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A Positive Turn

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The 2013 legislative session was different. It was quieter than recent years, with far fewer high-profile battles, despite having different parties in control of the House and the Senate. As noted by several observers, one bit of evidence of this more cooperative atmosphere was that the state budget passed the Senate unanimously for the first time since 2001. (It also garnered a 95 percent majority in the House.)

For municipalities as well, 2013 marked at least a temporary change of course. In most years, NHMA seems to spend a majority of its time opposing objectionable bills, rather than supporting good ones. For example, in 2012, which felt like a typical year, NHMA opposed more than three times as many bills as it supported. In 2013, in contrast, NHMA *supported* almost twice as many bills as it *opposed*—a remarkable turnaround. Most notably, instead of having to fight against further cuts to local aid, NHMA was in the enjoyable, and unusual, position of supporting *restorations* of aid that were advocated by both parties in both houses.

We believe this is because legislators have been listening to local officials, and NHMA, talk about the difficulties that recent reductions have caused and about the need for better relations with state government. Whether it represents a long-term trend remains to be seen.

The biggest victory for municipalities this year was the restoration of funding for state aid grants for municipal water and wastewater facilities and landfill closures. The restored payments for fiscal years 2014 and 2015 will amount to almost \$9.5 million, bringing total grants for those years to \$19 million. Other budget successes include an additional \$5 million in meals and rooms tax revenue for fiscal year 2015, \$8.5 million for the Land and Community Heritage Investment Program (LCHIP), and \$1.57 million for payments in lieu of taxes to municipalities with land in flood control compacts. All of that is recovered money that was promised in previous years but was stripped away over the last four years.

Positive Turn - continued

This year's legislature adopted a remarkable *fourteen* NHMA policies. In addition to the several contained in the state budget, these included authority for selectmen to sign a manifest outside a public meeting, a permanent exemption to allow burning of untreated lumber at transfer stations, a revision to the procedure for planning board appeals, and an earlier time for moderators to begin processing absentee ballots (which unfortunately was vetoed by the Governor)—along with others too numerous to list here.

There were a few disappointments along the way. One was the aforementioned veto of **HB 183**, which would have allowed moderators to begin processing absentee ballots two hours after the polls open, instead of waiting until 1:00 p.m., as currently required. At this writing, it is unknown whether the legislature will attempt an override of the veto. If it does not, we have been assured that the bill will return in some form in 2014.

A bigger problem is the legislature's failure to provide additional funding for state and local roads and bridges. The House passed an increase in the road toll, but the Senate killed it; the Senate passed a casino bill, but the House killed it. We expect both issues to be back in 2014; but unless someone can find a way to wring the promised tens of millions of dollars out of a casino before it is actually approved and built, the road toll is the only realistic option for increased highway funding in the near future.

As always, the efforts of local officials made a huge difference throughout the legislative session. Without your phone calls, letters, and e-mails to your legislators, the work of NHMA's staff would be far more difficult. Thank you for all your work and support. Also, ***please thank your legislators*** who supported local government with their votes.

I thank the Government Affairs staff for their outstanding efforts during the legislative session and throughout the year, and thank the rest of the NHMA staff for all they do to support our legislative efforts—offering ideas and comments on legislation, helping with the weekly *Legislative Bulletin*, maintaining our bill charts, organizing board and committee meetings, and so much more.

On behalf of the staff at NHMA, I hope all of you are having a great summer. Please do not hesitate to contact us if you have questions, concerns, or suggestions.



Judy A. Silva
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New Hampshire Municipal Association

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I. CLERKS; ELECTIONS; TOWN MEETING; OFFICIAL BALLOT; CHARTERS

Filing for Office on Last Day. [Chapter 14](#) (HB 309) provides that a person who is filing to run in a primary election on the last day of the filing period must file in person if the office is one for which the filing is made with the city or town clerk. Existing law already required last-day filings to be made in person for offices with respect to which the filing is made with the Secretary of State's office. The new law also requires the person to declare that he or she is a registered voter, rather than a "qualified" voter. **Effective date July 7, 2013.** *[Hereafter, "effective date" will be abbreviated "E.D."]*

Suspension of Vehicle Registration Privilege for Paying with Bad Check. [Chapter 15](#) (HB 194) allows the Division of Motor Vehicles to suspend the registration privilege of a person who pays a registration permit fee with a bad check. Existing law merely allows suspension of the registration certificate and number plates. **E.D. January 1, 2014.**

Extended Deadline for Sending Voter Checklist to Archives. [Chapter 106](#) (HB 352) gives election officials 90 days after an election to send one of the marked checklists that were used in the election to the state archives. Previous law required that the checklist be sent not later than the fourth Friday after the election. **E.D. August 23, 2013.**

Topical Description of Ordinance on Official Ballot. [Chapter 116](#) (HB 138) allows a town that uses the official ballot referendum (SB 2) form of town meeting to place a topical description of the substance of a proposed ordinance or amendment to an ordinance on the official ballot for town meeting, instead of the full text of the proposed ordinance or amendment. An official copy of the full ordinance or amendment must be filed with the town clerk at least one week before the second session of the town meeting, and must be displayed at the polling place on the date of the meeting. **E.D. August 24, 2013.**

Registration of Vehicle by Person without a Permanent Address. [Chapter 137](#) (HB 193) allows a person without a permanent street address to register a vehicle by certifying that he or she is a resident of the municipality and providing a letter authorizing him or her to use the mailing address of a social service organization. Previously, this was permitted only for *re*-registration of a vehicle. **E.D. August 26, 2013.**

Vital Record Fees. [Chapter 144](#), section 109 (HB 2) increases the amounts of the fees for providing copies of vital records that are retained by municipalities (from \$4 to \$7 for the first copy, and from \$3 to \$5 for each subsequent copy) and eliminates the amounts remitted to the State Treasurer for deposit into the general fund. **E.D. July 1, 2013.**

Repeal of Reduction in Vessel Registration Fees. [Chapter 149](#) (HB 411) repeals a reduction in the registration fees for commercial, private, and pleasure vessels that was scheduled to take effect in 2015. **E.D. June 28, 2013.**

Default Budget for Water and Sewer Services. [Chapter 191](#) (SB 197) authorizes a town that operates under the official ballot referendum (SB 2) form of town meeting to appropriate funds for water or sewer operations through a separate warrant article if the appropriation is to be raised through user charges or fees, and to include a default amount, based on the amount of the appropriation for the prior year, in the event the article is not approved. **E.D. August 31, 2013. NHMA POLICY.**

Section I - continued

Clerk May Provide Copy of Checklist. [Chapter 209](#) (HB 308) requires the supervisors of the checklist *or* the city or town clerk to provide a copy of the voter checklist to any person upon request. Prior law referred only to the supervisors of the checklist. The new law also requires the Secretary of State to provide sample state primary ballots on tinted paper, rather than white paper. **E.D. September 8, 2013.**

Committee to Study Election Laws. [Chapter 220](#) (HB 521) establishes a committee to study New Hampshire election laws and procedures. The committee is directed to review all options to increase voter participation, “including but not limited to solutions to limit lines and wait times in casting ballots and voter registration, public education related to election law, election procedures, early voting, and absentee voting.” The committee’s report is due by November 1, 2014. **E.D. July 12, 2013.**

Voter Identification. [Chapter 278](#) (HB 595) delays until September 1, 2015, the effective date of “phase 2” of the voter identification law that was passed in 2012. Among other things, this means that the obligation of the moderator to take a photograph of a voter who votes by completing a qualified voter affidavit, rather than by presenting a valid photo identification, will not take effect until that date. The new law also modifies, effective immediately, the forms of identification that can be used to obtain a ballot. The changes include (1) a requirement that most forms of ID not have exceeded their expiration date by more than five years; (2) a narrower definition of a “valid student identification card”; and (3) elimination of the provision allowing “any other valid photo identification issued by federal, state, county, or municipal government.” **E.D. July 24, 2013.**
NHMA POLICY.

II. INTERGOVERNMENTAL RELATIONS; RETIREMENT; STATE BUDGET

Selectmen to Fill Vacancy on Cooperative School District Budget Committee. [Chapter 114](#) (HB 115) modifies the procedure for filling a vacancy on a cooperative school district’s budget committee. If there are at least two members remaining who represent the same town or towns as the departed member, they will select a replacement; but if they cannot agree, or if there are not at least two such members, the selectmen of the town or towns involved will select a replacement by majority vote. **E.D. August 24, 2013.**

Biennial State Operating Budget and Trailer Bill. [Chapter 143](#) (HB 1) and [Chapter 144](#) (HB 2) comprise the state operating budget appropriations and the statutory changes necessary to implement the budget for the two-year period July 1, 2013 through June 30, 2015. A schedule showing state aid to cities, towns and school districts from 2003 through 2015 is available [here](#). (If you received a mailed hard copy of the Final Bulletin, the schedule is on the last page.) **Effective date for all provisions discussed here is July 1, 2013.**

- **Meals & Rooms Tax Distribution (Chapter 143; Chapter 144, sections 1 and 70).** The budget includes meals and rooms tax funding to municipalities of \$58.8 million in fiscal year 2014 and an increase in the appropriation to \$63.8 million in fiscal year 2015 as a result of the restoration of the statutory “catch-up” formula, which has been suspended since 2009. Pursuant to that formula, municipalities will receive seventy-five percent of any increase in meals and rooms tax revenues, up to \$5 million, until such time as the statutory apportionment of forty percent to municipalities/sixty percent to the state is reached. Currently the apportionment is approximately twenty-five percent municipal/seventy-five percent state. **(NHMA POLICY).** The trailer bill also clarifies the language of the distribution formula under RSA 78-A:26.

Section II - continued

- **Revenue Sharing (Chapter 144, section 2).** The trailer bill suspends revenue sharing under RSA 31-A for the biennium. This has been suspended since 2009.
- **School Building Aid (Chapter 144, section 3).** The budget continues the school building aid moratorium, not funding any new projects through June 30, 2015. However, it does continue to fully fund existing commitments for school building aid payments.
- **State Aid for Funeral Expenses Suspended (Chapter 144, section 21)** The trailer bill continues the suspension of state payments for the funeral expenses of persons who have been receiving public assistance from the state. Those payments were suspended for the 2012 and 2013 fiscal years, and will continue to be suspended for the 2014-15 biennium. **E.D. July 1, 2013.**
- **State Aid Environmental Grants for Water, Wastewater, and Landfill Closure (Chapter 143; Chapter 144, sections 100-101).** The budget includes funding beginning in 2014 for the 127 completed and eligible drinking water, wastewater, and landfill closure projects, affecting 60 municipalities, on the Department of Environmental Services' "delayed and deferred" list. State funding for these projects is \$9.5 million for the upcoming biennium and more than \$52 million over the life of the payment terms on the projects. State aid environmental grants for projects that already had state commitments *plus* the delayed and deferred projects total \$19 million over the biennium. **(NHMA POLICY.)** The trailer bill also includes a moratorium on state funding for any water, wastewater or landfill closure projects that did not have local financing authorization by December 31, 2008.
- **Land and Community Heritage Investment Program (LCHIP) (Chapter 143).** The budget includes funding of \$8.5 million for LCHIP over the biennium, placing all of the revenue raised by the real estate transfer tax recording surcharge into the LCHIP trust fund, rather than having a portion of that revenue go to the state general fund. **(NHMA POLICY).**
- **DRA Mosaic Parcel GIS Program (Chapter 144, section 98).** The trailer bill authorizes the Department of Revenue Administration to collect information on the use of its mosaic parcel GIS program by other state agencies and to consider allocation methods to share the cost of maintaining this program in the future. A report is due to the House Finance Committee by November 1, 2013.
- **Adequate Education Grants (Chapter 143; Chapter 144, section 120).** The budget increases the "adequacy collar" for adequate education grants so that the maximum amount a municipality may receive in any year is 108 percent of the amount received the preceding year. Under previous law, the limit was 105.5 percent.
- **Flood Control (Chapter 143; Chapter 144, section 126).** The budget includes \$1.6 million for payments in lieu of taxes for municipalities with land in flood control compacts, and repeals the section of current law that limits those payments to only the New Hampshire share (generally 30%) in the event that other states do not pay their share. **(NHMA POLICY).** See also **Chapter 155 (HB 581), below.**
- **Highway Block Grants (Chapter 143).** The budget maintains highway block grant funding of \$60 million over the biennium. **(NHMA POLICY).**

Section II - continued

- **Vital Record Fees (Chapter 144, section 109).** The trailer bill increases the amounts of the fees for providing copies of vital records that are retained by municipalities (from \$4 to \$7 for the first copy, and from \$3 to \$5 for each subsequent copy) and eliminates the amounts remitted to the State Treasurer for deposit into the general fund, resulting in a projected increase of \$600,000 in municipal revenues over the biennium.

Recovering Funds Owed Under Flood Control Compacts. [Chapter 155](#) (HB 581) urges the Attorney General to expedite the pursuit of arrearages owed to the State of New Hampshire by other states involved in interstate flood control compacts, and requires quarterly reports of such efforts to the Speaker of the House, the Senate President, and the Governor. **E.D. June 28, 2013.**

Municipality May Retain State Park Fines. [Chapter 166](#) (SB 14) allows a municipality to keep 100 percent of any fines collected for violations of state park or state forest and land rules when the municipality is policing state property under an agreement with the Department of Resources and Economic Development. Previous law allowed the municipality to keep 50 percent of the fine amounts. **E.D. June 27, 2013.**

Gainful Occupation for Group II Accidental Disability Retirement. [Chapter 196](#) (HB 124) removes the application of the gainful occupation reduction to retirement allowances of group II accidental disability beneficiaries, effective for any tax year beginning after December 31, 2011. The bill also amends the New Hampshire Retirement System membership requirements for two state employees. **E.D. July 1, 2013 and July 9, 2013, respectively.**

Report of Compensation Paid to NHRS Retirees; NHRS Eligibility for Certain Town Clerks and Tax Collectors. [Chapter 251](#) (HB 342) requires employers participating in the New Hampshire Retirement System (NHRS) to report the name, hours worked, and compensation paid by the employer to any retired member of the NHRS. The purpose of this reporting is to provide data regarding the extent to which NHRS retirees are simultaneously drawing a pension and working for a state or local government employer. It also requires the NHRS to provide written notice to all retired members of the system regarding the hourly limitation on part-time work and potential effect on the retiree's benefits if that limit is exceeded. Finally, the law authorizes an official who concurrently holds the offices of town clerk and tax collector for the same employer, and who is eligible to receive the same fringe benefits as other full-time employees, to combine the time serving in both offices to meet the membership eligibility requirements of the NHRS. **Chapter 257 (HB 594)** includes a technical correction to provide a grandfathering provision for any town clerk/tax collector currently enrolled in the NHRS under the circumstances addressed in Chapter 251. **E.D. July 24, 2013.**

III. MUNICIPAL ADMINISTRATION AND FINANCE MANAGEMENT; LEGAL MATTERS; ECONOMIC DEVELOPMENT; MANDATES; RIGHT TO KNOW LAW; LABOR

Use of Revolving Fund to Maintain Recycling. [Chapter 9](#) (HB 126) clarifies that a town may establish a revolving fund to "maintain" recycling, as well as to "facilitate or encourage" recycling. **E.D. July 6, 2013.**

Storage of Political Signs Removed by Municipality. [Chapter 24](#) (HB 206) provides that when municipal law enforcement or maintenance personnel remove illegally placed political advertising, the municipality must store the advertising until one week after the election. Previous law required that it be stored for one week from the time of removal. **E.D. July 15, 2013.**

Section III - continued

Reporting Votes on Collective Bargaining Agreements. [Chapter 36](#) (HB 178) requires that a public employer report the result of any legislative body vote on a collective bargaining agreement or fact-finding report to the Public Employee Labor Relations Board (PELRB) within 14 days after the vote. It also requires the PELRB to develop and maintain on its website training materials about collective bargaining. **E.D. June 4, 2013.**

Writs May Be Served on City Manager. [Chapter 46](#) (HB 429) provides that in a city where a city manager is the chief administrative officer, writs in legal actions against the city may be served on the city manager and the city clerk. Previous law required that writs be served on the mayor or one of the aldermen (or councilors) and the clerk, regardless of the city's form of government. **E.D. January 1, 2014.**

Tax Cap Amount Adjusted for Reductions from Fund Balance. [Chapter 58](#) (SB 2) provides that in a town that has adopted a tax cap, if the amount of taxes raised in any year was reduced by the application of any fund balance, the amount of that reduction will be added back and included in the amount to which the tax cap applies for the following year. **E.D. August 5, 2013.**

Adoption of Ordinances in Towns Over 10,000. [Chapter 70](#) (HB 506) adjusts the schedule for adoption of ordinances by the selectmen in a town of over 10,000 inhabitants where the town meeting has given the selectmen that authority. Under prior law, the selectmen were required to hold two public hearings at least 10 days but not more than 14 days apart on any proposed ordinance or amendment, and to vote on the ordinance or amendment at least 10 days but not more than 14 days after the second hearing. Under the new law, both time periods are changed to at least 10 days but not more than 21 days. **E.D. August 5, 2013. See also section XII. NHMA POLICY.**

Investment Options for Treasurers. [Chapter 97](#) (SB 172) expands the investment options for municipal, school, and county treasurers to include investments in interest-bearing deposits that meet certain requirements, instead of just certificates of deposit, as an alternative to collateralization of funds exceeding the Federal Deposit Insurance Corporation coverage limits. **E.D. August 19, 2013**

New Hampshire Municipal Bond Bank Procedures. [Chapter 107](#) (HB 367) amends several statutes governing the New Hampshire Municipal Bond Bank, providing greater flexibility in structuring bonds to accommodate individual requirements of each governmental entity within the Bond Bank's issuance pool. The bill also eliminates the bond notarization requirement and provides additional options for local governments to receive any premiums that result from a bond sale. **E.D. August 23, 2013.**

Appropriations for Capital Projects; Electronic Billing for Water and Sewer. [Chapter 109](#) (SB 111) establishes a procedure for a town to authorize appropriations for a capital project over a period of up to five years. The project must be one for which it would be lawful to issue a bond or note under RSA 33:3 or 33:3-c. The warrant article authorizing the appropriation must state the term of years of the appropriation, the total amount of the appropriation, and the amount to be appropriated in each year. If the article is approved by a two-thirds vote (three-fifths for SB 2 towns), the amount designated for each year is deemed appropriated in that year without further vote by the legislative body, unless the legislative body votes to rescind the appropriation. In an SB 2 town, the amount designated for each year is included in the default budget for that year.

Section III - continued

Chapter 109 also authorizes municipalities to send water and/or sewer bills electronically (as well as gas or electric bills, for any municipalities that own gas or electric utilities). Electronic billing may be used only if the customer requests it. The municipality may not charge for delivery of bills electronically and may not charge the customer a penalty for not choosing electronic delivery. **E.D. August 23, 2013.**

Contingency Funds. **Chapter 115 (HB 134)** authorizes a town to establish a contingency fund for the purpose of meeting unexpected expenses that may arise during the year. The fund would be established annually by vote of the legislative body, with an appropriation that does not exceed one percent of the total amount appropriated the previous year for municipal purposes, excluding capital expenditures and debt payments. Selectmen are authorized to expend from the fund and are required to include a detailed report of all such expenditures in their annual report. **E.D. August 24, 2013.**

More Time to Reject Solid Waste District Debt. **Chapter 117 (HB 139)** extends to 120 days (from 45 days) the amount of time that a municipal member of a solid waste management district has to reject the incurrence of debt after the district committee has voted to incur the debt. **E.D. August 24, 2013.**

Manifest May Be Signed Outside Public Meeting. **Chapter 124 (HB 522)** amends the law authorizing the town treasurer to pay out town moneys only upon orders of the selectmen by stating that such orders may be made either “in a public meeting or by a noncontemporaneously signed manifest signed by a majority of the board.” **E.D. August 24, 2013. NHMA POLICY.**

Limited Landowner Liability to Persons Constructing Trails. **Chapter 162 (SB 108)** provides that a landowner who permits the use of his or her land for outdoor recreational activity, and who does not charge a fee or seek any other consideration in exchange for allowing such use, owes no duty of care to persons on the premises who are engaged in the construction, maintenance, or expansion of trails or ancillary facilities for outdoor recreational activity. **E.D. January 1, 2014.**

Expansion of Fireman’s Rule. **Chapter 169 (HB 123)** provides that a public safety officer has no cause of action for injuries incurred during the performance of duties incidental to and inherent in the officer’s official engagement arising from any negligent conduct of the person requiring assistance or of the owner or lessee of the premises. Previously, this limitation of liability applied only to negligent conduct “which created the particular occasion for the officer’s official engagement.” **E.D. January 1, 2014.**

Committee to Study Law on Public Risk Pools. **Chapter 208 (HB 283)** establishes a committee to review the hearing officer’s report with regard to the New Hampshire Local Government Center and to study potential changes to RSA 5-B, relative to pooled risk management programs. The committee’s report is due by November 1, 2013. **E.D. July 10, 2013.**

Committee to Study Veteran Preference in Government Hiring. **Chapter 229 (SB 90)** establishes a committee to study issues involved in developing a policy that gives preference to veterans in government hiring. The committee’s report is due by November 1, 2013. **E.D. July 15, 2013.**

Legislative Body May Not Modify Cost Items. **Chapter 244 (HB 187)** clarifies that a town’s legislative body may not modify any cost item in a collective bargaining agreement submitted to it for approval. **E.D. September 22, 2013.**

Section III - continued

Background Checks for Youth Skill Camp Workers. [Chapter 250 \(HB 295\)](#) requires every entity that operates a “youth skill camp” to maintain an appropriate policy regarding background checks for camp owners, employees, and volunteers who may be left alone with any child or children. The camp operator must certify to the Department of Environmental Services that no such individual has a criminal conviction for causing or threatening direct physical injury to any individual, or causing or threatening harm of any nature to any child or children. Any camp operator subject to the law must pay a \$25 fee to DES, presumably annually.

A “youth skill camp” is defined as “a nonprofit or for-profit program that lasts 8 hours total or more in a year for the purpose of teaching a skill to minors. Such camps include, but are not limited to, the teaching of sports, the arts, and scientific inquiry.” The law does not apply to an entity that merely owns property on which a youth skill camp is operated, so long as the entity obtains written certification of compliance with the law from the camp operator. The commissioner of DES is required to adopt rules to implement the new law. **E.D. August 23, 2013, for adoption of rules; January 1, 2014, for remainder.**

IV. PLANNING AND ZONING

Planning Board Protection of Archeological Resources. [Chapter 76 \(SB 12\)](#) allows a master plan to identify archeological resources for protection and preservation and authorizes the planning board to include provisions in its subdivision and site plan review regulations requiring that an applicant protect or document archeological resources in areas of archeological sensitivity that have been identified in the master plan. **E.D. January 1, 2014.**

Variances and Special Exceptions Valid if Exercised Within Two Years. [Chapter 93 \(SB 50\)](#) provides that zoning variances and special exceptions will remain valid if exercised within two years after approval, unless a longer period is authorized by the zoning ordinance or by the zoning board of adjustment for good cause. Further, a variance or special exception will not expire until six months after the resolution of a planning application filed in reliance upon it, even if the two-year period has expired. **E.D. August 19, 2013.**

Study of Site Evaluation Committee; Rules for Siting Energy Facilities. [Chapter 134 \(SB 99\)](#) requires the Office of Energy and Planning to contract with an outside vendor to perform a study of the Site Evaluation Committee (SEC) and its processes, and requires the SEC to adopt rules relative to the criteria for the siting of energy facilities. **E.D. June 26, 2013.**

Planning Board Appeals. [Chapter 179 \(SB 49\)](#) modifies the procedure for appeals of planning board decisions to the zoning board of adjustment and the superior court. Under the new law, if any party appeals part of the planning board decision to the superior court before all matters appealed to the ZBA are resolved, the court proceedings will be stayed pending resolution of the ZBA appeal. All matters decided by the planning board or the ZBA may be appealed to the superior court within 30 days after final action by the ZBA.

If an appeal is taken first to the superior court and the court determines, within 30 days after proof of service of process, that any matters contained in the appeal should have been appealed to the ZBA, the court will issue an order to that effect and stay the court proceedings, and the party who brought the appeal will have 30 days to present the matter to the ZBA. If no such determination is made by the court within the 30-day period described above, no matter contained in the appeal may subsequently be dismissed on the ground that it should have been appealed to the ZBA. **E.D. August 31, 2013. NHMA POLICY.**

Section IV - continued

Coastal Risk and Hazards Commission. [Chapter 188](#) (SB 163) establishes a coastal risk and hazards commission (to include a representative of NHMA) to recommend legislation, rules, and other actions to prepare for projected sea level rise and other coastal and coastal watershed hazards such as storms, increased river flooding, and storm water runoff, and the risks those hazards pose to municipalities and state assets in New Hampshire. The commission is to meet four times per year and report its findings annually by November 1. The commission will terminate on December 1, 2016. **E.D. July 2, 2013.**

Coastal Management Provisions in Master Plans. [Chapter 189](#) (SB 164) authorizes the inclusion of a coastal management section in a master plan. The section “may address planning needs resulting from projected coastal property or habitat loss due to increased frequency of storm surge, flooding, and inundation.” **E.D. August 31, 2013.**

Water Resources Management Plan in Master Plan. [Chapter 202](#) (HB 634) provides that the natural resources section of a master plan may include a water resources management and protection plan. It also provides that the law shall not be construed to permit municipalities to regulate surface or groundwater withdrawals that they are explicitly prohibited from regulating. **E.D. September 7, 2013.**

Voluntary Installation of Residential Fire Sprinklers. [Chapter 207](#) (HB 278) clarifies that although a planning board may not require the installation of fire suppression sprinklers in one- or two-family residences as a condition of land use approval, if an applicant offers to install sprinklers and the planning board accepts the offer, the installation of sprinklers will become an enforceable condition of approval. If the applicant subsequently requests permission to substitute a different means of fire protection, the planning board must consider the request and may not unreasonably deny the request. **E.D. September 8, 2013.**

Collocation and Modification of Wireless Facilities. [Chapter 267](#) (SB 101) provides that collocation applications and modification applications with respect to personal wireless service facilities (PWSFs) may be reviewed by local authorities for compliance with building permit requirements, but shall not otherwise be subject to zoning or land use requirements. The law establishes a 45-day period for a land use board to review an application for a collocation or modification; the application is deemed approved if the board does not act within the 45-day period. The law’s limitations do not apply to applications for the installation of new facilities or substantial modifications to existing facilities. “Substantial modification” is defined in the law. **E.D. September 22, 2013.**

Integrated Land Development Permit. [Chapter 270](#) (SB 124) establishes a process by which a person who wishes to conduct an activity that requires approvals or permits under two or more programs within the Department of Environmental Services may apply for an integrated land development permit from the Department in lieu of all individual permits or approvals otherwise required. Municipalities may participate in the process with the consent of the applicant and/or at the invitation of the Department. The new law also authorizes a municipality to adopt an innovative land use control ordinance allowing the planning board to approve a project that “does not fully conform to the local zoning ordinance” if it has been approved by DES under the integrated land development program.

Separately, the new law provides that a zoning board of adjustment may not require submission of an application for or receipt of a permit from other state or federal government authorities prior to accepting a submission for review or rendering its decision on an administrative appeal or application for a variance or special exception. It also limits a conservation commission in the same manner in the commission’s review of an application for the purpose of providing input to other municipal boards. **E.D. September 22, 2013, for ZBA and conservation commission limitations; January 1, 2015, for remainder.**

V. ENVIRONMENTAL REGULATION AND PROTECTION; SOLID/HAZARDOUS WASTE; WATER

Use of Revolving Fund to Maintain Recycling. [Chapter 9](#) (HB 126) clarifies that a town may establish a revolving fund to “maintain” recycling, as well as to “facilitate or encourage recycling.” **E.D. July 6, 2013.**

Limits on Nitrogen and Phosphorus Content in Fertilizer. [Chapter 42](#) (HB 393) limits the nitrogen and phosphorus content of turf fertilizers sold at retail. It preempts local regulation of “any matter relating to the registration, sale, formulation, or transportation of fertilizer.” It does not preempt local regulation of the *use* of fertilizer. **E.D. January 1, 2014.**

Municipalities May Receive Loans from Dam Revolving Fund. [Chapter 45](#) (HB 428) amends the dam maintenance revolving loan fund statute to allow loans to be made from the fund for the maintenance, repair, removal, or improvement of any dams other than state-owned dams. Previously, loans could be made only for privately owned dams. **E.D. August 3, 2013.**

Backflow Prevention Device Required. [Chapter 50](#) (HB 510) requires that a backflow prevention device be installed at every connection to a public water system if the facility connected may pose a hazard to the quality of water supplied by the public water system, as determined by the Department of Environmental Services. The facility receiving water from the public water system is responsible for having the device installed, serviced, and tested. The device must be tested twice annually unless the public water supplier determines that the facility poses a low hazard, in which case annual testing is required. **E.D. August 3, 2013.**

Committee to Study Overlapping Environmental Regulations. [Chapter 51](#) (HB 516) establishes a committee to review federal, state, and local environmental permitting and regulatory processes and programs common to development projects to determine whether they contain duplicative regulation, and to evaluate the effects of any such duplicative regulation on state agency resources, municipal planning resources, the development community, and development projects. **E.D. June 4, 2013.**

Burning Untreated Wood at Transfer Stations. [Chapter 52](#) (HB 517) makes permanent the law that allows the incidental combustion of untreated wood at municipal transfer stations as an exception to the general prohibition on burning the wood component of construction and demolition debris. The exception had been scheduled to expire on January 1, 2014. This law has exactly the same effect as chapter 158, discussed below. **E.D. August 3, 2013. NHMA POLICY.**

Notification of Breaching Dam or Lowering Water Body. [Chapter 91](#) (SB 64) changes the notification and hearing requirements when a dam owner proposes to breach the dam or lower the water body for repair. Under the prior law the local governing body was responsible for holding a public informational meeting and publishing notice of the meeting. Under the new law, the dam owner is responsible for holding the meeting, in cooperation with the local governing body, and for publishing notice of the meeting **E.D. August 23, 2013. NHMA POLICY.**

PILOT for Water Works Property. [Chapter 94](#) (SB 58) provides that when one municipality holds property in another municipality for water works or flood control purposes, the governing bodies of the two municipalities may enter into an agreement for payments in lieu of taxes with respect to the property. In the absence of such an agreement, the property will be subject to the otherwise applicable law, which provides for payments based on assessed value. **E.D. June 20, 2013.**

Section V - continued

Removal of Submerged Logs from Great Ponds. [Chapter 96](#) (SB 131) establishes a process by which the Governor and Executive Council may grant the governing body of a municipality the right to remove submerged logs from the bed of a great pond within the municipality's boundaries. The governing body must petition for approval, demonstrating either that removing the submerged logs will have minimal adverse environmental impact or that the logs are interfering with navigation or otherwise adversely affecting public safety or the environment. The municipality must hold a public hearing in conjunction with the Fish & Game Department, and the department will thereafter make a recommendation to the Governor and Council about whether the petition should be granted. **E.D. August 19, 2013.**

More Time to Reject Solid Waste District Debt. [Chapter 117](#) (HB 139) extends to 120 days (from 45 days) the amount of time that a municipal member of a solid waste management district has to reject the incurrence of debt after the district committee has voted to incur the debt. **E.D. August 24, 2013.**

State Aid Environmental Grants for Water, Wastewater, and Landfill Closure. [Chapter 143](#) (HB 1) and [Chapter 144](#) (HB 2, sections 100-101), the budget bill and the "trailer bill," include funding beginning in 2014 for the 127 completed and eligible drinking water, wastewater, and landfill closure projects, affecting 60 municipalities, on the Department of Environmental Services' "delayed and deferred" list. State funding for these projects is \$9.5 million for the upcoming biennium and more than \$52 million over the life of the payment terms on the projects. State aid environmental grants for projects that already had state commitments *plus* the delayed and deferred projects total \$19 million over the biennium. **(NHMA POLICY.)** The trailer bill also includes a moratorium on state funding for any water, wastewater of landfill closure projects that did not have local financing authorization by December 31, 2008. **E.D. July 1, 2013.**

Maximum Permit Fee for Dredging Projects. [Chapter 151](#) (HB 507) sets a maximum application fee of \$10,000 for an excavation and dredging permit under RSA 482-A:3 for a municipal dredging project with the primary purpose of restoring or reclaiming a lake or pond. In addition to the maximum fee, the Department of Environmental Services may require the municipality to provide technical or consulting services as necessary to meet the needs of the department, but it may also accept such services in lieu of a portion of the application fees. **E.D. July 1, 2013.**

Minimum Shoreland Protection Standards. [Chapter 153](#) (HB 513) makes a number of changes to the minimum shoreland protection standards under the Shoreland Water Quality Protection Act. **E.D. August 27, 2013.**

Burning Untreated Wood at Transfer Stations. [Chapter 158](#) (SB 31) makes permanent the law that allows the incidental combustion of untreated wood at municipal transfer stations as an exception to the general prohibition on burning the wood component of construction and demolition debris. The exception had been scheduled to expire on January 1, 2014. This law has exactly the same effect as chapter 52, discussed above. **E.D. August 3, 2013. NHMA POLICY.**

Purpose of Reclamation Trust Funds Expanded. [Chapter 168](#) (HB 112) expands the purpose for which a reclamation trust fund created under RSA 149-M:18 is to be used. Under the old law, the fund was to be used solely to pay for the collection and disposal of the municipality's motor vehicle waste. The new law provides that it is to be used for recycling and reclamation of other types of solid waste as well. **E.D. July 1, 2013.**

Section V - continued

Default Budget for Water and Sewer Services. [Chapter 191](#) (SB 197) authorizes a town that operates under the official ballot referendum (SB 2) form of town meeting to appropriate funds for water or sewer operations through a separate warrant article if the appropriation is to be raised through user charges or fees, and to include a default amount, based on the amount of the appropriation for the prior year, in the event the article is not approved. **E.D. August 31, 2013. NHMA POLICY.**

Water and Sewer Utility Districts. [Chapter 214](#) (SB 11) authorizes a municipality to establish, by vote of its legislative body, a “water and/or sewer utility district” for the purpose of providing water for domestic uses, wastewater management, and related services. Management of the district is vested in a board of commissioners, which may be either elected or appointed. The municipality may levy assessments or fees on properties within the district to pay for the district’s capital and operating expenditures. Those expenditures are appropriated as part of the municipality’s budget, but are accounted for separately and kept in a separate water and/or sewer assessment fund. A district that includes land within more than one municipality may be created by vote of the legislative bodies of each of the municipalities. **E.D. September 8, 2013. NHMA POLICY.**

Extension for Water Infrastructure Commission. [Chapter 241](#) (HB 588), among other things, extends the final reporting date for the water infrastructure sustainability funding commission to November 1, 2013 (from November 1, 2012). **E.D. July 19, 2013.**

Integrated Land Development Permit. [Chapter 270](#) (SB 124) establishes a process by which a person who wishes to conduct an activity that requires approvals or permits under two or more programs within the Department of Environmental Services may apply for an integrated land development permit from the Department in lieu of all individual permits or approvals otherwise required. Municipalities may participate in the process with the consent of the applicant and/or at the invitation of the Department. The new law also authorizes a municipality to adopt an innovative land use control ordinance allowing the planning board to approve a project that “does not fully conform to the local zoning ordinance” if it has been approved by DES under the integrated land development program.

Separately, the new law provides that a zoning board of adjustment may not require submission of an application for or receipt of a permit from other state or federal government authorities prior to accepting a submission for review or rendering its decision on an administrative appeal or application for a variance or special exception. It also limits a conservation commission in the same manner in the commission’s review of an application for the purpose of providing input to other municipal boards. **E.D. September 22, 2013, for ZBA and conservation commission limitations; January 1, 2015, for remainder.**

VI. PUBLIC SAFETY; POLICE; FIRE; BUILDING/HEALTH INSPECTION

Storage of Political Signs Removed by Municipality. [Chapter 24](#) (HB 206) provides that when municipal law enforcement or maintenance personnel remove illegally placed political advertising, the municipality must store the advertising until one week after the election. Previous law required that it be stored for one week from the time of removal. **E.D. July 15, 2013.**

Commission to Study Regulation of Junk and Scrap Metal Dealers. [Chapter 101](#) (SB 104) establishes a commission to study “the current system of community-based regulation and reporting by junk or scrap metal dealers in New Hampshire.” The commission will study the occurrence of metal theft and arrest records under

Section VI - continued

the current system, examine the existing tools to curb the incidence of metal theft, study effective models in other states, and make a recommendation on the advisability of creating a statewide database. The commission's report is due by November 1, 2013. **E.D. June 24, 2013.**

Expansion of Fireman's Rule. [Chapter 169](#) (HB 123) provides that a public safety officer has no cause of action for injuries incurred during the performance of duties incidental to and inherent in the officer's official engagement arising from any negligent conduct of the person requiring assistance or the owner or lessee of the premises. Previously, this limitation of liability applied only to negligent conduct "which created the particular occasion for the officer's official engagement." **E.D. January 1, 2014.**

Municipality May Extend Hours for On-Premises Liquor Licensees. [Chapter 213](#) (HB 575) allows an on-premises licensee to sell alcoholic beverages until 2:00 a.m. if the legislative body of the municipality in which the premises are located adopts an ordinance authorizing such sales. In the absence of such an ordinance, sales must end at 1:00. **E.D. January 1, 2014.**

VII. PUBLIC WORKS; ROADS AND HIGHWAYS; SPEED LIMITS; AIRPORTS; RAILS

Determination of Damages from Road Maintenance. [Chapter 16](#) (HB 543) clarifies the procedure for determining the existence and amount of damages caused to private property when a municipal highway is maintained or repaired in such a way as to change the grade or alter the drainage. It provides for notice by the selectmen to potentially affected landowners in advance of any work to be done, an opportunity for landowners to be heard, and a procedure for them to apply for damages. If a landowner is not satisfied with the damages awarded by the selectmen, he or she may appeal to the superior court. So long as the selectmen follow the procedure established in the law, the remedy provided in the law will be the landowner's exclusive remedy. **E.D. July 8, 2013. NHMA POLICY.**

Operating OHRV on Public Highway Limited to Licensed Drivers. [Chapter 75](#) (HB 383) provides that any person operating an off-highway recreational vehicle (OHRV) along the traveled portion of a public highway, where permitted, must be either (1) a licensed driver, or (2) an operator at least 12 years old who has successfully completed an approved snowmobile or OHRV training program, and who is accompanied at all times by a licensed driver who is at least 18 years old. The requirement does not apply to road crossings or the use of class VI highways that have been authorized for OHRV use by the local governing body. **E.D. August 6, 2013.**

Committee to Study Mitigation of Highway Noise. [Chapter 122](#) (HB 391) establishes a committee to study options for mitigating damages associated with highway noise. The committee's report is due by November 1, 2013. **E.D. June 25, 2013.**

Committee to Study OHRV Access to Public Highways. [Chapter 128](#) (SB 67) establishes a committee to examine the issue of statutory authority for all terrain vehicles, off highway recreational vehicles, and low-speed utility vehicles to access public highways for food, fuel, and lodging. The committee's report is due by November 1, 2013. **E.D. June 25, 2013.**

Committee to Study Establishment of State Infrastructure Bank. [Chapter 133](#) (SB 192) establishes a committee to study financial vehicles that would encourage private and local participation in surface transportation projects. The committee's report is due by November 1, 2013. **E.D. June 25, 2013.**

Section VII - continued

Coastal Risk and Hazards Commission. [Chapter 188](#) (SB 163) establishes a coastal risk and hazards commission (to include a representative of NHMA) to recommend legislation, rules, and other actions to prepare for projected sea level rise and other coastal and coastal watershed hazards such as storms, increased river flooding, and storm water runoff, and the risks those hazards pose to municipalities and state assets in New Hampshire. The commission is to meet four times per year and report its findings annually by November 1. The commission will terminate on December 1, 2016. **E.D. July 2, 2013.**

Definition of Municipally Owned Utility. [Chapter 274](#) (SB 188) adds definitions to the statute requiring the state to pay the cost of any relocation of municipally owned subterranean utilities facilities that is necessitated by a state highway reconstruction, relocation, or maintenance project. The new law defines “municipally owned utility” as a utility that is owned in its entirety by a municipality or by a department, instrumentality, company or corporation that is owned in its entirety by a municipality. It defines “municipally owned subterranean [utility] facility” as a facility that is owned by a municipality or by a department, instrumentality, company, or corporation that is owned by a municipality. Ownership in each case may be direct or indirect. **E.D. July 24, 2013.**

VIII. TAXES; ASSESSING AND COLLECTIONS; EXEMPTIONS; CURRENT USE

No Reimbursement for Changed Assessing Practices. [Chapter 18](#) (HB 147) repeals the duty of the Assessing Standards Board to study and recommend to the legislature whether municipalities should be reimbursed for expenses incurred because of changes in assessment practices resulting from legislative responses to the New Hampshire Supreme Court’s decision in *Sirrell v. State of New Hampshire*. **E.D. May 16, 2013.**

Repeal of Equalization Standards Board. [Chapter 20](#) (HB 181) repeals the Equalization Standards Board (ESB) and transfers certain duties of the ESB to the Assessing Standards Board, including (1) an annual review of, and recommendations for improvements to, the ratio study procedures used by the Department of Revenue Administration for equalization and assessment performance purposes; (2) developing equalization standards and approving the equalization manual published by the DRA; and (3) conducting at least one public forum annually to receive input on the ratio study procedure before adopting the procedures to be used for the forthcoming tax year. **E.D. July 15, 2013.**

Change in Qualifications for Members of Assessing Standards Board. [Chapter 21](#) (HB 182) changes the qualifications for certain members of the Assessing Standards Board. Under the new law, one of the assessing officials on the board must be from a town with a population of less than 3,000, and another must be from a town with a population of more than 3,000. Under the previous law, the population threshold was 5,000. Similar changes in the population requirement are made for the municipal governing body members appointed by the Governor with the consent of the Executive Council. **E.D. July 15, 2013.**

Community Revitalization Tax Relief for Historic Structures. [Chapter 78](#) (SB 80) allows a municipality to make the community revitalization tax relief incentive under RSA 79-E available to historic structures that are not located within the municipality’s identified downtown, town center, central business district, or village center. To qualify, a structure must be listed on the national or state register of historic places. Expansion of the program to such structures requires an affirmative vote by the municipality’s legislative body. **E.D. April 1, 2013.**

Section VIII - continued

PILOT for Water Works Property. [Chapter 94](#) (SB 58) provides that when one municipality holds property in another municipality for water works or flood control purposes, the governing bodies of the two municipalities may enter into an agreement for payments in lieu of taxes with respect to the property. In the absence of such an agreement, the property will be subject to the otherwise applicable law, which provides for payments based on assessed value. **E.D. June 20, 2013.**

Committee to Study the Apportionment Formula for Cooperative School Districts in Towns with Electric Generation Facilities. [Chapter 103](#) (HB 305) establishes a committee to study the tax obligations and state aid for towns and districts that have electric generation facilities, including renewable generation facilities subject to a payment in lieu of taxes, and are also part of a cooperative or regional school district. The committee is to report its findings and any recommendations by November 1, 2013. **E.D. June 24, 2013.**

Collection of Deferred Property Taxes. [Chapter 141](#) (HB 655) clarifies the collection procedures for property taxes that have been deferred under RSA 72:38-a. The bill requires that, upon selling or otherwise conveying property subject to the tax deferral, the owner must pay the full amount of the deferred taxes plus interest. If the taxes and interest are not paid within nine months from the date of sale or conveyance, the accrued amount may be committed to the tax collector for collection action pursuant to RSA 76:13 and RSA 80. **E.D. January 1, 2014.**

DRA Mosaic Parcel GIS Program. [Chapter 144](#), section 98 (HB 2) authorizes the Department of Revenue Administration to collect information on the use of its mosaic parcel GIS program by other state agencies and to consider allocation methods to share the cost of maintaining the program in the future. A report is due to the House Finance Committee by November 1, 2013. **E.D. July 1, 2013.**

Taxation of Qualifying Historic Buildings. [Chapter 203](#) (SB 43) allows a municipality, by vote of its legislative body, to appraise “qualifying historic buildings” and appurtenant land at no more than 10 percent of their fair market value. The definition of “qualifying historic building” is extremely narrow. It applies only when all of the following criteria are satisfied: (1) the building is at least 100 years old; (2) the building is listed on either the national or state register of historic places; (3) the core structure of the building has maintained at least 75 percent of its original external features and is free of major external alterations or additions; (4) the building and appurtenant land are owned by a non-profit organization; (5) the historical purpose of the building was the retail sale of merchandise, and it is maintained and actively used substantially for the same purpose, and (6) the building does not exceed 3,000 square feet of gross finished building area. The law establishes a procedure for the building owner to apply to the assessing officials to have the property appraised as a qualifying historic building. **E.D. July 9, 2013.**

PILOT for Renewable Generation Facilities. [Chapter 232](#) (SB 179) clarifies the definition of “renewable generation facility” for purposes of the statute (RSA 72:73-74) that authorizes the owner of such a facility and the municipality to enter into an agreement for payments in lieu of taxes. It also authorizes such an agreement in the case of “a facility that combusts municipal waste for energy, constructed prior to July 16, 2009, where mercury emissions are reduced to an emission rate of 0.028 milligrams per dry standard cubic meter or less corrected to 7 percent oxygen by volume on a dry basis, or at least 85 percent control efficiency.” **E.D. September 13, 2013.**

Divisions Consolidated Within DRA. [Chapter 247](#) (HB 252) consolidates the Municipal Services Division and the Property Appraisal Division within the Department of Revenue Administration, with the consolidated division renamed the Municipal and Property Division. **E.D. upon appointment of director of Municipal and Property Division.**

Section XIII - continued

Definition of Veteran. [Chapter 254 \(HB 518\)](#) adds three documents to the list of those that may be used to establish a person's status as a veteran. It also provides that Title 10 training for active duty by a member of a national guard or reserve qualifies as service in the armed forces for purposes of the veterans' property tax credit. **E.D. July 24, 2013.**

IX. WELFARE; EDUCATION; LIBRARIES; HUMAN SERVICES; HOUSING

State Aid for Funeral Expenses Suspended. [Chapter 144, section 21 \(HB 2\)](#), the budget trailer bill, continues the suspension of state payments for the funeral expenses of persons who have been receiving public assistance from the state. Those payments were suspended for the 2012 and 2013 fiscal years, and will continue to be suspended for the 2014-15 biennium. **E.D. July 1, 2013.**

Limits on Use of EBT Cards. [Chapter 144, section 128 \(HB 2\)](#), the budget trailer bill, prohibits the use of electronic benefit transfer (EBT) cards, or cash obtained with EBT cards, to make purchases or participate in any activities at (1) liquor stores, (2) off-premises retail licensees that exclusively or primarily sell alcoholic beverages, (3) casinos or other gaming establishments, or (4) establishments that provide adult-oriented entertainment "in which performers disrobe or perform in an unclothed state for entertainment." A person who uses an EBT card in violation of the law will have his or her cash assistance benefits suspended for two pay periods for the first offense, four pay periods for the second offense, and six pay periods for the third and subsequent offenses. **E.D. January 1, 2014.**

Municipality May Provide Assistance to OAA and APTD Recipients. [Chapter 183 \(SB 146\)](#) amends that law that prohibits municipalities from providing local welfare assistance to anyone who is also receiving old age assistance or aid to the permanently and totally disabled from the state. Under the new law, a municipality may provide assistance to such persons if the guidelines adopted by the governing body authorize such assistance. **E.D. January 1, 2014.**

Commission on Housing Policy and Regulation. [Chapter 233 \(SB 185\)](#) establishes a statutory commission (to include a representative of NHMA) on housing policy and regulation. The commission's charge is to identify unnecessary state regulatory policies, practices, and rules that create barriers to the production of affordable housing, and recommend legislation and changes to administrative rules that will encourage the creation of affordable housing, including possible incentives to build such housing. The commission is to make an interim report by November 1, 2013, and a final report by November 1, 2014. **E.D. July 15, 2013.**

X. UTILITIES

Study of Site Evaluation Committee; Rules for Siting Energy Facilities. [Chapter 134 \(SB 99\)](#) requires the Office of Energy and Planning to contract with an outside vendor to perform a study of the Site Evaluation Committee (SEC) and its processes, and requires the SEC to adopt rules relative to the criteria for the siting of energy facilities. **E.D. June 26, 2013.**

Use of RGGI Funds. [Chapter 269 \(SB 123\)](#) provides that certain proceeds from the sale of carbon dioxide allowances under the regional greenhouse gas initiative shall be dedicated annually for "municipal and local government energy efficiency projects," including projects by local governments that have their own municipal utilities. Up to \$2 million per year is to be allocated to these projects. **E.D. January 1, 2014.**

Section X - continued

Definition of Municipally Owned Utility. [Chapter 274 \(SB 188\)](#) adds definitions to the statute requiring the state to pay the cost of any relocation of municipally owned subterranean utilities facilities that is necessitated by a state highway reconstruction, relocation, or maintenance project. The new law defines “municipally owned utility” as a utility that is owned in its entirety by a municipality or by a department, instrumentality, company or corporation that is owned in its entirety by a municipality. It defines “municipally owned subterranean [utility] facility” as a facility that is owned by a municipality or by a department, instrumentality, company, or corporation that is owned by a municipality. Ownership in each case may be direct or indirect. **E.D. July 24, 2013.**

XI. EDUCATION FUNDING

Fiscal Year 2013 Adequate Education Funding. [Chapter 4 \(SB 40\)](#) addresses a technical calculation error by the Department of Education for fiscal year 2013 adequacy funding by restoring the original level of funding for which school districts received notice and were anticipating as revenue this year. **E.D. March 18, 2013.**

Committee to Study the Apportionment Formula for Cooperative School Districts in Towns with Electric Generation Facilities. [Chapter 103 \(HB 305\)](#) establishes a committee to study the tax obligations and state aid for towns and districts that have electric generation facilities, including renewable generation facilities subject to a payment in lieu of taxes, and are also part of a cooperative or regional school district. The committee is to report its findings and any recommendations by November 1, 2013. **E.D. June 24, 2013.**

State Budget Funding for Education. [Chapter 143 \(HB 1\)](#) and [Chapter 144 \(HB 2\)](#), the state operating budget and trailer bill, address two components of education funding:

- **School Building Aid (Chapter 144, section 3).** The budget continues the school building aid moratorium, not funding any new projects through June 30, 2015. However, it does continue to fully fund existing commitments for school building aid payments. **E.D. July 1, 2013.**
- **Adequate Education Grants (Chapter 143; Chapter 144, section 120).** The budget increases the “adequacy collar” for adequate education grants so that the maximum amount a municipality may receive in any year is 108 percent of the amount received the preceding year. Under previous law, the limit was 105.5 percent. **E.D. July 1, 2013.**

Information on total aid to education can be found on the schedule of state aid to cities, towns and school districts available [here](#) (or at the end of the hard-copy version of this document).

School Building Aid Grants. [Chapter 239 \(HB 629\)](#) amends RSA 198:15-b, I(a)(2) to exclude charitable trusts, bequests, gifts, insurance policies, federal grants, and grants from other state programs in the computation of school building aid grants. The bill also adds school security design and integration of security systems as criteria in determining school building aid eligibility. **E.D. September 13, 2013.**

XII. SPECIAL ACTS

Warren Brook Restoration Project; Commission on Use of Flood-Damaged Property. [Chapter 7 \(SB 57\)](#) approves the project proposed by the town of Alstead, titled “Stream Restoration Plans for Warren Brook between Griffin Hill Road and Route 123.” It also repeals the commission established to determine the appropriate use of property damaged in the October 2005 floods, and establishes a commission (to include a selectman from Alstead) to determine the appropriate public use of flood-damaged property purchased by the state with general funds. The latter commission’s report is due by November 1, 2013. **E.D. April 1, 2013.**

Derry May Combine Tax Collector, Treasurer; Hooksett Police Commission Dissolved. [Chapter 70 \(HB 506\)](#) authorizes the Town of Derry to combine the positions of tax collector and treasurer. It also repeals the law that established a police commission for the Town of Hooksett. **E.D. June 6, 2013. See also section III.**

Placement of Commercial Sign in Danbury. [Chapter 77 \(SB 62\)](#) authorizes Ragged Mountain Pacific, LLC, to erect and maintain a sign on its property in Danbury, notwithstanding state law that would otherwise prohibit the sign, provided the company receives a special exception from the Town of Danbury. **E.D. June 7, 2013.**

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Legislators. You should be able to contact your Representative or Senator to secure copies of new laws. There should be no charge for these copies if you request a small number.

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