

# LEGISLATIVE BULLETIN

Bulletin 12, 2018 Session  
March 9, 2018

## Senate Passes Election Postponement Bill

The Senate voted on Thursday to pass **SB 438**, the bill that removes a town moderator’s authority to postpone the official ballot voting session of town meeting in the event of a weather emergency and gives that authority to the Secretary of State.

There were two roll call votes on **SB 438**. The first was on the committee amendment, which NHMA opposed; the second was on a floor amendment presented by Senator Martha Fuller Clark, which would have preserved the moderator’s authority, and which we supported. The final vote on the bill was by voice vote.

We thank the senators who voted *no* on the committee amendment and *yes* on the floor amendment—see the tallies on the next page, as the roll call votes are not yet posted on the legislature’s website. *Please be sure to thank your senator if he or she supported cities and towns on this vote.*

### INSIDE THIS ISSUE

Coincidences and Irony	2
Expensive Retirement Bill	4
Utility Valuation	5
Retiree COLAs	6
PTSD Presumption	6
RTK Bills	7
More RTK Bills	7
Agritourism, Housing, RTK	8
Default Budget Bills	10
House Calendar	10
Senate Calendar	11
House Floor Action	11
Senate Floor Action	15
NHMA Upcoming Events	16

### 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 Drive  
Concord NH 03301  
Tel: 603.224.7447  
[governmentaffairs@nhmunicipal.org](mailto:governmentaffairs@nhmunicipal.org)  
Website: [www.nhmunicipal.org](http://www.nhmunicipal.org)

		Committee Amendment		Floor Amendment	
		Yes	**No*	**Yes*	No
1	Jeff Woodburn	X			X
2	Bob Giuda	X			X
3	Jeb Bradley	X			X
4	David Watters		X	X	
5	Martha Hennessey		X	X	
6	James Gray	X			X
7	Harold French	X			X
8	Ruth Ward		X		X
9	Andy Sanborn	X			X
10	Jay Kahn		X	X	
11	Gary Daniels		X	X	
12	Kevin Avard	X			X
13	Bette Lasky		X	X	
14	Sharon Carson	X			X
15	Dan Feltes	X		X	
16	Kevin Cavanaugh		X	X	
17	John Reagan	X			X
18	Donna Soucy	X			X
19	Regina Birdsell	X			X
20	Lou D'Allesandro	X			X
21	Martha Fuller Clark		X	X	
22	Chuck Morse	X			X
23	William Gannon	X			X
24	Dan Innis		X		X

### Coincidence and Irony

It's been almost exactly one year since the 2017 town meeting blizzard triggered an avalanche of political combat over the meaning of the words "voting day of a meeting in a town" in RSA 40:4. Having already postponed its vote once on **SB 438**, the bill to give the Secretary of State control over postponing town meetings in the event of severe weather, the Senate was poised to vote on the bill this week, when—coincidentally?—the Secretary of State and the Attorney General's office issued a "guidance" memo on the subject. The day before the Senate vote, a memo was sent to moderators and city and town clerks—oh, and also to senators—opining that there is no authority for a local official to postpone an "election." It is curious that, having previously supported the interpretation of a multitude of municipal attorneys that the statute permits moderators to postpone the ballot voting session of a meeting, the Attorney General's office reversed its position without explanation.

How, one wonders, did the Secretary of State and the Attorney General reach the conclusion that a moderator does not have authority to postpone when the statute clearly states, "the moderator may, up to 2 hours prior to the scheduled session, postpone and reschedule the deliberative session or the voting day of a meeting"? Reportedly, they interpret the "voting day of a meeting" to mean the *business session* of the meeting—a tortured interpretation.

The memo doesn't explicitly offer that interpretation—it simply never addresses the words “voting day of a meeting.” The meaning of those words is obvious to anyone who actually reads them with an open mind; for everyone else, we offer this excerpt from the 1998 committee hearing on the bill that became RSA 40:4, II:

Rep. Lockwood: “Would this change affect the day of voting?”

Witness: “No, only deliberative session.”

Rep. Lockwood: “*Could* this include the day of voting?”

Witness: “[It] was not the original intent of [the] bill but you might want to consider [it].”

Whereupon the bill was amended to allow the moderator to postpone “the deliberative session *or voting day* of a meeting.” Seems pretty clear.

Back to the present. As **SB 438** moves forward, the question remains: Who *should* have authority to postpone the voting day of town meeting? It seems fairly obvious that the authority should fall to someone who actually knows something about the town and the conditions in the town. We have heard from hundreds of local officials on this issue, and have yet to encounter one who believes the it should be the Secretary of State's job.

No local official has testified or written in support of giving the Secretary of State control over postponing town meeting voting day—not last year, not during the study committee process, and not at the Senate hearing. During yesterday's Senate debate, one senator noted the unusual fact that officials from 13 of his 15 municipalities had contacted him about the bill, and every one of them opposed it. We know that was played out in other Senate districts, even though this is town meeting season and town officials have plenty of other things to keep them busy.

So—who supports this bill? No one except the Secretary of State and the Professional Firefighters of New Hampshire (PFFNH). Yes, the firefighters' union has been lobbying hard for the bill. Do firefighters really have a dog in this fight? Only an imaginary one: they argue that moderators could manipulate the voting day to influence the outcome of labor contract and bond votes. Really.

Assuming, for the sake of argument, that moderators are inclined to reschedule elections to influence the results, do they have a crystal ball that will answer the question, “Do I have a better chance of killing this warrant article if I postpone the election or hold it as scheduled?” And yes, moderators, you and other local officials should be supremely insulted that PFFNH lobbyists have so recklessly called your integrity into question.

**SB 438** was presented as a “compromise”—but a compromise between whom, and between what options? The word “compromise” implies a negotiated deal between two parties with legitimate interests, in which each side gives up something. Local officials have not asked for or received anything. They merely want to retain the ability to make their own decisions depending on local conditions. What some have called merely a “notice provision”—the need to call a state official with no existing authority to ask permission and then wait up to four hours while he makes a decision that allows him to substitute his judgment for a town moderator's judgment—can hardly be called a compromise. Should there be a rogue moderator who wants to postpone on a sunny day—a highly

*(Town Meeting— Continued from Page 3)*

Improbable scenario floated during the Senate debate—the first people who will be asking questions will be the other local officials and the voters, who undoubtedly would not stand for such behavior. This extreme outlier is no reason to cede local authority to a state official.

As we approach another *voting day of a meeting* on March 13<sup>th</sup>, we note the irony that, facing a big snowstorm that dumped [over a foot of snow](#) in many parts of the state—but still came nowhere close to the intensity of last year’s blizzard—the Senate appropriately considered the safety and convenience of its members and staff and delayed the start of its Thursday session from 10:00 a.m. to 1:00 p.m. (while the House cancelled its session altogether). They did not need the permission of the Secretary of State to do this. It is unfortunate that they would not vote to extend a similar courtesy to municipal voters, local election workers, and town highway crews.

### **Retirement Bill Would Cost Employers Millions**

Last week the House Executive Departments and Administration Committee, by a vote of 15 to 4, recommended ought to pass on an amendment to [HB 1757](#) dealing with the computation of pension benefits for Group I members (employees and teachers) of the New Hampshire Retirement System (NHRS). **HB 1757** has a significant price tag – **at least \$45 million** – that will be paid by NHRS employers.

Under current law, pension benefits for Group I retirees are reduced by 10% at age 65. This reduction dates back to the creation of the NHRS in 1967, when Group I pension benefits were coordinated with federal Social Security benefits. At that time a Group I retiree could see a reduction of NHRS benefits ranging from 10% to as much as 50% at age 65. In 1988 the legislature eliminated the coordination with Social Security benefits, but due to the overall cost of that change, left in law a pension recalculation provision that reduces Group I benefits by approximately 10% at age 65. Efforts to repeal the 10% reduction or increase the age from 65 to the age of full Social Security benefits (age 65 to 67 based on the year of birth) failed in 2005 and 2006, with one committee report noting concern that the cost of this change would violate the unfunded mandate provision of Part I, Article 28-a of the New Hampshire Constitution. As in 2005 and 2006, proponents of **HB 1757** argue that the age for the 10% reduction should be amended to tie into the age for full Social Security benefits. As then, we have similar and additional concerns with the bill as amended:

- **HB 1757** provides a **new pension benefit** to prospective Group I retirees;
- **HB 1757** increases the unfunded actuarial accrued liability (UAAL) by **\$45 million**;
- In addition to the increase in the UAAL, **HB 1757** also results in a **permanent increase in the “normal rate”** paid by all NHRS employers;
- Changes were made for new Group I members hired after July 1, 2011, that set full retirement age at 65, with a single pension formula of 1/66<sup>th</sup> of average final compensation multiplied by years of service. As written, **HB 1757** provides a **“10% retirement bonus”** to those new hires once they retire;

*(Retirement— Continued from Page 4)*

- As a new benefit to retirees that increases the contribution rates paid by local government employers (increases in both the normal cost and the UAAL cost), **HB 1757 violates the unfunded mandate provision of Part I, Article 28-a;**
- NHRS has noted several concerns and technical issues with the bill as amended including: a retroactive reduction in benefits to a certain segment of their members that could be the subject of litigation; questions regarding IRS qualifications that need to be reviewed by NHRS's external legal counsel; incorrect wording in the bill regarding the intended 10% retirement bonus; and additional technology and staff costs to implement and administer the changes required in **HB 1757**. Since NHRS administrative costs are built into employer contribution rates, these concerns are also our concerns.

**HB 1757** was on the agenda for this week's House session, but was special ordered, along with a number of other bills, to the next House session, scheduled for **March 15**. *Please urge your representatives to vote **NO** on the committee recommendation of Ought to Pass on HB 1757 and support a subsequent motion of Inexpedient to Legislate.*

## Utility Valuation Update

We will try to make this as brief as possible, with apologies for the changing messages.

Those who have been following the bills on utility valuation are aware that the Assessing Standards Board issued a recommendation about two weeks ago for a formula to assess utility property. The House Ways and Means Committee then used that template to adopt its own proposal, changing the formula significantly to benefit utility companies. That proposal was incorporated in an [amendment](#) to **HB 1381**, which was sent to the full House this week. The Ways and Means Committee proposal would result in a significant increase in property tax rates in many municipalities around the state.

In the meantime, NHMA and others drafted a floor amendment that implements the ASB recommendation without alteration. (See [last week's Bulletin](#) for more information.) Although we are not thrilled with the ASB recommendation, it is a reasonable compromise between the municipalities' position and the utilities' position.

The floor amendment is a [bipartisan](#) amendment, sponsored by Representatives Brad Bailey and Richard Ames. If the floor amendment is adopted, some municipalities would gain slightly and some would lose slightly, but the changes would be within a fairly narrow range, and [all](#) municipalities would do better than under the committee amendment.

The House was scheduled to vote on **HB 1381** this week, but the vote was delayed because the House's Thursday session was cancelled due to the snow storm (without, we note, any need to request permission from the Secretary of State). It is now scheduled for **next Thursday, March 15**.

Meanwhile, we understand that there may be a motion to table **HB 1381** when it comes to the floor. That would be a fine result, and certainly a simple one.

So, here is what we are recommending. Ask your representatives to:

1. Vote YES on a motion to table;
2. If that fails, vote NO on the committee amendment;
3. Regardless of that result, vote YES on the Bailey-Ames floor amendment;
4. If the floor amendment fails, vote NO on the final motion of Ought to Pass.

Or, stated a little more simply, a motion to table is good, and the Bailey-Ames floor amendment is good. Everything else is bad. Please contact us if you have any questions.

### **Additional Allowance and COLA for Certain NHRS Retirees**

On Wednesday, the House overturned the Finance Committee's recommendation of ITL on [HB 1756](#), providing a temporary supplemental allowance (TSA) and cost-of-living adjustment (COLA) for certain New Hampshire Retirement System (NHRS) retirees. The ITL motion failed by a [roll call vote of 157 to 163](#), followed by a motion to table the bill that failed by a vote of 149 to 173. The bill then passed on a voice vote.

**HB 1756** provides a one-time \$500 TSA in state fiscal year 2020 to any NHRS retiree who retired on or before July 1, 2014, and who receives a pension of \$30,000 or less. The **\$7.8 million** estimated cost of this TSA is to be paid from state general funds in the next biennial budget.

The bill also authorizes a 1.5% COLA to any NHRS retiree who retired on or before July 1, 2014, regardless of pension amount, to be paid on the member's first anniversary date following July 1, 2020. The NHRS actuary projected the cost of the COLA to be **\$51 million**. The bill requires that "terminal funding [of this cost be] approved for funding through retirement system funds, state general funds or some other revenue source, as determined by the general court." While we have no issue with the state paying for TSAs or COLAs, clearly any requirement for municipalities or school districts to fund, directly or indirectly, these expanded pension benefits would be a violation of the unfunded mandate provision of Part I, Article 28-a of the New Hampshire Constitution.

### **PTSD Presumption Bill Postponed**

The Senate was scheduled to vote yesterday on [SB 553](#), but the bill was special ordered to next week's session. **SB 553** provides that "[i]n the case of police officers, rescue or ambulance workers, or firefighters, post-traumatic stress disorder that is diagnosed by a mental health professional shall be presumed to have been incurred during service in the line of duty and shall be compensable [under workers' compensation], unless it is shown by a preponderance of the evidence that the post-traumatic stress disorder was caused by nonservice-connected risk factors or nonservice-connected exposure."

As we have explained previously, although NHMA recognizes the seriousness of PTSD, creating a presumption that it is employment-related is inappropriate, especially given that so many emergency responders previously served in the military. The New Hampshire Supreme Court has expressly



(PTSD— Continued from Page 6)

held that such a presumption is unconstitutional. Testimony at the Senate hearing indicated that 25 percent of first responders suffer from PTSD. Under this bill, all of them would be presumed to have developed the condition as a result of their employment, even though everyone knows that is not true. This bill could cause a significant increase in workers' compensation costs for municipalities.

The Senate Commerce Committee voted 4-0 to recommend referring the bill for interim study, which would be a fine result, but we expect a close vote in the full Senate. ***Please ask your senator to support the committee recommendation.***

## House Kills RTK Bills

The House this week killed two bills amending the Right-to-Know Law that would have caused serious problems not only for cities and towns, but for all public bodies and agencies.

**HB 1323** would have prohibited a public body from entering non-public session to discuss the hiring, compensation, promotion, or dismissal of a “chief executive officer,” defined as “any public employee who is directly supervised by a public body.” **HB 1344** would have required any collective bargaining negotiations between a public body and an employee organization to be conducted in public.

NHMA vigorously opposed both bills, but the House Judiciary Committee recommended both of them as Ought to Pass. On Wednesday, however, the House killed both bills by wide margins, rejecting the recommendation on **HB 1323** by a vote of [132-185](#), and on **HB 1344** by a vote of [125-189](#). The links in the preceding sentence will take you to the roll call results.

We know calls and e-mails from local officials were crucial to these results, because several legislators mentioned that they had heard from their selectmen, town administrators, and others. Thank you for your efforts, and please thank your representatives who voted “nay” on the bills.

## More Bad RTK Bills Coming

Although the worst ones are out of the way, there are several more bad Right-to-Know Law bills going to the House floor next week.

***Records of exempt “convenings.”*** **HB 1579** would require a public body to keep records of any “convening” of a quorum of the public body that is otherwise exempt from RSA 91-A’s public meeting requirements. Specifically, this would apply to strategy or negotiating sessions with respect to collective bargaining, and consultations with legal counsel. Minutes would not be required, but the public body would be required to record “names of members, persons appearing before the public bod[y], meeting places, and beginning and ending dates and times.”

This probably would be manageable, but to what end? It makes work for the public body, but provides no meaningful information to the public. Further, it risks forcing the disclosure of confidential information. If the school board met with its legal counsel and little Johnny and his parents appeared before the board, why is the public entitled to know that, and what inferences are likely to be drawn?

(RTK Bills— Continued from Page 7)

The bill makes one notable exception to the disclosure requirement. Single-party caucuses of legislators—those gatherings where the state’s business is decided before legislators emerge to vote in public on what they have just decided in private—would remain totally exempt. Are we the only ones who see the irony?

**HB 1579** will go to the full House when it meets next **Thursday, March 15**. The House Judiciary Committee split evenly on the bill, and it thus goes to the floor with no committee recommendation. *Please encourage your representatives to vote to kill HB 1579.*

**Contents of minutes.** [HB 1347](#) requires that meeting minutes of public bodies record “the names of the members who made or seconded each motion and the substance, in brief, of comments made during deliberations.” Again, the primary function of this would be to make more work for public bodies. Boards often move through their business quickly, leaving even skilled minute-takers struggling to keep up. Any selectmen or other local officials who have ever tried to stretch their budgets to pay a minute taker know how fortunate they are to receive generally accurate minutes that meet the requirements of the existing law. Now, they would also need to identify who made and seconded every motion and record the substance of all comments made?

Notably, this bill does not exempt the legislature or its committees. It would be interesting to see them try to comply.

The bill also requires that the minutes record “all pertinent details necessary to enact or implement a motion.” As we have stated before, we have no idea what this means, and would not know what to advise public bodies on how to comply with it.

**HB 1347** also will go to the full House on **Thursday, March 15**. The House Judiciary Committee recommended the bill as Ought to Pass with Amendment by an 8-7 vote. *Please encourage your representatives to vote NO on the committee recommendation and then vote to kill HB 1347.*

## **New Appeal Procedures for Agritourism, Housing, and Right to Know**

Three bills with one thing in common moved forward in the Senate this week. The common element is that they all establish alternative quasi-judicial procedures for challenging local government decisions. We have reservations about all three bills, but are pleased that all of them have amendments that improve them somewhat.

**Agritourism.** As introduced, **SB 412** would have significantly expanded the definition of “agritourism.” Because state law requires that municipal zoning ordinances allow agritourism in any district where agriculture is permitted, this would have seriously limited local control over these businesses. NHMA opposed the bill as introduced.

With an amendment recommended by the Ways and Means Committee, **SB 412** no longer expands the definition of agritourism. Instead, it now prohibits a municipality from adopting a definition of agritourism that conflicts with the state’s definition. We are not enthusiastic, of course, about limiting municipal authority, but we can understand the virtue in having a uniform definition. Indeed,



state law establishes a definition, and although a municipality theoretically has the ability to adopt its own definition, it cannot adopt a definition that restricts agritourism beyond what state law allows; therefore, this provision does not trouble us.

However, the bill also gives the Commissioner of Agriculture the authority to “adjudicate disputes concerning activities that constitute agritourism pursuant to RSA 21:34-a.” Any person who “fil[es] a land use application with a municipality” would be able to “petition the commissioner for a declaratory ruling regarding whether or not a municipality’s ordinance bylaw, definition, or policy regarding agritourism activities, conflicts with RSA 21:34-a.” The petition for declaratory ruling could be filed either before the person files an application with the land use board or after the board denies the application. Decisions by the commissioner could be appealed to the supreme court.

We think this is an odd concept, and expressed that concern when the idea was first presented at the committee hearing. We are not aware of any other situation in which a state executive branch official has the authority to rule on the validity of a local ordinance or policy. The commissioner is not a judge and does not have rules of procedure for deciding cases, although the amendment does provide for the adoption of rules. Granting this kind of authority to an executive branch official raises all kinds of questions. We expect the bill will pass in the Senate, but we hope the House will take a careful look at it if the bill gets there.

The bill is scheduled to the full Senate next Wednesday, March 15, with an Ought to Pass with Amendment recommendation. If you have concerns, please contact your senator, and let us know as well.

***Housing appeals.*** We wrote in [last week's Bulletin](#) (page 5) about [SB 557](#), which would establish a “housing appeals board” with concurrent jurisdiction with the superior court to hear and decide appeals from local land use boards on “questions of housing and housing development.” The Senate passed the bill this week with [an amendment](#) that clarifies what happens if an applicant appeals the land use board decision to the appeals board and an abutter appeals the same decision to the superior court. That is an improvement, but we still believe the bill could use some additional changes. Those probably will need to wait for the House. After passing the bill this week, the Senate referred it to the Finance committee for review of the financial impact. It will come back to the full Senate for a final vote either next week or the following week.

***Right-to-Know Law ombudsman.*** We also wrote in [last week's Bulletin](#) (page 4) about [SB 555](#), which would allow any “aggrieved person” claiming a violation of RSA 91-A to file a complaint with a Right-to-Know Law “ombudsman” as an alternative to filing suit in superior court. The idea has merit, and we are cautiously optimistic that the process can work.

We have expressed concern that the ombudsman would be appointed by a 17-person “citizens’ commission,” none of whom are required to have any knowledge of the Right-to-Know Law or, for that matter, any qualifications at all. In fact, we question the value of having a commission.

We are pleased that the Judiciary Committee this week recommended an amendment that would limit the commission’s authority. The commission would, unfortunately, still be responsible for establishing rules of procedure for the ombudsman, but otherwise would be limited to making recommendations for legislation and developing educational materials about the Right-to-Know Law.

*(Appeal Procedures— Continued from Page 9)*

The ombudsman would be appointed by the Governor and Executive Council. That is an improvement, although we still believe appointment by the supreme court would ensure the best possible candidate and minimize political considerations.

The Senate passed the bill with the Judiciary Committee's amendment, then referred it to the Finance Committee. It will come back to the full Senate for a final vote either next week or the following week.

## **Default Budget Bills**

This week the House passed [HB 1307](#), which adds a definition of “contracts” for the purpose of determining the default budget in official ballot referendum (SB 2) towns. As we explained in [Bulletin #10](#), contracts under this new definition will mean “contracts previously approved, in the amount so approved, by the legislative body in either the operating budget authorized for the previous year or in a separate warrant article for the previous year.” The bill also requires that when the default budget is disclosed at the first budget hearing, it shall be “presented for questions and discussion using the same individual line items in the detailed operating budget or chart of accounts that is regularly used by the local political subdivision to present the operating budget.”

The bill will now go to the Senate, where it will be assigned to a committee, presumably the Public and Municipal Affairs Committee.

[HB 1652](#), which authorizes an official ballot referendum town or school district to adopt bylaws defining or establishing requirements for the determination of the default budget by the governing body or budget committee, was on the House agenda for this week, but was special ordered (along with a number of other bills) for the House session on March 15. The bill has a committee recommendation of Ought to Pass with Amendment, but by a narrow 10-8 margin. The minority of the committee recommended that the bill be referred for interim study.

Finally, the Senate Public and Municipal Affairs Committee voted 4-0 to recommend [SB 342](#), also dealing with default budgets, as [Ought to Pass with Amendment](#). [SB 342](#) requires identification of the specific items in the default budget, by account code, that constitute a change from the previous year's operating budget, along with the reasons for the changes. The line item details of these changes would be required to be disclosed at the first budget hearing and available for inspection by voters. [SB 342](#) heads to the full Senate for action on March 15.

## **HOUSE CALENDAR**

**MONDAY, MARCH 12, 2018**

**NEW HAMPSHIRE DRINKING WATER AND GROUNDWATER ADVISORY COMMISSION (RSA 485-F:4), Rooms 210-211, LOB**

8:30 a.m. Regular meeting.

## SENATE CALENDAR

WEDNESDAY, MARCH 14, 2018

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

9:10 a.m. **HB 1392**, relative to tallies of votes on budget items or warrant articles.  
9:20 a.m. **HB 1332**, allowing warrant articles to be split by the deliberative session.

## HOUSE FLOOR ACTION

Tuesday, March 6, 2018  
Wednesday, March 7, 2018

**CACR 15**, relating to legal actions. Providing that taxpayers have standing to bring actions against the government. **Passed.**

**HB 525-FN**, relative to stabilization grants for education. **Inexpedient to Legislate.**

**HB 559-FN**, relative to expenditures from the energy efficiency fund. **Passed with Amendment.**

**HB 1101-FN**, regulating groundwater pollution caused by polluting emissions in the air. **Passed.**

**HB 1211**, relative to presite built housing. **Inexpedient to Legislate.**

**HB 1215**, relative to voting on variances. **Passed with Amendment.**

**HB 1216**, relative to liability for deferred property taxes. **Passed with Amendment.**

**HB 1220**, relative to valid identification to obtain a ballot. **Inexpedient to Legislate.**

**HB 1224**, relative to election dates. **Inexpedient to Legislate.**

**HB 1226**, relative to restricting the watering of lawns through the use of private wells. **Inexpedient to Legislate.**

**HB 1233**, preempting local regulation of seeds and fertilizer. **Passed with Amendment.**

**HB 1238**, relative to animal cruelty and costs of care for such animals. **Passed with Amendment.**

**HB 1241**, establishing a commission to assess benefits and costs of a “health care for all” program for New Hampshire. **Inexpedient to Legislate.**

**HB 1254**, establishing a committee to study the procedures for adoption of national codes by the state of New Hampshire. **Passed.**

**HB 1255**, relative to the state fire code. **Inexpedient to Legislate.**

**HB 1264**, relative to construction of the terms “resident,” “inhabitant,” “residence,” and “residency.” **Passed.**

*(House Floor Action— Continued from Page 11)*

**HB 1269**, relative to the requirement for campground owners to provide certain information to local assessing officials. **Inexpedient to Legislate.**

**HB 1307**, relative to the default budget in certain towns. **Passed with Amendment.**

**HB 1318**, relative to permits required for certain fires. **Inexpedient to Legislate.**

**HB 1319**, prohibiting discrimination based on gender identity. **Passed.**

**HB 1323**, relative to employment of chief executive officers under the right-to-know law. **Inexpedient to Legislate.**

**HB 1344**, relative to collective bargaining under the right-to-know law. **Inexpedient to Legislate.**

**HB 1345**, relative to election officers at additional polling places. **Inexpedient to Legislate.**

**HB 1391**, relative to municipal retention of employment files. **Inexpedient to Legislate.**

**HB 1396-LOCAL**, relative to requirements for a default budget. **Inexpedient to Legislate.**

**HB 1400**, relative to red light equipment on vehicles owned by dispatchers. **Inexpedient to Legislate.**

**HB 1414-FN**, relative to forfeiture fees regarding dog licenses. **Inexpedient to Legislate.**

**HB 1421-FN**, relative to regulations for event tents. **Passed with Amendment.**

**HB 1427-FN**, relative to membership in the retirement system for certain officials. **Passed with Amendment.**

**HB 1428-FN**, relative to removal of roadside memorials. **Passed with Amendment.**

**HB 1445**, relative to penalties for corrupt practices. **Inexpedient to Legislate.**

**HB 1450**, relative to retention of job applications and personnel files. **Passed.**

**HB 1451**, relative to employee work schedules and rest periods. **Inexpedient to Legislate.**

**HB 1459**, prohibiting autonomous vehicles on New Hampshire highways. **Inexpedient to Legislate.**

**HB 1473-FN**, relative to the timber yield tax. **Passed with Amendment.**

**HB 1486**, relative to “over voted” ballots. **Inexpedient to Legislate.**

**HB 1502**, adding the tax exemption for water and air pollution control facilities to the tax expenditure review. **Passed with Amendment.**

*(House Floor Action— Continued from Page 12)*

**HB 1508-FN**, relative to wage compensation under workers' compensation. **Inexpedient to Legislate.**

**HB 1510-FN**, relative to voters using out-of-state drivers' licenses as identification. **Inexpedient to Legislate.**

**HB 1520-FN**, relative to access to ballots and relative to verification counts of machine-counted ballots. **Inexpedient to Legislate.**

**HB 1533**, relative to expiration of variances and special exceptions. **Passed with Amendment.**

**HB 1540-FN**, relative to ranked-choice voting. **Inexpedient to Legislate.**

**HB 1547**, requiring review of default budgets by the department of revenue administration. **Inexpedient to Legislate.**

**HB 1558-FN**, relative to the payment of the meals and rooms tax by individuals renting cars through an online service. **Interim Study.**

**HB 1561**, relative to the use of recycled tire rubber at village, town, municipal, and school playgrounds. **Inexpedient to Legislate.**

**HB 1573**, relative to special elections for the office of state representative. **Inexpedient to Legislate.**

**HB 1582**, relative to the authority of the moderator to verify the device count. **Inexpedient to Legislate.**

**HB 1585**, requiring conservation commissions to keep a natural resources inventory. **Inexpedient to Legislate.**

**HB 1590-FN**, relative to standards for perfluorinated chemicals in surface water. **Inexpedient to Legislate.**

**HB 1591**, relative to a private right of action for toxin exposure. **Inexpedient to Legislate.**

**HB 1597**, relative to grounds for receivership involving a manufactured housing park. **Inexpedient to Legislate.**

**HB 1603**, relative to employee representation on the independent investment committee in the New Hampshire retirement system. **Passed with Amendment.**

**HB 1607**, relative to the appointment of a receiver for properties which are a threat to health and safety. **Inexpedient to Legislate.**

**HB 1608**, prohibiting a municipality or school district from compensating an employee on leave of absence. **Inexpedient to Legislate.**

*(House Floor Action— Continued from Page 13)*

**HB 1618-FN**, relative to ambient water quality standards and maximum contaminant levels for perfluorinated chemicals. **Inexpedient to Legislate.**

**HB 1619**, adding the rehabilitation of tourist lodging to qualifying structures under the community revitalization tax relief incentive program. **Inexpedient to Legislate.**

**HB 1634**, regulating disorderly houses. **Inexpedient to Legislate.**

**HB 1635**, allowing a license for short-term rentals. **Interim Study.**

**HB 1662-LOCAL**, requiring radon air testing on all new residential construction. **Inexpedient to Legislate.**

**HB 1666**, relative to redistricting. **Inexpedient to Legislate.**

**HB 1670-FN**, relative to bonds for public employees. **Inexpedient to Legislate.**

**HB 1684**, relative to criminal background checks for emergency medical services license applicants. **Passed.**

**HB 1699**, relative to state representative districts for Hudson and Pelham. **Inexpedient to Legislate.**

**HB 1717-FN**, requiring a jury trial before the municipality transfers certain property. **Inexpedient to Legislate.**

**HB 1722-FN-LOCAL**, relative to the property tax exemption for chartered public school property, including leased property. **Inexpedient to Legislate.**

**HB 1727-FN**, relative to monitoring perfluorinated chemicals in public water supplies. **Inexpedient to Legislate.**

**HB 1734-FN**, relative to inspection and registration of motor vehicles. **Inexpedient to Legislate.**

**HB 1737-FN-LOCAL**, relative to the permissible level of methyl tertiary butyl ether in drinking water. **Inexpedient to Legislate.**

**HB 1750-FN**, relative to an expectation of privacy in personal information. **Interim Study.**

**HB 1754-FN-LOCAL**, establishing a state defined contribution retirement plan for state and political subdivision members of the retirement system. **Inexpedient to Legislate.**

**HB 1755-FN**, establishing an office of the inspector general. **Inexpedient to Legislate.**

**HB 1756-FN-A**, relative to an additional allowance and a cost of living adjustment for retirees from the state retirement system. **Passed.**



*(House Floor Action— Continued from Page 14)*

**HB 1760-FN**, establishing an expectation of privacy in personal materials. **Interim Study.**

**HB 1766-FN**, relative to remediating the Coakley Landfill in Greenland. **Passed.**

**HB 1770-FN-LOCAL**, relative to verification of checklists. **Inexpedient to Legislate.**

**HB 1782-FN**, relative to insurance payments for ambulance providers. **Passed with Amendment.**

**HB 1786-LOCAL**, prohibiting costs for inspection of governmental records under the right-to-know law. **Passed.**

**HB 1804-FN**, relative to work requirements for able-bodied adults for public assistance programs. **Inexpedient to Legislate.**

**HB 1805**, establishing a committee to study level dollar amortization of retirement system unfunded accrued liability. **Passed with Amendment.**

**HB 1810**, establishing a commission to study the effectiveness of the current statutes related to management of non-tidal public water ways and the construction or placement of structures within them. **Passed with Amendment.**

**HB 1813-FN**, relative to the law regarding Medicaid expansion. **Inexpedient to Legislate.**

**HB 1814-FN-LOCAL**, relative to additional education grants to municipalities for the purpose of restoring reductions in stabilization grants **Inexpedient to Legislate.**

**HB 1823-FN**, relative to layered amortization of retirement system liabilities. **Passed.**

## **SENATE FLOOR ACTION**

Thursday, March 8, 2018

**SB 309-FN**, relative to standards for perfluorochemicals in drinking water, ambient groundwater, and surface water. **Passed with Amendment.**

**SB 340**, relative to department of revenue administration guidelines for municipal audits. **Passed with Amendment.**

**SB 370-FN**, adopting the emergency medical services personnel licensure interstate compact. **Passed with Amendment.**

**SB 401**, relative to repair of roads not maintained by a municipality. **Passed with Amendment.**

**SB 410-FN**, establishing a registration fee for canoes and kayaks. **Passed with Amendment.**

*(Senate Floor Action— Continued from Page 15)*

**SB 422**, relative to advance notice of work schedules. **Tabled.**

**SB 438**, relative to the postponement of local elections. **Passed with Amendment.**

**SB 443**, relative to the jurisdiction of counties concerning retail electric supply. **Passed.**

**SB 464**, relative to the procedure for driveway permits. **Passed with Amendment.**

**SB 506**, limiting amendments to warrant articles. **Passed with Amendment.**

**SB 522**, relative to alteration of speed limits. **Passed with Amendment.**

**SB 527-FN-L**, relative to absentee voting. **Passed with Amendment.**

**SB 530-FN**, relative to high voltage electric transmission lines in highway rights-of-ways. **Interim Study.**

**SB 555-FN-A**, establishing a citizens' right-to-know appeals commission and a right-to-know law ombudsman and making an appropriation therefor. **Passed with Amendment; referred to F-S.**

**SB 557-FN**, establishing a board of housing development appeals. **Passed with Amendment; referred to F-S.**

**SB 565-FN**, relative to aircraft registration fees and airways tolls. **Passed.**

**SB 569-FN**, relative to animal cruelty. **Passed with Amendment; referred to F-S.**

**SB 587-L**, relative to the collection of fees for public parking facilities. **Inexpedient to Legislate.**

**SB 592-FN-A**, relative to the child welfare system. **Passed with Amendment.**

 

**2018**      **Upcoming NHMA Workshops and Webinars**

Mar. 14      NHMA Webinar—Municipal Social Media and Free Speech

Apr. 4      NHMA Webinar—Legislative Half-Time

Apr. 9      2018 Local Officials Workshop—Grantham Town Hall

Please register online through our website [www.nhmunicipal.org](http://www.nhmunicipal.org). (Scroll down on left to Calendar of Events and click View the Full Calendar)