to establishing a cash balance pension plan for New Hampshire Retirement System members, is scheduled for a hearing before the House Special Committee on Public Employee Pension Plans at **9:00 on Friday, January 15, in LOB Room 202**. Participation in the cash balance plan, as opposed to the current defined benefit plan, would be mandatory for all new state employees who begin service on or after January 1, 2017, and optional for teachers, police, firefighters and other local government employees, with that option elected by the local governing body of the employer (board of selectmen, city council, school board, etc.). If you are not familiar with the characteristics of a cash balance pension plan versus defined benefit or defined contribution plans, please read the recent article from the November/December issue of *Town & City* magazine titled [*Somewhere in the Middle: Cash Balance Plans*](#).

House Passes Accessory Dwelling Unit Bill

The House this week passed **SB 146**, the bill retained from last year that requires municipalities to allow accessory dwelling units in all residential districts, either as a matter of right or by special exception. As we have mentioned previously, the House made several changes to the bill, so it will now go back to the Senate, which will decide whether to concur or request a committee of conference. One of the most important changes is that the House version has an effective date of June 1, 2017, which will give all towns a full town meeting season to amend their zoning ordinances if necessary.

HOUSE CALENDAR

TUESDAY, JANUARY 12

ELECTION LAW, Room 308, LOB

- 10:10 a.m. **HB 1144-LOCAL**, relative to notice for sessions of correction of the check list.
- 10:20 a.m. **HB 1467**, relative to notice of village district elections.
- 10:30 a.m. **HB 1468**, relative to sessions for correction of the checklist.
- 10:45 a.m. **HB 1529-FN**, relative to reporting of felony convictions for voter checklist updates.
- 11:00 a.m. **HB 1534**, relative to reports of death of voters.
- 1:00 p.m. **HB 1377**, relative to receipt of absentee ballots.
- 1:10 p.m. **HB 1378**, relative to disabled voters requiring assistance.
- 1:30 p.m. **HB 1532**, permitting state or county prisoners to vote by absentee ballot.
- 2:00 p.m. **HB 1482**, establishing a committee to study improving the statewide voter registration database.

ENVIRONMENT AND AGRICULTURE, Room 307, LOB

- 1:00 p.m. **HB 1292**, relative to the use of abandoned agricultural property.
- 1:30 p.m. **HB 1141**, defining “agritourism.”

HEALTH, HUMAN SERVICES AND ELDERLY AFFAIRS, Room 205, LOB

- 1:30 p.m. **HB 1668-FN**, establishing a registry for persons convicted of heroin-related offenses and requiring registration of heroin offenders.

MUNICIPAL AND COUNTY GOVERNMENT, Rooms 301-303, LOB

- 1:00 p.m. **HB 1427-FN-A-LOCAL**, suspending the water and air pollution control facility property tax exemption and appropriating certain revenues for water pollution control grants to municipalities. **NHMA Policy.**
- 2:30 p.m. **HB 1505**, allowing municipalities to exempt water and sewer pollution control facilities owned by educational institutions from the local property tax.
- 3:00 p.m. **HB 1119-LOCAL**, relative to the maximum optional fee for transportation improvements charged by municipalities when collecting motor vehicle registration fees. **NHMA Policy.**
- 3:30 p.m. **HB 1123**, relative to a property tax exemption for certain stand-by generators.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305, LOB

- 1:15 p.m. **HB 1693-FN-LOCAL**, abolishing fluoridation in water.

TRANSPORTATION, Room 203, LOB

- 10:00 a.m. **HB 1430-FN**, relative to registration of compact utility tractors.
- 10:20 a.m. **HB 1438-FN-LOCAL**, relative to the registration of antique trailers.
- 10:40 a.m. **HB 1649-FN**, relative to state inspection of new motor vehicles.
- 1:00 p.m. **HB 1154-FN**, authorizing and regulating the use of license plate scanning devices.
- 2:40 p.m. **HB 1583-FN**, allowing for voluntary donations to veterans' organizations through a check-off box on driver's license applications and automobile registration forms.
- 3:00 p.m. **HB 1697-FN**, relative to the operation and insurance of transportation network companies.

WAYS AND MEANS, Room 202, LOB

- 10:30 a.m. **HB 1436-FN**, relative to exemption from the yield tax on timber for clearing for solar energy.

WEDNESDAY, JANURY 13

FINANCE, Rooms 210-211, LOB

- 1:00 p.m. **HB 1428-FN-A-LOCAL**, making appropriations to the department of environmental services for the purpose of funding eligible and completed drinking water and wastewater projects under the state aid grant program. **NHMA Policy.**
- 3:45 p.m. **HB 1686-FN**, repealing the community heritage investment program. **NHMA Policy to Oppose.**

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 1:30 p.m. **HB 1214**, allowing towns and cities to authorize an additional surcharge on hotel occupancy under the meals and rooms tax. **NHMA Policy.**
- 2:45 p.m. **HB 1402**, prohibiting the state and political subdivisions from acquiring military-equipped vehicles or equipment which are not readily available in an open national commercial market.
- 3:15 pm **HB 1621-FN-LOCAL**, relative to sanctuary cities.

THURSDAY, JANURY 14

JUDICIARY, Room 208, LOB

- 2:00 p.m. **HB 1125**, requiring law enforcement officers to return stolen property.

(House Calendar—Continued from Page 7)

MUNICIPAL AND COUNTY GOVERNMENT, Room 301, LOB

- 1:00 p.m. **HB 1243-FN-LOCAL**, relative to storm water or sewage penalties.
- 1:30 p.m. **HB 1576-FN-LOCAL**, repealing the licensure of dogs.
- 2:15 p.m. **HB 1230**, relative to information on dog licenses.

SCIENCE, TECHNOLOGY AND ENERGY, Room 304, LOB

- 1:30 p.m. **HB 1134**, relative to open access to broadband infrastructure.
- 2:00 p.m. **HB 1479**, establishing a broadband study committee.
- 3:00 p.m. **HB 1502**, establishing a committee to study odor emissions from landfills.

WAYS AND MEANS, Room 202, LOB

- 2:00 p.m. **HB 1689**, relative to operator requirements under the meals and rooms tax.

TUESDAY, JANURY 19

CRIMINAL JUSTICE AND PUBLIC SAFETY, room 204, LOB

- 10:00 a.m. **HB 1675-FN-A**, relative to the legalization and taxation of marijuana.
- 10:15 a.m. **HB 1694-FN-A-LOCAL**, relative to the legalization and regulation of marijuana.
- 1:00 p.m. **HB 1626-FN**, relative to drug take-back programs.

PUBLIC WORKS AND HIGHWAYS, Room 201, LOB

- 9:30 a.m. **HB 1602-FN-A-LOCAL**, establishing a road usage fee and making an appropriation therefor.
- 11:00 a.m. **HB 1568-FN-A**, relative to prepaid road tolls for certain alternative energy vehicles.
- 1:30 p.m. **HB 1251-FN-A**, requiring the department of transportation to upgrade a portion of road in the town of Pittsfield.

WAYS AND MEANS, Room 202, LOB

- 1:30 p.m. **HB 1544-FN-A-LOCAL**, establishing a tax on revenues from natural gas transmission.

SENATE CALENDAR

TUESDAY, JANUARY 12

COMMERCE, Room 100, SH

- 1:00 p.m. **SB 393**, relative to data privacy in the workplace.
- 3:15 p.m. **SB 411**, relative to the merger of lots that are mortgaged.

TRANSPORTATION, Room 103, LOB

- 1:00 p.m. **SB 364**, establishing a committee to study the feasibility of incorporating complete streets into the 10-year transportation improvement plan. **NHMA Policy**.

WEDNESDAY, JANUARY 13

ENERGY AND NATURAL RESOURCES, Room 100, SH

- 9:00 a.m. **SB 333**, relative to net energy metering.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 101, LOB

- 9:45 a.m. **SB 335-FN-A**, transferring administration of the building code review board to the office of professional licensure and certification, and relative to appeals of decisions of the state fire marshal.
- 10:15 a.m. **SB 390-FN**, relative to the procedure in retirement system hearings concerning qualification for disability retirement benefits.

PUBLIC AND MUNICIPAL AFFAIRS, Room 102, LOB

- 9:00 a.m. **SB 4**, relative to domicile for voting purposes.
- 9:45 a.m. **SB 349**, relative to city chief elections officers.
- 10:00 a.m. **SB 418**, relative to obtaining a ballot to vote and adding National Guard members to the absentee voting laws.
- 10:15 a.m. **SB 346-FN-L**, relative to hours of polling.

TUESDAY, JANUARY 19

WAYS AND MEANS, Room 103, SH

- 9:30 a.m. **SB 442-FN-L**, relative to property taxation of public real estate used or occupied by a private person. **NHMA Policy**.
- 9:45 a.m. **SB 443**, relative to taxation of qualifying historic residential structures.

House Bills

HB 1602 establishes a road usage fee for motor vehicles based on a vehicle's miles per gallon, to be collected at the time of annual registration and deposited in a separate restricted account within the highway fund. Rep. Major of Plaistow; **PW**.

HB 1603 requires certain convicted drug offenders to register with the state and provide address information to local law enforcement agencies. Rep. J. Belanger of Hollis; **CJ&PS**.

HB 1611 allows public bodies and agencies to charge for the costs of retrieval of public records under the Right-to-Know Law under certain circumstances. **NHMA POLICY**. Rep. P. Long of Manchester; **JUD-H**.

HB 1621 prohibits a municipality from adopting an ordinance stating that it will not enforce federal immigration laws, and prohibits the state from distributing federal aid to a municipality that does so. Rep. Potucek of Derry; **M&CG**.

HB 1624 expands the prohibition on using government property for electioneering, currently applicable to public employees, to apply to any person. Rep. Gray of Rochester; **EL**.

HB 1626 requires governmental and private entities to establish drug take-back programs enabling individuals to return unused drugs, and requires the facility at which the drugs are surrendered to have an on-site abuse counselor available. Rep. V. Sullivan of Manchester; **CJ&PS**.

HB 1630 increases the amount of per pupil adequacy aid, increases the amount of aid to certain third grade pupils, provides aid for exceptional pupils, and provides fiscal capacity disparity aid to certain school districts. Rep. Ladd of Haverhill; **EDUC-H**.

(House Bills—Continued from Page 9)

HB 1633 prohibits an employer from requiring an employee to file an application for, or accept time off under, the Family and Medical Leave Act as a result of a workers' compensation injury. Rep. Webb of Derry; **LABOR**.

HB 1641 requires the payment of a minimum prevailing hourly wage to workers engaged in public works construction projects that are funded wholly or in part with state-administered funds. Rep. Cilley of Barrington; **LABOR**.

HB 1642 requires persons executing election affidavits to provide proof of qualifications within 10 days after the election. Rep. Bates of Windham; **EL**.

HB 1643 permits vehicles to proceed straight through an intersection after stopping for a red light. Rep. Danielson of Bedford; **TRANS-H**.

HB 1647 repeals provisions for state licensure and regulation of hawkers and peddlers and itinerant vendors. Rep. Fromuth of Bedford; **COM-H**.

HB 1649 provides that a new motor vehicle shall not be required to be reinspected during the two years following the manufacturer's model year. Rep. Spillane of Deerfield; **TRANS-H**.

HB 1654 prohibits a person from flying a drone above or near a state or county correctional facility or a municipal jail. Rep. Cushing of Hampton; **CJ&PS**.

HB 1657 prohibits the carrying of a firearm in certain places, including a polling place. Rep. Rogers of Concord; **CJ&PS**.

HB 1660 allows an owner of land to require a pipeline company to take an entire tract of land under eminent domain, prohibits a pipeline company from taking public land by eminent domain without consent of the legislative body, and provides for assessment of the land use change tax for certain eminent domain takings of land for energy infrastructure. Rep. J. Belanger of Hollis; **JUD-H**.

HB 1666 limits the definition of "motor vehicle" for registration and other purposes to commercial vehicles. Rep. Goulette of Milford; **TRANS-H**.

HB 1668 requires persons convicted of heroin-related offenses to register with the state and to provide notice of his or her address to the local law enforcement agency. Rep. Flanagan of Brookline; **HHS&EA**.

HB 1673 establishes a cash balance pension plan for retirement system members who begin service on or after January 1, 2017. Rep. Hess of Hooksett; **SCPEPP**.

HB 1675 legalizes the personal use of marijuana, authorizes the licensing of marijuana facilities subject to local approval, with a portion of licensing fees to be paid to the municipality, and imposes a tax on marijuana sales. Rep. Brewster of Barnstead; **CJ&PS**.

HB 1678 requires property tax bills to include information about applying for an abatement. Rep. Fromuth of Bedford; **M&CG**.

HB 1679 expands the prohibition on electioneering by public employees to include elected officials and constitutional officials. Rep. Lachance of Manchester; **EL**.

HB 1682 adds public servants to the prohibition on electioneering while performing official duties or on government property and repeals provisions authorizing a governing body or budget committee to recommend an amended operating budget warrant article, establishing requirements for special warrant articles, and authorizing legislative bodies to require recorded votes. Rep. Hull of Grafton; **EL**.

HB 1683 lowers the rate of interest charged to payments in the redemption or repurchase of property subject to a tax lien or tax deed, and removes the additional 15 percent penalty added to the cost to repurchase such property. Rep. Hull of Grafton; **M&CG**.

HB 1686 repeals the land and community heritage investment program (LCHIP). **NHMA POLICY TO OPPOSE**. Rep. Ammon of New Boston; **F-H**.

HB 1687 provides that municipalities and school districts may be held liable for certain injuries resulting from the use of playground equipment. Rep. Hopper of Weare; **JUD-H**.

HB 1688 provides that municipalities may be held liable for injuries in negligence actions not arising from the ownership, occupation, maintenance, or use of motor vehicles or premises. Rep. Woodbury of New Boston; **JUD-H**.

HB 1689 requires an operator under the meals and rooms tax who rents rooms in a hotel or hotels with more than one physical address under a single license to provide the department of revenue administration with a schedule of the physical address of each hotel. Rep. Sterling of Jaffrey; **W&M-H**.

HB 1690 extends the New Hampshire health protection program (expanded Medicaid). Rep. Sherman of Rye; **HHS&EA**.

HB 1693 prohibits the introduction of fluoride into the drinking water of the state. Rep. Marple of Hooksett; **RR&D**.

HB 1694 legalizes the personal use of marijuana, authorizes the licensing of marijuana facilities subject to local approval, with a portion of application fees to be paid to the municipality, and imposes a tax on marijuana sales. Rep. Hirsch of Bradford; **CJ&PS**.

HB 1697 requires the department of safety to regulate the operation and insurance of “transportation network companies,” and preempts municipal regulation of such companies. Rep. Hunt of Rindge; **TRANS-H**.

Senate Bills

SB 347 authorizes the state and municipalities to adopt regulations or ordinances regulating the attire to be worn on beaches and other state or municipal property. Sen. Stiles of Hampton; **PMA**.

SB 348 authorizes a municipality to adopt an additional property tax exemption for the homestead of a totally and permanently disabled veteran. Sen. Daniels of Milford; **PMA**.

SB 380 establishes a drinking water and groundwater trust fund. Sen. Morse of Salem; **ENR**.

SB 381 excludes the combustion of wood residue from certain air pollution control regulations. Sen. Bradley of Wolfeboro; **ENR**.

SB 410 authorizes municipalities to adopt ordinances prohibiting the distribution of disposable plastic shopping bags to consumers. Sen. Fuller Clark of Portsmouth; **PMA**.

SB 412 establishes a state minimum wage. Sen. Soucy of Manchester; **F-S**.

SB 413 prohibits employers from inquiring into a job applicant's criminal record during the initial employment application process, and prohibits municipalities from adopting any ordinance or regulation regarding criminal histories in the employment context. Sen. Feltes of Concord; **COM-S**.

SB 416 requires employers to consider employee requests for flexible working arrangements. Sen. Feltes of Concord; **COM-S**.

SB 421 Increases the limit on liability for municipalities and other government entities and makes other changes to the law on governmental liability in tort actions. Sen. Carson of Londonderry; **PMA**.

SB 442 Clarifies that all real property owned by the state or a municipality and used or occupied by another party shall be taxable to the occupant, regardless of whether there is a lease providing for the payment of property taxes. **NHMA POLICY**. Sen. Pierce of Hanover; **W&M-S**.

SB 443 enables municipalities to reduce the assessed value of qualifying historic residential structures. Sen. Carson of Londonderry; **W&M-S**.

SB 445 suspends the registration fee for the sale of municipal bonds in New Hampshire for 2 years. Sen. Sanborn of Bedford; **W&M-S**.

HOUSE FLOOR ACTION

Wednesday, January 6, 2016

Thursday, January 7, 2016

CACR 2, Relating to dedicated funds. Providing that funds shall be used solely for the purpose of the fund. **Inexpedient to Legislate**.

CACR 5, relating to legal actions. Providing that taxpayers have standing to bring actions against the government. **Tabled**.

(Floor Action—Continued from Page 12)

HB 110, relative to placement of political advertising. **Passed with Amendment.**

HB 183, relative to voter registration forms. **Passed with Amendment.**

HB 226, allowing municipalities to borrow from any fund controlled by such municipality under certain conditions. **Inexpedient to Legislate.**

HB 229, relative to increasing the maximum amount of the optional veterans tax credit. **Inexpedient to Legislate.**

HB 240, prohibiting law enforcement agencies from using a drone to collect evidence. **Tabled.**

HB 288-L, relative to the code for energy conservation in new building construction. **Inexpedient to Legislate.**

HB 295, removing a reference in the housing law to municipal agreements regarding the construction of parking facilities. **Passed with Amendment.**

HB 312, relative to registration of voters. **Inexpedient to Legislate.**

HB 324, relative to membership in a union. **Inexpedient to Legislate.**

HB 369-FN-A-L, establishing a defined contribution retirement plan for public employees. **Referred to Interim Study.**

HB 376-FN-A, appropriating funds to the department of environmental services for the purpose of funding eligible and completed drinking water, wastewater, and landfill closure projects under the state aid grant program. **Inexpedient to Legislate.**

HB 430, relative to extending the veterans' property tax credit to all honorably discharged veterans. **Passed.**

HB 475, prohibiting the state from engaging in acts of civil forfeiture. **Tabled.**

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. **Inexpedient to Legislate.**

HB 512, prohibiting confiscation of firearms, ammunition, or firearms accessories during a state of emergency. **Passed with Amendment.**

HB 546, relative to exactions for improvements related to innovative land use controls. **Inexpedient to Legislate.**

HB 556-FN-L, establishing a cash balance plan for public employees in the retirement system. **Referred to Interim Study.**

(Floor Action—Continued from Page 13)

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. **Inexpedient to Legislate.**

HB 582-FN, repealing the license requirement for carrying a concealed pistol or revolver. **Passed with Amendment.**

HB 596-FN-L, relative to health insurance plans of public employers. **Inexpedient to Legislate.**

HB 602-FN, relative to the use of drones. **Passed with Amendment.**

HB 619-FN-L, establishing noise barrier programs and making an appropriation therefor. **Inexpedient to Legislate.**

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. **Inexpedient to Legislate.**

HB 636-FN, relative to forfeiture of property. **Passed with Amendment. Referred to F-H.**

HB 659-FN-L, allowing all voters to vote by absentee ballot. **Passed with Amendment.**

SB 146, relative to accessory dwelling units. **Passed with Amendment.**

SB 219-FN, relative to breastfeeding. **Tabled.**

SB 227, relative to calculating the cost of an adequate education. **Passed with Amendment.**

Senate Floor Action

Wednesday, January 7, 2016

SB 175, relative to the regulation of blighted property. **Inexpedient to Legislate.**

SB 198-FN-L, allowing all voters to vote by absentee ballot. **Inexpedient to Legislate.**

SB 260-FN, relative to the authority of the public utilities commission to regulate telecommunications service providers. **Inexpedient to Legislate.**

HB 331, relative to absences among selectmen on election day. **Passed.**

HB 463, relative to state agency communications. **Inexpedient to Legislate.**

HB 689, relative to adoption of a default budget. **Referred to Interim Study.**

Upcoming NHMA Workshops

- January 9, 2016 Town & School Moderators (SB 2) [click [here](#) to register]
- January 15, 2016 A Hard Road to Travel [click [here](#) to register]
- February 20, 2016 Town & School Moderators (Traditional Meeting) [click [here](#) to register]

For more information please access our website: www.nhmunicipal.org and scroll down on the left to CALENDAR OF EVENTS, *View the Full Calendar*.

NHMA WEBINARS

2016 STATE LEGISLATIVE PREVIEW: WHAT'S ALL THE EXCITEMENT ABOUT?

Event Date: **Monday**, January 11, 2016

Time: 12:00 PM - 1:00 PM

As the New Hampshire General Court begins to wrestle with over 800 new bills, legislators need to hear from local government officials regarding the policy implications of bills affecting cities and towns. To help you connect better with legislators, this webinar will:

- * include a preview of legislation filed
- * outline the messages legislators need to hear from you
- * recommend grassroots action to get the municipal voice heard

Join Government Affairs Counsel Cordell Johnston and Government Finance Advisor Barbara Reid for a look at the latest legislative developments in Concord.

[Click here to register](#)

MAKE YOUR CITY OR TOWN "ELECTION READY" IN 2016

Event Date: Wednesday, January 13, 2016 (*Rescheduled from Jan. 6th*)

Time: 12:00 PM - 1:00 PM

Join Legal Services Counsel Stephen Buckley and Staff Attorney Margaret Byrnes for a detailed look at election procedure, including voter registration and identification; absentee voting procedures and requirements; ballot counting and recounts; arrangement of the polling station; and the duties and roles of various election officials, including the moderator, supervisors of the checklist, and town/city clerk.

[Click here to register](#)