

2022 Webinar Series



Legislative Wrap-up

Presented by:

- ▶ Margaret Byrnes, Executive Director
- ▶ Natch Greyes, Government Affairs Counsel
- ▶ Katherine Heck, Government Finance Advisor

June 1, 2022

Our Presenters



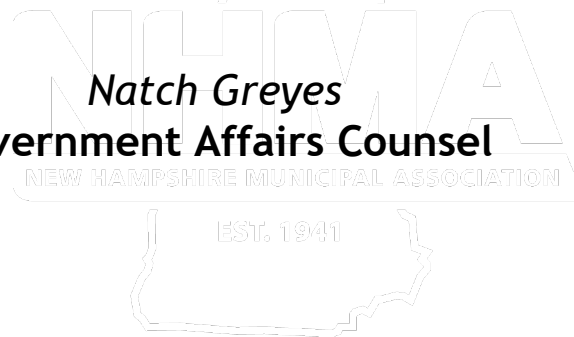
Margaret Byrnes
Executive Director



Natch Greyes
Government Affairs Counsel



Katherine Heck
Government Finance Advisor



Gun Bill Shot Down



- ▶ HB 307, the troubling bill that would have punished local officials for innocently adopting an ordinance that restricts the possession of guns on town property, died.
- ▶ The stumbling block was the Senate's amendment that had removed the word "use" from the House bill. This amendment meant that the legislation, if passed, would *not* have prevented (and punished) local officials for adopting ordinances regulating or prohibiting the discharge of firearms on public property, such as near protected water sources or on walking trails—an amendment that greatly improved the bill, although NHMA remained opposed.



This is a
gun-free
zone.

HB1033 - Anti- Lobbying Bill

Died in the House

nhmainfo@nhmunicipal.org / 800.852.3358 / www.nhmunicipal.org



HB 1073 - Attorney - Client Privilege Exemption Repeal



SB 344 - Remote Meetings



Died in the House
(Along w/almost all other remote meeting bills)

HB 1195 - Public Comment

- ▶ As introduced, required 15-minute period for public comment at the beginning of every public meeting.
- ▶ House amended bill to apply to school boards only.
- ▶ Subsequently, bill died. (Provisions for school board public comment periods included in SB 410.)



HB 597 - Privacy Bill



Died in the Senate

Housing Appeals Board



- ▶ HB 1307, modifying authority and duties of HAB - Died in Senate.
- ▶ HB 1216, repealing HAB - Died in House.
- ▶ No changes to HAB this year.



Zoning Bills that Died



- ▶ SB 249, allowing short-term rentals everywhere.
- ▶ HB 1068, allowing tiny houses.
- ▶ HB 1087, 10k sq ft min lot size.
- ▶ HB 1098, max of 1 parking space per dwelling unit.
- ▶ HB 1177, allowing fourplexes where public water and sewer.
- ▶ HB 1219, limiting planning board authority over parking for religious institutions (but see HB 1021).

HB 1021 - Primarily Religious Use of Land



- ▶ No zoning ordinance or site plan review regulation shall prohibit, regulate, or restrict the use of land or structures primarily used for religious purposes;
- ▶ provided, however, that such land or structures may be subject to objective and definite regulations concerning the height of structures, yard sizes, lot area, setbacks, open space, and building coverage requirements as long as said requirements are applicable regardless of the religious or non-religious nature of the use of the property and do not substantially burden religious exercise.
- ▶ Modeled after Massachusetts's [Dover Amendment](#).



2018 Building & Fire Code



- ▶ HB 1681 updates the following:
 - ▶ International Building Code [~~2015~~] **2018**, the International Existing Building Code [~~2015~~] **2018**, the International Plumbing Code [~~2015~~] **2018**, the International Mechanical Code [~~2015~~] **2018**, the International Energy Conservation Code [~~2015~~] **2018**, the International Swimming Pool and Spa Code [~~2015~~] **2018**, and the International Residential Code [~~2015~~] **2018**, as published by the International Code Council *Inc.*, and the National Electrical Code [~~2017~~] **2020**, *as published by the Nation Fire Protection Association, Inc.*, as [~~amended~~] *reviewed and recommended* by the state building code review board, *including all amendments reviewed and approved by the board as of November 30, 2021*, and ratified by the legislature in accordance with RSA 155-A:10.
- ▶ Contact NH Building Officials Association for Training.

SB 443 - Local Building & Fire Code Amendments



- ▶ Must submit local building code amendments to building code review board & fire code amendments to fire marshal.
- ▶ Those state actors will review the amendments and confirm that they do not conflict with state law (which is already prohibited).

Small Changes to Election Procedures



- ▶ **HB 1457** - adopts SOS ballot box custody rules into law. (Signed by Governor 5/20/22).
- ▶ Review Election Procedure Manual.
- ▶ **HB 1496** - allows individuals to request electronic copies of the checklist (in addition to paper copies, which are now allowed).

Hand Counting Bills



- ▶ HB 1064 - Hand counting ballots. Died in House.
- ▶ HB 1247 - Hand counting folded ballots. Died in House.

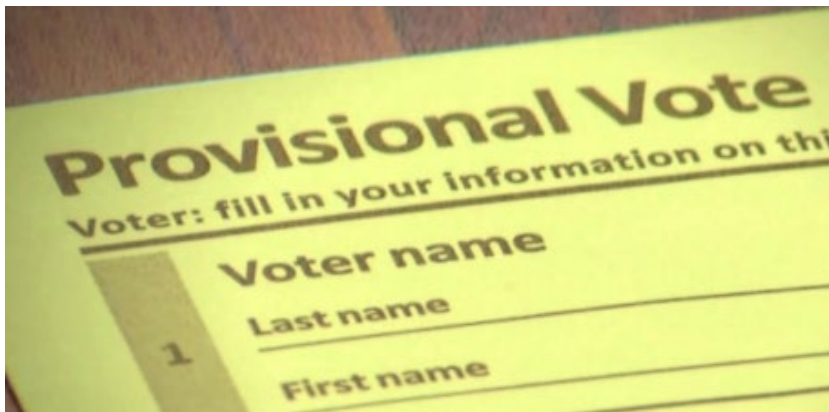


HB 1567/SB 405 - Fining Municipalities

Largely duplicative - allows the attorney general investigate misconduct by an election official, and if convicted, remove the official's right to vote. The bill also authorizes the attorney general to impose a civil penalty against the local government entity in which an election official was found to have negligently engaged in misconduct.

Any public officer upon whom a duty relating to elections is imposed who shall negligently fail to perform such duty or who shall negligently perform it in such a way as to hinder the objects thereof, as found pursuant to RSA 666:2, shall cause the county, city, town, school district, village district, or other political subdivision, where such conduct occurred to be subject to a civil penalty of not less than \$250 nor more than \$1,000 for each act.

Provisional Ballots



- ▶ SB 418 requires the creation of provisional ballots for first time registrants who are registering on election day with no identification documents (thus not qualifying for an affidavit or regular ballot).
- ▶ Voters who fail to return the necessary identification information to the SOS w/in 7 days will see their votes deducted from vote totals.
- ▶ SOS is in process of preparing training on this issue for election workers, should the governor sign the bill.

Fluoride Ban Killed



- ▶ HB 611 would have prohibited the addition of fluoride to public water supplies.
- ▶ Addition of fluoride requires a majority vote of the local legislative body - it is the most local decision of any public health measure - and localities retain that control with the defeat of this bill.

Health Officer Bills Killed

- ▶ HB 1272, Limiting the authority of town health officers.
- ▶ HB 1268, Repealing the authority to enact city ordinances for the well-being of the city.



Vaccine Legislation

- ▶ HB 1210, Omnibus Vaccine Exemption Bill, failed leaving municipalities to continue to exercise their rights as employers.



Assessor- Related Bills



- ▶ SB 312, providing that the assessors and selectmen shall, as part of creating an annual revised inventory of taxable property, correct any errors in existing appraisals. NHMA supports SB 312 as it allows errors in assessments to be corrected on an annual basis rather than requiring the town to wait for the 5-year reappraisal, rectifying the effect of the recent New Hampshire Supreme Court decision in Merrimack Premium Outlets, et al. v. Town of Merrimack.

- ▶ SB 317, a NHMA Policy Bill, that would reduce the interest rate for abatements of property taxes from six percent to four percent. This reduction reflects the proportional adjustments that the legislature made to the late property tax bill interest rate in 2018.



- **HB 1494 - Telephone Company ROW Exemption Died in the House**
- **HB 1328 -allows telephone companies to be relieved of their carrier of last resort obligations. Killed in the Senate**

HB 1221 - One-time 7.5% State Contribution to Retirement System costs for Group I, Teachers and Group II, Police and Fire



- HB 1417- Restoring a permanent 7.5% state contribution to the employer's share of NHRS costs.
Laid on the Table by the Senate
- HB 1535- COLA- one-time payment of \$500
- HB 1587-Changes Average Final Compensation for Group II members hired on or after July 1, 2011
- SB 363- Group II Service Credits





SB 325

Defines first responders and includes first responders in the definitions of emergency management and local organization within the division of homeland security and emergency management. RSA 21-P:35

- *"First responders" means state, county, and local governmental and nongovernmental emergency public safety fire, law enforcement, public safety telecommunications or dispatcher, emergency response, emergency medical services providers including hospital emergency facilities, emergency management, public health, clinical care, public works, and other skilled support personnel, such as equipment operators, that provide immediate support services necessary to perform emergency management functions.*

NEW HAMPSHIRE MUNICIPAL ASSOCIATION

HB 536

relative to death benefits for public works employees killed in the line of duty, and relative to workers' compensation offsets for certain retirement system benefits.

- This bill establishes a state death benefit for a municipal or state public works employee killed in the line of duty. The bill also eliminates the offset for workers' compensation benefits applicable to group I accidental death benefit annuities in state retirement system.

HB 1070 - Default Budget Recalculation Bill- *Killed*



HB 1026 - “Active Spreadsheet Format” for Municipal Budgets Committees. *Killed*

HB 1194-This bill would require a 3/5 majority vote, by written ballot, of a town meeting to approve any appropriation that would cause the amount of local taxes raised to exceed the town’s tax cap. *Killed*

61481 Mogale City - Table A2 Budgeted Financial Performance (revenue)

Standard Classification Description	Ref	2005/06	2006/07
R thousand	1	Audited Outcome	Audited Outcome
Revenue - Standard			
Municipal governance and administration		190,648	255,1
Executive and council	2	2	
Mayor and Council	2		
Municipal Manager	-		
Budget and treasury office	-		58,1
Corporate services		190,646	197,0
Human Resources		2,100	1,8
Information Technology		1,042	
Property Services		1,811	10,6
Other Admin		185,693	184,4
Community and public safety		26,779	19,4
Community and social services		6,061	4,8
Libraries and Archives		62	2
Museums & Art Galleries etc		2	
Community halls and Facilities		128	1
Cemeteries & Crematoriums		1,513	1,8
Child Care		-	
Aged Care		-	
Other Community		-	

Finance Bills



- ▶ SB-343- establishing a committee to study room occupancy tax revenues and fees and the formula for distribution to municipalities. *Killed*
- ▶ HB 1204, Meals & Rooms Increase Percent/Decrease Tax Bill - *Interim Study*
- ▶ SB 437, local option fee for municipal transportation- *Killed*
- ▶ SB 338, local option municipal occupancy fee- *Killed*
- ▶ HB 1665, establishing a municipal road and bridge disaster relief fund- *Interim Study*
- ▶ SB 402 and SB 409, relative to disaster relief loans. *Passed*
 - ▶ SB 402 allows the director of the division of homeland security and emergency management, with the approval of the fiscal committee, the governor, and the executive council, to disburse financial assistance to municipalities affected by federally-declared disasters in certain circumstances.
 - ▶ SB 409 modifies the circumstances under which the governor may approve exceptional disaster relief loans. RSA 21-P:37-c

Compliance

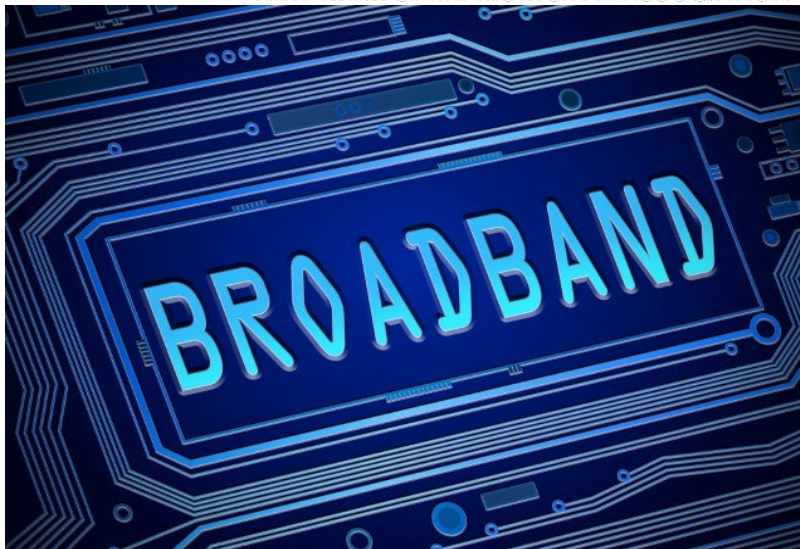


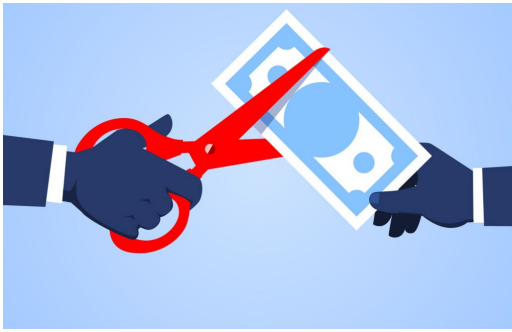
- ▶ HB 1318- establishes penalties for non-compliance with NHRS reporting requirements.
- ▶ SB 239 establishes a fine for noncompliance with municipal audit requirements.

Broadband

✓ SB 273- allows a special meeting for broadband bonds.

✓ SB 445 - \$122 million for broadband matching grants using ARPA funds.





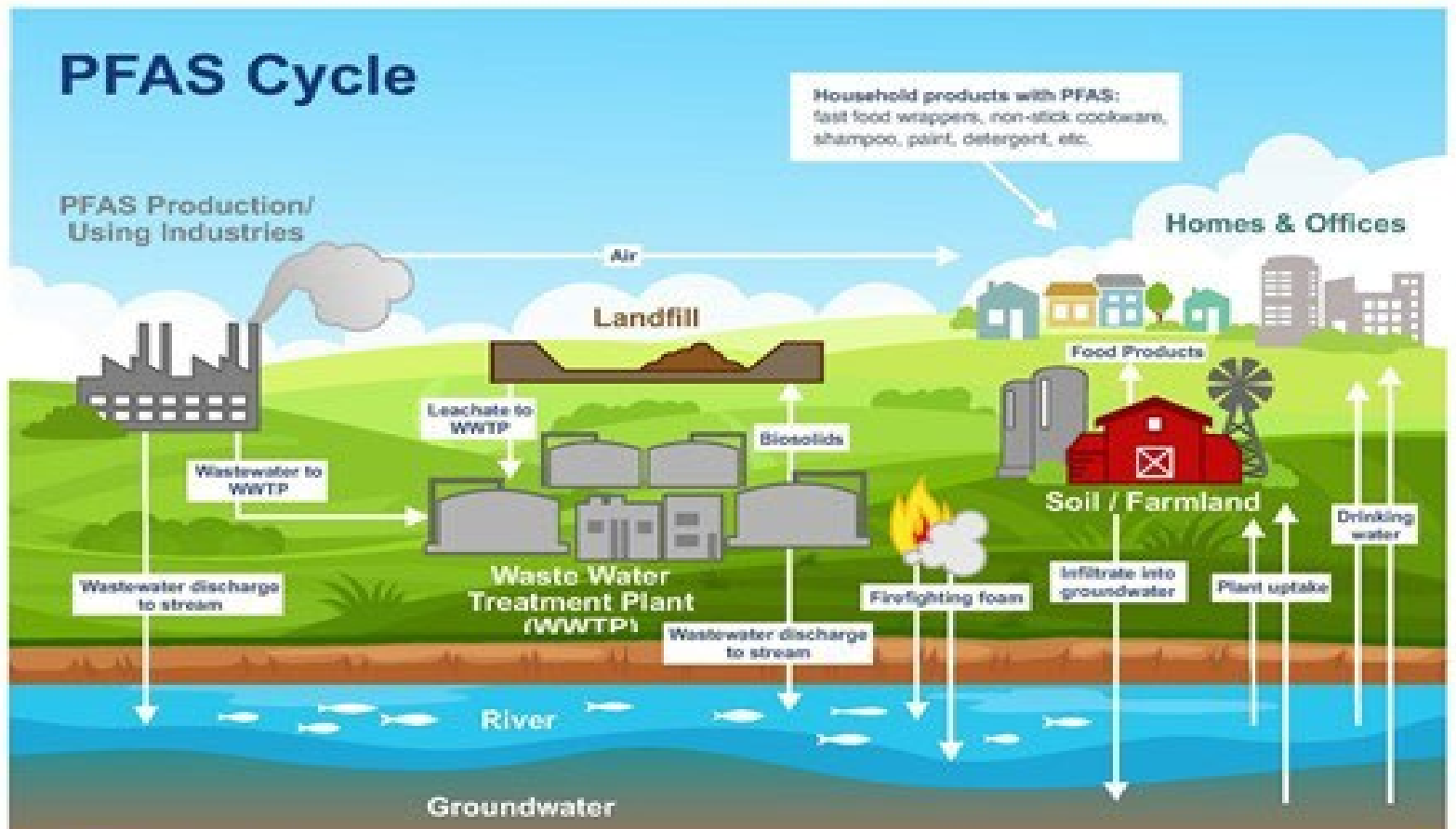
Proposed Property Tax Relief

- ▶ **SB 401-** Using state general fund surplus generated in fiscal year 2022:
 - ▶ \$36 million in municipal bridge aid;
 - ▶ \$30 million in municipal highway block grants;
 - ▶ \$1 million toward the body worn and dashboard camera fund.

- ▶ **SB 420** -establishes “extraordinary need grants” for schools.

HB 1547

- ▶ \$25 million to the existing perfluorinated chemical (PFAS) remediation loan fund. This new infusion of state dollars would increase the total loan fund from \$50 million to \$75 million and provide additional relief to cities and towns as they work to address PFAS chemicals in their water systems.



HB 398-Funding Wastewater Projects



NEW HAMPSHIRE MUNICIPAL ASSOCIATION

HB 412- Funding Water Projects-*Killed*



Upcoming Webinars & Workshops



2022 Guide to Effective Code Enforcement Hybrid Workshop

9:00 am - 12:00 noon, Thursday, June 2, 2022. Join attorneys from Drummond Woodsum for this half-day hybrid workshop which will provide practical guidance on how to navigate the nuanced procedures associated with code enforcement. \$65 (in-person)/\$55 (virtual).

REGISTRATION NOW OPEN!

DrummondWoodsum
ATTORNEYS AT LAW

[REGISTER NOW!](#)

nhmainfo@nhmunicipal.org / 800.852.3358 / www.nhmunicipal.org

Upcoming Webinars & Workshops



Trustees of Trust Funds



2022 Municipal Trustees Training Virtual Workshop

9:00 am - 3:00 pm, Thursday, June 9, 2022. Costs \$70.00. Municipal trustees—cemetery trustees, library trustees, trustees of trust funds—have important and varied duties and this workshop will give you the tools to perform your duties legally and understandably.

REGISTRATION OPEN!



Cemetery Trustees



Library Trustees



REGISTER NOW!

nhmainfo@nhmunicipal.org / 800.852.3358 / www.nhmunicipal.org

Upcoming Webinars & Workshops



New Hampshire Local Welfare Administrators Association

2022 Art of Local Welfare Hybrid Workshop

9:00 am - 2:00 pm, Thursday, June 16, 2022. Learn about local welfare administration, with a focus on homelessness, and join in on the popular Q&A panel discussion with local welfare experts. \$75.00/in-person & \$55.00/virtual.

REGISTER TODAY!

towards self-sufficiency...

[REGISTER NOW!](#)

nhmainfo@nhmunicipal.org / 800.852.3358 / www.nhmunicipal.org

Upcoming Webinars & Workshops



The Workings of a Planning Board Webinar

11:30 am - 1:00 pm, Wednesday, June 29, 2022. This webinar is geared for new planning board members and alternates, as well as seasoned veterans who want a refresher course on planning board basics.

REGISTRATION OPEN!

[REGISTER NOW!](#)

nhmainfo@nhmunicipal.org / 800.852.3358 / www.nhmunicipal.org

The Academy of Good Governance



Free Certificate Program

Academy for Good Governance



Build Your Leadership Skills.

WHO CAN ATTEND

- Select board members
- Town councilors
- School board members
- City councilors
- Board of Aldermen
- Village districts commissioners

TENTATIVE TOPICS

- Governance & Governing Body Authority
- Budget & Finance
- Employment Liability/Assessment
- Contracts and General Risk Management
- Health Care and Affordable Care Act
- Effective Public Meetings

QUESTIONS

Call 603.224.7447
or email us at
NHMAregistrations@nhmunicipal.org

CREATE NEW CONNECTIONS

The Academy for Good Governance is a series of six courses created by NHMA and Primex, exclusively for elected governing body members (select board, town council, city council, board of aldermen, school board, and village district commissioners). Courses are taught by experienced attorneys and staff from NHMA, Primex, HealthTrust, and the New Hampshire School Boards Association (NHSBA). Attendees will receive education and training intended to make them more knowledgeable and effective in their governing body roles.

Attendance at the Academy is free and open to governing body members from municipalities and school districts that are members of NHMA, Primex and NHSBA. Space is limited, and registration will open on the NHMA website this summer. Attendees must attend all six courses to receive a Certificate of Completion. All classes run 5:00 pm – 7:00 pm, with classes in September and October.

HealthTrust

NHSBA
NEW HAMPSHIRE SCHOOL BOARDS ASSOCIATION

NHMA
NEW HAMPSHIRE MUNICIPAL ASSOCIATION

Primex
PUBLIC RELATIONS & MANAGEMENT CONSULTING

If interested, please contact
NHMA's Ashley Methot at
amethot@nhmunicipal.org.

nhmainfo@nhmunicipal.org / 800.852.3358 / www.nhmunicipal.org



*for joining
us today!*



The New Hampshire Municipal Association is a nonprofit, non-partisan association working to strengthen New Hampshire cities and towns and their ability to serve the public as a member-funded, member-governed and member-driven association since 1941. We serve as a resource for information, education and legal services. NHMA is a strong, clear voice advocating for New Hampshire municipal interests.

NEW HAMPSHIRE MUNICIPAL ASSOCIATION

EST. 1941



25 Triangle Park Drive
Concord, NH 03301

www.nhmunicipal.org

legalinquiries@nhmunicipal.org

603.224.7447

nhmainfo@nhmunicipal.org / 800.852.3358 / www.nhmunicipal.org