

# LEGISLATIVE BULLETIN

## State Aid Grant Funding

[HB 119](#) proposes to appropriate money to fund twelve wastewater projects located in six municipalities. These projects all received local financing approval prior to the December 2008 moratorium on state funding, with the municipalities rightfully expecting the state to honor its commitment to pay the statutory state share of the eligible costs for the projects. A hearing on **HB 119** is scheduled for **Tuesday, January 17, at 11:15 a.m., in LOB Room 210**, before the [House Finance Committee](#). Municipal officials from Portsmouth, Nashua, Berlin, Durham, Lebanon, and the Conway Village Fire District should contact members of the committee by phone or [email](#) to urge their support of **HB 119**, and should attend the hearing if possible.

## Second and Third Shots Fired in Assessing Battle

Last week we reported on [HB 254](#), the utility-backed effort to strip the Assessing Standards Board of its assessing expertise by removing two members and ensuring that most of the others know nothing about assessing. We knew there were two more bills coming, and they have arrived. The three bills together, all filed by the same representative, constitute a concerted attack on municipal assessing for the benefit of public utility companies.

Just in case decimating the ASB isn't enough, the second bill, [HB 323](#), eviscerates it by transferring all of the board's authority to the Department of Revenue Administration. We will write more on that in a later issue.

The third bill, [HB 324](#), is by far the most outrageous. It completely strips municipalities of their authority to assess utility properties and gives that authority to the Department of Revenue Administration. The intent and effect of the bill are to reduce assessed property values statewide by *billions* (not a typo) of dollars, raising tax rates and shifting tens of millions of dollars in property taxes onto residential and commercial property owners.

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Some background is needed here. Public utility companies are subject to a statewide tax on their properties under RSA 83-F. This is in lieu of their paying the statewide education property tax that other property taxpayers pay. Under RSA 83-F, the Department of Revenue Administration is responsible for appraising utility property, *solely for the purpose of the utility property tax*. It is very clear that it is not DRA's duty, but that of the local governing body, under RSA 75:1, to "appraise . . . all . . . taxable property at its market value," with certain exceptions.

In its appraisals of utility property, DRA uses the "unit method" to determine a single value for the entire statewide business of a utility, rather than valuing separately the components or the properties in individual municipalities. The New Hampshire Supreme Court has held that the unit method is an acceptable approach, but has also held that it is not the *only* acceptable approach and is not required to be used by municipalities.

Once DRA appraises a utility company's property using the unit method, it allocates the total appraised value among the municipalities *solely for the purpose of equalization*. (We will discuss equalization another time.) That allocation is not intended to be used for local property tax purposes. However, in recent years, some utility companies have begun using the DRA allocated values in support of their local property tax appeals. As it happens, the DRA allocated values are frequently dramatically lower than the local assessed values, so it is not surprising that the utilities want to use those values to support their claims.

In a string of recent decisions, the Superior Court and the Board of Tax and Land Appeals emphatically rejected challenges by PSNH (now Eversource) and the New Hampshire Electric Cooperative to their assessments in approximately 70 municipalities. In each case, after a trial lasting several days, the tribunal issued a lengthy, carefully considered opinion in which it found the local assessments to be more credible than the utilities' or DRA's appraisals. The BTLA's criticism of the DRA appraisals noted that DRA did no appraisal of the property in any given town and did not even know what property was in each town. Rather, it merely allocated its statewide value (which itself was found to be suspect) based on cost data *provided by the utility*. Eversource and NHEC have appealed the BTLA decisions to the New Hampshire Supreme Court, but they are likely to lose there as well.

And that is why we have **HB 324**, which would require that the allocated values determined by DRA, despite being discredited by the courts and the BTLA, be the only values that may be used for local property tax purposes. Quite simply, this is the utilities' last hope.

## THE EDGE

### **Why the silence?**

We frequently get questions about whether we've noticed a particular bill and, if so, why we haven't written about it in the *Legislative Bulletin*.

We do notice, and follow, almost every bill that could affect municipalities, but occasionally we miss one—so please don't hesitate to mention it if you think we have. More often, there is a reason for the quiet.

First, we have only limited space (and time). The *Bulletin* is usually written on Thursday night and early Friday morning, and we can only write (and think) so fast. So we give priority to NHMA policy bills and other bills (whether good or bad) that are of the greatest importance. We do list all new bills of interest in the *Bulletin* when they are first published, and in the calendar when they are scheduled for hearings.

Second, we cannot devote our full attention to every bill, so we often defer to other organizations that are likely to share our views. For example, we know that the Business and Industry Association will usually take the lead on employment issues, the Police Chiefs Association on law enforcement issues, and the Clerks Association on election law issues.

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NHMA members have adopted a policy for many years that opposes mandating the exclusive use of the unit method of valuation in the appraisal of utility property and supports the continuing right of municipalities to use any method of appraisal that has been upheld by the courts.

We intend to let every municipality, and its voters, know how much of the tax burden this scheme would shift to residential and commercial property taxpayers. We encourage all local officials to share this information with their representatives and demand that they carry out their obligation to represent the residents of their districts, not the utility companies.

The hearings on **HB 323** and **HB 324** have not been scheduled yet. We will let you know when they are.

### ASB Bill Goes to Subcommittee

Meanwhile, the hearing this week on the aforementioned **HB 254**, discussed in [last week's Bulletin](#), attracted an overflow crowd of assessors, local officials, legislators, and—of course—utility company lobbyists. Thank-you to the New Hampshire Association of Assessing Officials, which turned out so many members that the committee had to move to a double room, and to the selectman-legislators from Wilton, Sunapee, and Goffstown who spoke against the bill.

Quickly recognizing that their scheme to cleanse the Assessing Standards Board of assessing expertise had a flaw, the bill's prime sponsor and the utility lobbyists backpedaled, suggesting that it was not necessary to remove anyone from the board, as long as the utility industry could be represented on the board.

Why? The ASB was never intended to be a representative body; it was created to lend its expertise to the legislature, the Department of Revenue Administration, and local assessing officials. It was not the intent, nor should it be, that different groups of property owners get an official role in deciding how their properties should be assessed. Assessing is a learned discipline, not a political proposition to be debated and voted on by competing interest groups.

And why the utility industry? Why not also give a seat to hospitals, or farmers, or auto dealers? Why not fast-food restaurants or movie theaters?

The bill has been sent to a subcommittee, which is meeting next **Thursday, January 19, at 2:00 p.m., in LOB Room 306**. There will be an effort to strike a "compromise," but there is no need for a compromise. This bill should be killed.

### THE EDGE (Continued)

Third, on some issues it is better to keep a low public profile but work diligently behind the scenes. Unlike some lobbyists who do most of their work in private, NHMA usually takes a very public approach—but that is not always the most effective method. Difficult as it is to believe, there are some people in the legislature who are not fans of NHMA, and our taking a strong public position could sway them in the opposite direction. In those cases, we will work *sotto voce* to get our members and other allies to take the lead.

And finally, there are those occasional bills that are just so obviously silly that we really don't need to say much. Notwithstanding public perception and occasional ideological swings, the legislature is, on balance, run by reasonable people who know a ridiculous bill when they see one. A few words to a committee chairman can confirm that a bill is dead on arrival, without the need for hoopla.

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## Bonding for Broadband

The House Science, Technology & Energy committee heard almost three hours of testimony yesterday on [HB 191](#), the **NHMA policy bill** that would enable municipalities to issue bonds for the development of broadband infrastructure. Unlike last year, there was a huge crowd of local officials, business representatives, and private citizens in support of the bill—and, as always, the telecommunication lobbyists opposing it.

The bill's prime sponsor began by stating that the bill seemed like a “no brainer,” and he was right. It does nothing more than give municipalities the authority to issue bonds for broadband infrastructure, which no municipality would exercise except as a last resort when private industry is not filling the need. And there *is* a need in many parts of the state—areas of municipalities that are still not served by broadband, which makes those areas difficult to live and work in in today's connected economy and on-line environment.

Industry lobbyists trotted out their usual arguments. Here they are, followed by the fairly obvious answers:

1. Claim: There is no need for municipalities to build broadband infrastructure. Broadband is available almost everywhere, and the industry has “big plans” for expansion. Towns will “overbuild” where service is already available.

Answer: We've been hearing about the “big plans” for ten years. If there were no need, municipalities would not be pushing this. Does anyone really believe municipalities want to get into the internet business just for fun? If there is truly no need, then giving municipalities this authority won't hurt anything, because they won't exercise it. Remember—this needs a legislative body vote.

2. Claim: Companies like AT&T (market capitalization approximately \$250 billion) and Comcast (market capitalization approximately \$170 billion) shouldn't have to compete with towns like Peterborough and Hanover. It's unfair. Yes, they actually said that—repeatedly.

Answer: You're kidding, right?

3. Claim: Municipalities don't know what they're getting into. Broadband networks cost a lot to maintain, so taxes will spike and the town may end up defaulting on its bonds.

Answer: How gullible do they think legislators are? The telecommunication companies are worried about town finances and local property taxpayers? Is that why they have spent decades, and hundreds of thousands of dollars, trying to avoid paying property taxes?

All of these arguments are mere rationalizations to prevent municipalities from providing infrastructure that the industry either cannot or will not provide. Questions from committee members suggested that they were about evenly split, but we believe there is a decent chance that they will recommend passage of the bill. Please contact members of the [committee](#) and your own representatives and urge them to **support HB 191**.

## Bill Seeks to Muzzle Local Officials—Again

For approximately the umpteenth time in approximately the same number of years, there is a bill to cripple the ability of local governments to express their opinions to the legislature. [HB 223](#), scheduled for a hearing next **Wednesday, January 18, at 1:00 p.m., in LOB Room 301**, before the Municipal & County Government Committee, provides that “no recipient of a grant or appropriation of state, county, or municipal funds may use the funds to lobby or attempt to influence legislation, participate in political activity, or contribute funds to any entity engaged in these activities.” Any recipient of such a grant or appropriation would have to segregate the funds in such a manner that they are “physically and financially separate from any other funds that may be used for . . . these purposes.”

Typically these bills are directed at NHMA, but depending on which rumor you listen to, this one has either the School Boards Association or the Association of Counties as its target. Regardless, it would sweep up NHMA and numerous other organizations—the Police Chiefs Association, the Association of Assessing Officials, the Water Works Association, and the City and Town Clerks Association, to name just a few.

Do not municipal officials have free speech rights? In past years, supporters of these efforts have acknowledged that perhaps local officials should be allowed to testify at legislative hearings, but they should not be permitted to spend taxpayer funds on lobbyists. But why should this be a state decision? Every municipal legislative body—in most cases, the town meeting—has the opportunity to decide how it will spend its money; if citizens don’t want their dollars spent on legislative advocacy, they can prevent it. Most political subdivisions have decided that it is more effective to contribute to organizations that speak on their behalf, rather than to try to send elected officials to the legislature every week.

There have been variations on this theme almost every year, but **HB 223** is essentially the same as **HB 1560** from 2014. That bill received a committee recommendation of Inexpedient to Legislate on a 17-0 vote and died a quiet death on the House floor. We are optimistic that this bill will meet a similar fate, but nothing can ever be taken for granted. ***Please consider attending the hearing to speak against this bill; alternatively, contact members of the [committee](#) and ask them to kill HB 223.***

## HOUSE CALENDAR

### ENVIRONMENT AND AGRICULTURE, Room 303, LOB

1:00 p.m. **HB 101-FN**, relative to certification for solid waste operators.

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

10:00 a.m. **HB 202**, requiring notice to municipalities of the relocation of state offices located within the municipality.

11:15 a.m. **HB 171**, prohibiting the state or its political subdivisions from assisting a federal agency in the collection of electronic data without a warrant.

### FINANCE, Rooms 210-211, LOB

11:15 a.m. **HB 119-FN-A-L**, making appropriations to the department of environmental services for the purpose of funding eligible drinking water and wastewater projects under the state aid grant program. **NHMA Policy.**

### JUDICIARY, Room 208, LOB

10:30 a.m. **HB 292**, relative to a jury trial for the execution of a tax lien.

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

- 10:00 a.m. **HB 83**, prohibiting family members from serving on the same town, city, or school district board or committee.  
10:30 a.m. **HB 89**, relative to municipal revolving funds.  
11:00 a.m. **HB 108**, relative to municipal record retention and conversion.  
11:30 a.m. **HB 118**, relative to appropriations in petitioned warrant articles.  
1:00 p.m. **HB 163**, relative to the responsibility of a municipality to enforce its ordinances.  
1:30 p.m. **HB 251**, relative to the use of capital reserve fund appropriations by municipalities.

**PUBLIC WORKS AND HIGHWAYS, Room 201, LOB**

- 1:00 p.m. **HB 181**, relative to the maintenance of private roads abutting residential properties.

**WEDNESDAY, JANUARY 18, 2017**

**ELECTION LAW, Room 308, LOB**

- 10:00 a.m. **HB 165**, relative to disqualification of election officers.  
10:20 a.m. **HB 247**, relative to retention of voter registration forms.  
10:40 a.m. **HB 309**, relative to valid student identification cards for voting purposes.  
11:00 a.m. **HB 235**, allowing the use of an assisted living facility photo identification card for voter identification purposes.  
1:00 p.m. **HB 203-FN-A**, establishing an independent redistricting commission. **NHMA Policy.**

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

- 10:30 a.m. **HB 168**, relative to the definition of the New Hampshire fire code.  
1:00 p.m. **HB 92**, revising the definition of the state building code and ratifying changes to the state building code adopted by the state building code review board.  
1:45 p.m. **HB 80**, relative to the administration of building code enforcement.

**LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 307, LOB**

- 10:00 a.m. **HB 130**, prohibiting an employer from using credit history in employment decisions.  
11:00 a.m. **HB 194**, permitting employers to pay wages to employees weekly or biweekly.

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

- 10:00 a.m. **HB 131**, relative to the costs for notice of changes in a zoning district.  
1:00 p.m. **HB 223**, prohibiting recipients of county or municipal funds from using such funds for lobbying.  
1:30 p.m. **HB 230**, relative to the referendum procedure for public water systems.

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

- 10:30 a.m. **HB 258**, relative to the submission and approval of subsurface sewage disposal system plans.

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

- 2:00 p.m. **HB 328**, relative to taxation of public utility infrastructure.

**TRANSPORTATION, Room 203, LOB**

- 1:00 p.m. **HB 193**, relative to traffic control measures.

**THURSDAY, JANUARY 19, 2017**

**JUDICIARY, Room 208, LOB**

- 10:00 a.m. **HB 109**, exempting certain building plans from the right-to-know law. **NHMA Policy.**  
10:30 a.m. **HB 252**, relative to pro se litigants under the right-to-know law.

**THURSDAY, JANUARY 19, 2017 (continued)**

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

- 1:00 p.m. **HB 336**, relative to standards for outdoor wood-fired hydronic heaters.  
2:00 p.m. **HB 337**, relative to municipal regulations of small wind energy systems.

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

- 2:15 p.m. **HB 359-FN-A-L**, relative to returning a percentage of the LCHIP fee to the municipality where the real estate transfer from which the fee originates is located.

**WEDNESDAY, JANUARY 25, 2017**

**LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Rooms 305-307, LOB**

- 10:00 a.m. **HB 115-FN**, establishing a state minimum wage and providing for adjustments to the minimum wage.

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

- 10:00 a.m. **HB 86**, relative to voting on variances.  
10:20 a.m. **HB 123**, relative to continuation of a public hearing of the zoning board of adjustment.  
10:40 a.m. **HB 87**, relative to vacancies in the office of moderator.  
11:00 a.m. **HB 299**, relative to notice by mail for zoning and planning purposes.

**SENATE CALENDAR**

**TUESDAY, JANUARY 17, 2017**

**FINANCE, Room 103, SH**

- 1:00 p.m. **SB 36**, establishing a committee to study the Laconia state school property.  
1:15 p.m. **SB 38-FN**, transferring moneys from the revenue stabilization reserve account to the highway and bridge betterment account.

**TRANSPORTATION, Room 103, LOB**

- 1:45 p.m. **SB 34**, relative to recovery of costs for damage done to highways.

**WEDNESDAY, JANUARY 18, 2017**

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

- 9:00 a.m. **SB 19**, relative to warrant articles that have been submitted to the department of revenue administration.

**New 2017 House Bills**

HB 174 limits the jurisdiction of the superior courts over certain adequate education statutes and adequate education grants. Rep. Hill of Northfield; **JUD-H.**

HB 292 states that an individual shall have the right to a jury trial for collection of taxes through the execution of a lien on the individual's property. Rep. Marple of Hooksett; **JUD-H.**

*(New House Bills— Continued from Page 7)*

HB 294-FN-A requires that the administrative and professional cost of the fiscal analysis of proposed legislation done by the retirement system be reimbursed from general funds not otherwise appropriated. Rep. Rogers of Concord; **ED&A-H**.

HB 299 amends certain notice requirements under the zoning and planning laws to require verified mail instead of certified mail. Rep. J. Belanger of Hollis; **M&CG**.

HB 301 provides that, under the state fire code and state building code, electric grills may be used on balconies and decks under certain conditions. Rep. Ohm of Nashua; **ED&A-H**.

HB 302 requires the Hampton Beach area commission to study the feasibility of the commission or the town of Hampton entering into an agreement with the department of resources and economic development to lease and operate Hampton Beach state park. Rep. Bean of Hampton; **RR&D**.

HB 303-LOCAL requires that a vacancy in the office of a county commissioner be filled by a majority vote of the county convention members representing the cities and towns in the commissioner's district. Rep. Gagne of Manchester; **M&CG**.

HB 309 eliminates a temporary provision under the voter identification requirement allowing the use of undated student identification cards. Rep. Dean-Bailey of Northwood; **EL**.

HB 313 allows a town to establish a scholarship fund for the benefit of town residents. Rep. Hill of Northfield; **M&CG**.

HB 316 allows a municipality to adopt a commercial and industrial construction exemption from property taxation. Rep. F. McCarthy of Conway; **W&M-H**.

HB 320 establishes procedures and guidelines for apportioning electoral districts after the decennial census using a mathematical optimization process. Rep. Knirk of Freedom; **EL**.

HB 323 revises the powers and duties of the assessing standards board to provide for the adoption of the rules and standards for assessing by the commissioner of the department of revenue administration based on recommendations of the board. Rep. Abrami of Stratham; **ED&A-H**.

HB 324 requires that the value of utility property for purposes of local property taxation be determined by the commissioner of revenue administration under the state utility property tax, RSA 83-F. Rep. Abrami of Stratham; **STE**.

HB 325 permits towns that have adopted a charter form of government to appoint a town clerk. **NHMA Policy**. Rep. Murphy of Bedford; **M&CG**.

HB 328 requires the public utilities commission to include notification in licenses for the construction of public utility infrastructure over, under, or across state land or water that the infrastructure is taxable to the utility. Rep. Bean of Hampton; **STE**.

*(New House Bills— Continued from Page 8)*

HB 336 defines certified outdoor wood-fired hydronic heaters and regulates their installation and operation. Rep. McNamara of Hillsborough; **STE**.

HB 337 modifies the authority of municipalities to set noise level limits for small wind energy systems. Rep. Vadney of Meredith; **STE**.

HB 341 repeals the local option to reduce the taxes attributable to a chartered public school facility renting or leasing its building or facilities from a property owner which is not exempt from property taxes. Rep. Horrigan of Durham; **EDUC-H**.

HB 342 establishes a commission to study the transfer of authority from the Environmental Protection Agency to the department of environmental services regarding the issuance of the New Hampshire municipal separate storm sewer system (MS4) general permit. Rep. Gould of Bedford; **E&A-H**.

HB 348 establishes a process for the division of motor vehicles to register driver's license applicants to vote, with completed registration forms to be transmitted to the appropriate supervisors of the checklist. Rep. Myler of Hopkinton; **EL**.

HB 350 prohibits possession of a firearm at a polling place during a federal, state, or municipal election. Rep. Burton of Durham; **CJ&PS**.

HB 357-FN-LOCAL repeals the valuation formula for telephone poles or conduits and related statutory provisions. Rep. Bean of Hampton; **W&M-H**.

HB 359-FN-A-LOCAL requires a register of deeds to retain 30 percent of each LCHIP assessment, to be used for conservation efforts in the collecting town or city. Rep. Chirichiello of Derry; **W&M-H**.

HB 365-FN provides that a public body, public agency, or officer or employee who violates the right-to-know law is liable for attorney fees even if the violator had no reason to know that the conduct violates the law. Rep. Hynes of Merrimack; **JUD-H**.

HB 366-FN modifies the calculation of average final compensation for retirement system members who commenced service on or after July 1, 2011 or who had not attained vested status prior to January 1, 2012. Rep. Shaw of Manchester; **ED&A-H**.

HB 369-FN extends the period of amortization for the unfunded accrued liability of the New Hampshire Retirement System. Rep. LeBrun of Nashua; **ED&A-H**.

HB 371-LOCAL increases the amount of a public works contract for which a bond is required from \$35,000 to \$150,000. **NHMA Policy**. Rep. Danielson of Bedford; **PW**.

HB 376 requires persons commencing construction projects that disturb the sediments of estuarine waters to submit a chemical analysis of the sediments in order to receive a permit from the department of environmental services. Rep. Burton of Durham; **RR&D**.

HB 380-FN clarifies that the oil discharge and disposal cleanup fund is nonlapsing, clarifies eligibility requirements for potential contamination source properties, and increases the limit for reimbursement for tank upgrade costs for low-income owners of on-premises-use facilities. Rep. Christensen of Merrimack; **RR&D.**

HB 382 prohibits electronic warrants. Rep. Marple of Hooksett; **JUD-H.**

HB 389 modifies procedures for assisting a disabled voter who is unable to access the polling place. Rep. Fields of Sanbornton; **EL.**

HB 391 eliminates provisions relating to cooperative school district adoption of a town checklist. Rep. Fields of Sanbornton; **EDUC-H.**

HB 393-FN renames the Winnepesaukee River Basin Control Program replacement fund the reserve account and includes certain facilities in the projects that may be funded from the reserve account. Rep. McConkey of Freedom; **RR&D.**

HB 394 prohibits public employees from testifying before a legislative committee, subject to limited exceptions. Rep. Hoell of Dunbarton; **LEGIS ADMIN.**

HB 402 removes a New Hampshire vehicle registration from the list of documents that constitute presumptive evidence of a person's domicile. Rep. Bates of Windham; **EL.**

HB 403 modifies the domicile affidavit and limits its use to election day registrations. Rep. Bates of Windham; **EL.**

HB 404 modifies various provisions relating to who is eligible to vote and eliminates the separate election day voter registration form. Rep. Bates of Windham; **EL.**

HB 405 requires the decennial retirement commission established in RSA 100-A:57 to study the feasibility and cost of eliminating the reduction in a retiree's retirement allowance upon reaching the age of 65. Rep. Danielson of Bedford; **ED&A-H.**

HB 411-LOCAL changes the calculation of property taxes to use the assessed valuations determined in the prior year and tax rates determined by the commissioner of revenue administration in the prior year so that budgets can be adopted using known revenues. Rep. Valera of Windsor; **M&CG.**

HB 413-FN-A-LOCAL provides that the state shall pay 15 percent of contributions of retirement system employers other than the state for group I teachers and group II members. **NHMA Policy.** Rep. Cushing of Hampton; **ED&A-H.**

HB 415-FN-A-LOCAL reduces the rate of the business profits tax, repeals several other taxes, establishes an income tax, and requires the state to pay 35 percent of retirement system employer contributions for group I teachers and group II members beginning in fiscal year 2021. Rep. Henle of Concord; **W&M-H.**

HB 419-FN-LOCAL requires the annual refund of 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. Weyler of Kingston; **M&CG**.

HB 421-FN allows the board of trustees of the retirement system to revoke a member's benefits if the member is convicted of a crime related to his or her public office or public employment. Rep. Fraser of New Hampton; **ED&A**.

HB 423-FN provides that the appropriation to the department of safety for fire standards instruction shall not exceed \$1,500,000 for the biennium ending June 30, 2019. Rep. Brewer of Pittsfield; **F-H**.

HB 424-FN requires the town or city clerk to retain a copy of the bill of sale and certificate of registration or the certificate of title for certain title exempted vehicles. Rep. Crawford of Center Harbor; **TRANS-H**.

HB 425-FN-LOCAL requires the retirement system to use the assumed rate of return of 7.75 percent for calculating employer contribution rates for the biennium beginning July 1, 2017, and to recertify employer rates. Rep. M. MacKay of Nashua; **ED&A-H**.

HB 430 requires that information on the use of out-of-state drivers' licenses and nondrivers' identification cards be recorded in the statewide centralized voter registration database. Rep. Bates of Windham; **EL**.

HB 431 establishes a commission to study long term goals and requirements for drinking water in the seacoast area. Rep. Messmer of Rye; **RR&D**.

HB 432 requires law enforcement agencies to enforce certain parking violations. Rep. L'Heureux of Merrimack; **TRANS-H**.

HB 433 authorizes the use of decals issued by fire chiefs to firefighters and retired firefighters on multi-use decal plates. Rep. Tanner of Sunapee; **TRANS-H**.

HB 437 allows a law enforcement officer to have temporary police authority in another jurisdiction until an arrested person is declared medically cleared. Rep. Murphy of Bedford; **M&CG**.

HB 438 prohibits a public employer from withholding union dues from a public employee's wages. Rep. Hinch of Merrimack; **LABOR**.

HB 441 allows a public body to enter non-public session for the purpose of an initial screening of employment applications. Rep. Cahill of Newmarket; **JUD-H**.

HB 442 prohibits employers from asking a job applicant about his or her criminal history prior to an interview. Rep. Cahill of Newmarket; **LABOR**.

HB 446 provides that project labor agreements shall not be included in state agency construction contracts. Rep. Seaworth of Pembroke; **ED&A-H**.

HB 454 repeals the emission control equipment requirements for motor vehicles and on-board diagnostic system (OBD II) testing procedures of the department of safety for vehicle inspections. Rep. J. Moore of Merrimack; **TRANS-H**.

HB 459 modifies the content of the challenged voter affidavit. Rep. Bates of Windham; **EL**.

HB 460 requires any objection to a discussion taking place in a meeting of a public body, including nonpublic sessions, under the right-to-know law to be recorded in the minutes of the meeting. Rep. True of Sandown; **JUD-H**.

HB 464 repeals the authority of election officials to verify the identity of a voter not presenting a photo identification or to accept any photo identification they determine to be legitimate. Rep. Bates of Windham; **EL**.

HB 470-FN-LOCAL modifies the penalties for violations of municipal ordinances and bylaws concerning sewage or stormwater. **NHMA Policy**. Rep. McGuire of Epsom; **RR&D**.

HB 478 prohibits discrimination based on gender identity. Rep. Butler of Hart's Location; **HHS&EA**.

HB 481 permits towns to adopt bylaws to regulate the distribution of certain plastic bags. Rep. Bartlett of Concord; **M&CG**.

HB 483 prohibits a defendant summoned for failure to license a dog from being arrested for failure to appear on such summons. Rep. Sapareto of Derry; **M&CG**.

HB 486 identifies and defines different types of wetlands protected under the Wetlands Protection Act. Rep. Spang of Durham; **RR&D**.

HB 489 establishes a commission to study the tax structure of the state for the purpose of developing changes to state laws to reduce the burden of the property tax. Rep. F. Schmidt of Dover; **W&M-H**.

HB 491-LOCAL requires a school board to disclose each major item in the default budget and its source, at a public hearing. Rep. Weyler of Kingston; **M&CG**.

HB 492 defines and regulates the use of motorized scooters and wheelchairs operating on public streets. Rep. L'Heureux of Merrimack; **TRANS-H**.

HB 495 prohibits the amendment of petitioned warrant articles and deletes the requirement that a petitioned special warrant article include a notation of whether the article is recommended by the governing body or the budget committee. Rep. Verville of Deerfield; **M&CG**.

## New 2017 Senate Bills

SB 22 provides immunity from civil liability to an employer who discloses employment information about a worker to a prospective or current employer. Sen. Bradley of Wolfeboro; **COM-S.**

SB 34 makes any person who damages a highway or highway protection equipment strictly liable for certain indirect costs and for labor and benefits costs. Sen. D'Allesandro of Manchester; **TRANS-S.**

SB 36 establishes a committee to study the Laconia state school property and develop recommendations regarding the sale of the property. Sen. Morse of Salem; **F-S.**

SB 38-FN authorizes the state treasurer to transfer \$1 from the revenue stabilization reserve account to the highway and bridge betterment account. Sen. Morse of Salem; **F-S.**

### UPCOMING NHMA EVENTS

Please visit our [website](#) for upcoming NHMA events. See CALENDAR OF EVENTS on the left and click *View the Full Calendar*; scroll down to the event you are interested in to register (NHMA Members only).

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

February 8, 2017 NHMA Webinar: Right-to-Know Law

February 11, 2017 Moderator's Workshop for Traditional Town Meeting

For more information, contact us by phone at 1-800-852-3358, Ext. 3350 or email us at [NHMAregistrations@nhmunicipal.org](mailto:NHMAregistrations@nhmunicipal.org)