

LEGISLATIVE BULLETIN

House and Senate Convene

As required by the New Hampshire Constitution, the House and Senate convened (separately) on Wednesday to begin the 2022 legislative session. As we predicted in our Legislative Preview Webinar, much of the focus in the House on the first day was on redistricting. Thursday saw the focus shift to a variety of bills of greater interest to municipal officials. (See “House Action on Water, Fluoride Bills,” below.)

We also learned the schedule for the first week of committee hearings in both the House and Senate. As with last year, the House will schedule committee meetings Monday – Friday, and both chambers are starting the year with committee hearings on a number of bills of municipal interest.

Attorney-Client Privilege Under Threat

On **Thursday, January 13**, at **3:45 p.m.** in **LOB Rooms 306-308**, the **House Judiciary Committee** will hear **HB 1073**, repealing the exemption added into the Right-to-Know Law last year protecting attorney-client privileged and attorney-work product information from public disclosure. This exemption ensures that municipalities – and other public entities – can rely on having the same relationship with their attorney as any other organization.

Unless the legislature kills this bill, all of your municipality’s written communications with its legal counsel are at risk of being made public. Municipal attorneys will be reluctant to put anything in writing—and anyone who has ever tried to follow legal advice on a complicated issue understands how essential a written opinion is. Attorneys for the state, counties, and school districts— including the attorney general’s office, the House and Senate legal counsel, and all state agency attorneys—will be caught in the same bind. Local officials are encouraged to contact the [Judiciary Committee](#) and their own representatives and urge them to vote to recommend **HB 1073** as *Inexpedient to Legislate*.

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Retirement System Bills, Good and Bad

On **Thursday, January 13**, the House Executive Departments and Administration Committee will hear testimony on seven bills, some of which are described in more detail below, that affect the New Hampshire Retirement System (NHRS). We strongly encourage you to contact your representatives and members of the [committee](#), and to register your support for or opposition to these bills using the online [House Remote Sign In Sheet](#) (see article on remote sign-in later in this Bulletin); or consider testifying in person at the hearings.

HB 1417 is an **NHMA policy bill** that would restore a portion of the state's NHRS employer contribution at 7.5 percent of the retirement costs for teachers, police, and firefighters. Over the last decade, the state has downshifted 100 percent of the employer contribution cost to the municipalities. Prior to 2012, the state contributed up to 35 percent toward these costs. Although a 7.5 percent contribution, estimated to be \$27.7 million in fiscal year 2023, would restore far less than the state's original 35 percent share (estimated to be \$129 million), this bill would provide significant and much-needed local tax relief.

HB 1079 proposes an increase to the number of hours an NHRS retiree can work for an NHRS participating employer. NHMA supports this legislation as it will increase the current limitation of 26 hours per week to a total of 1,664 hours per year (an average of 32 hours per week) and remove the 28-day waiting period from the effective date of retirement before a retiree can work in a part-time capacity for the same or another NHRS employer. This is particularly important for smaller municipalities that rely on experienced NHRS retirees to fill part-time positions.

One of the most troubling NHRS bills is **HB 1590**, which would allow a municipal employer to withdraw new employees from the system by a vote of the legislative body. While current law allows a municipality to withdraw, the law also requires the withdrawing municipality to pay its share of the unfunded liability. As written, **HB 1590** would burden municipalities that remain in the system with the withdrawing municipality's share of the unfunded accrued liability. The NHRS cost-sharing contribution rates assume that current and future employees will continue in the system, creating an unknown future fiscal impact for municipalities that remain in NHRS if this legislation were adopted. The bill's fiscal note indicates an indeterminable increase to municipalities. Even more concerning, based on the shifting burden to the remaining towns, many if not all towns could choose to withdraw municipal employees from the system altogether. The bill does not address how the plan would be funded in such a scenario, and it clearly undermines the future solvency of the retirement system.

HB 1535 would provide a 1.5 percent cost-of-living-adjustment (COLA) to all NHRS retirees who have been retired at least 5 years by July 1, 2023, on the first \$30,000 of the retiree's annual allowance. When the most recent COLA passed in 2019, NHMA testified in opposition to the bill because funding the COLA increased the existing \$5 billion NHRS unfunded liability, and municipalities are now seeing effects of the 19.6 percent aggregate increase on their municipal budgets.

With the additional COLA costs embedded in the adjusted employer contribution rates that took effect on July 1 of this year, NHMA maintains its position that **HB 1535's** estimated additional impact of \$135 million in fiscal year 2024, \$139 million in fiscal year 2025, and \$142 million in fiscal year 2026 would further strain municipal budgets.

We are certainly sympathetic to retirees who receive very modest pensions. Unfortunately, unlike some public pension systems, NHRS was not initially designed to provide automatic COLAs, but instead relied

for years on *ad hoc* COLAs granted by the legislature and paid for out of the state’s general fund. To alleviate the pressure this caused on the general fund, in 1983 the “special account” was created; this diverted money from the pension corpus to be used for additional benefits such as COLAs and medical subsidies. The special account has since been abolished, but not before this diversion of funds significantly contributed to the unfunded liability that exists today – again, a liability that employers are paying off through their contribution rates over the next 20 years. We urge members to consider the impact that retirement costs have on municipal, school, and county budgets—and ultimately on the property taxpayers who fund those budgets—and to oppose **HB 1535**.

The times for these hearings next Thursday, in **LOB Rooms 302-304**, are:

- **9:00 a.m. – HB 1535**
- **10:00 a.m. – HB 1417**
- **11:00 a.m. – HB 1079**
- **3:15 p.m. – HB 1590**

Meanwhile, also on Thursday, the *Senate Executive Departments and Administration Committee* will hear **SB 434**, which would change the time of the 10 percent NHRS pension reduction from age 65 to the member’s full retirement age under Social Security (up to age 67 depending on year of birth). That hearing is scheduled for **Thursday, January 13, at 9:20 a.m., in State House Room 103**. The fiscal note for this bill estimates that it will increase the actuarial accrued liability by **\$44.2 million**, which will increase the employer contribution rates for group I members (teachers and employees) over the next 18 years as that cost is paid off. (This bill does not affect group II police and firefighters, since they do not pay into Social Security or receive benefits.) The bill as written applies only to those group I members who retire on or after July 1, 2022.

If you have concerns about the negative impacts of **SB 434**, please consider testifying at the hearing; otherwise, register your position online using the [Senate Remote Sign In Sheet](#) and contact members of the [Senate Executive Departments and Administration Committee](#).

Building & Fire Code Adoption Changes

On **Thursday, January 13, at 10:20 a.m. in State House Room 103**, the Senate Executive Departments and Administration will hear **SB 443**, pertaining to local amendments to the state building or fire code. Under current law, municipalities may adopt local amendments that are no less strict than those in the state building or fire code on their own initiative. This bill would change that process by requiring a municipality to have those local amendments reviewed and approved by the building code review board (for building code amendments) or state fire marshal’s office (for fire code amendments) prior to their adoption and enforcement. We are concerned that this change could usurp local authority and be difficult to implement because of the need to coordinate the town meeting process with the building code review board and/or state fire marshal’s office as local amendments are adopted. Local officials with an interest in building or fire code adoption should contact the Senate [Executive Departments and Administration](#) Committee to express their opinion on **SB 443**.

All-Nighters for Election Officials

Among a slew of bad election law bills this year, one of the worst, [HB 1064](#), is scheduled for a hearing next week in the House Election Law Committee. The bill's title—"requiring the use of hand-marked, durable paper ballots in elections"—is misleading. New Hampshire already requires the use of paper ballots in all elections; the bill does not change that. The real change proposed by the bill is that all ballots "shall be hand-counted and tallied without use of electronic ballot counting devices."

Most election officials will immediately appreciate the calamity this would cause. There are 295 towns and city wards in New Hampshire, and according to information from the secretary of state's office, 197 of those jurisdictions used ballot-counting devices as of June 2020. As it is, even with the assistance of those devices, election officials are frequently at the polls until midnight or later on election day, reconciling the vote totals with the number of ballots cast and the number of voters who checked in. With this bill, election officials at larger polling places can expect to be there well into the next day—or the next night. And with sleep-deprived officials hand-counting thousands of ballots with multiple races, the number of mistakes is certain to skyrocket.

Everyone involved in elections in New Hampshire knows that the electronic ballot-counting devices are remarkably accurate and efficient. In the over 40 years that they have been used to count the votes in hundreds of thousands of election contests and ballot questions, there has been, to our knowledge, one significant counting error in one town—which was caused by the ballots, not the machines.

The hearing on [HB 1064](#) is scheduled for **Thursday, January 13, 2022, at 2:00 p.m., in LOB Rooms 306-308**. To express your opposition, please contact members of the [Election Law Committee](#), or sign in opposition to the bill before Thursday (see article on remote sign-in later in this Bulletin), or consider testifying at the hearing on Thursday.

Meals & Rooms Tax Bill Returns

On **Thursday, January 13, at 2:00 p.m. in LOB Rooms 202-204**, the House Ways and Means Committee will hear testimony on [HB 1204](#), which would reduce the rate of the tax on meals, rooms, and gross rental receipts from 8.5 percent to 7.9 percent and increase the percentage of meals and rooms tax revenues distributed to municipalities from 30 percent to 40 percent.

[HB 1204](#) contains the same language as SB 99 from 2021. A modified version of SB 99 was included in HB 2, the state budget trailer bill, and has proven to be very beneficial to municipalities in its current state, by increasing the municipal distribution immediately to 30 percent and creating a dedicated state fund for the municipal distribution of this important revenue source. While NHMA supports any additional increase to municipal revenue sharing, we are concerned that [HB 1204](#) would reduce the tax rate, which was reduced from 9 percent to 8.5 percent in 2021; that change just took effect on October 1, 2021. Further reducing the tax rate is particularly troubling since we do not yet know the impact of the most recent reduction. Finally, HB 1204 does not address the dedicated fund, a new provision that was included in HB 2: the dedicated fund calculates the amount of shared revenue based on the actual revenue, rather than revenue estimates, collected at the close of the state's fiscal year. NHMA will be following this bill closely.

Elimination of Liquor Commission's Enforcement Division

On **Wednesday, January 12, at 10:45 a.m.** in **LOB Rooms 302-304**, the House Commerce Committee will hear [HB 1591](#), eliminating the Enforcement Division of the Liquor Commission. This would cause enforcement of the liquor statutes – and the associated costs – to fall upon municipal police departments across the state. In addition, local police will likely see an increased volume of calls related to potentially intoxicated drivers, assaults or other physical or verbal altercations, and other types of calls related to intoxicated individuals, issues that are frequently addressed by the Enforcement Division either directly through enforcement of the criminal law, or indirectly by working with liquor serving establishments to ensure compliance with state regulations.

Local officials are encouraged to contact the [Commerce Committee](#) and their own representatives and urge them to vote to recommend **HB 1591** as *Inexpedient to Legislate*.

Bill Proposes Changes to Opioid Abatement Trust Fund

On **Tuesday, January 11, at 2:00 p.m.**, in **LOB Rooms 202-204**, the House Ways and Means Committee will hear testimony on [HB 1565](#), a bill that would make changes to the distribution of the opioid abatement trust fund. Currently, under RSA 126-A:83, II, 15 percent of any monies entering the state from opioid settlements or judgments is to be distributed to the 23 political subdivisions identified in RSA 126-A:83, II. The remaining 85 percent is placed into a trust fund to be distributed to other political subdivisions and qualifying non-governmental programs, pursuant to RSA 126-A:84.

HB 1565 would increase the 15 percent allocation to 40 percent; however, NHMA has expressed some concerns with the methodology used in the bill. We understand that an amendment will be presented at the hearing to address these concerns. We encourage local officials from municipalities involved in the litigation or interested in availing themselves of the trust fund grant opportunity to attend the hearing in person or watch it via live stream. You can also register your opinion using the [House Remote Sign In Form](#) or by emailing the [Ways and Means Committee](#).

Bill Proposes New Financial Tool for Municipal Donations

On **Tuesday, January 11, at 9:00 a.m.**, in **LOB Rooms 202-204**, the House Ways and Means Committee will hear testimony on [HB 1189](#), which would permit municipalities to accept voluntary donations to fund specific projects or to reduce taxation. This bill creates a new financial tool for potential revenue capture for municipalities. The bill authorizes the governing body to establish a voluntary donations trust fund, which may be used for road, bridge, or building projects; the maintenance of parks; or to reduce taxation. These funds would be non-lapsing, and the governing body would have the authority to expend for the allowable purposes. Under this legislation, a municipality that chooses to establish a fund must “prominently display” on the municipal website the availability of donating to the fund, and every donor and corresponding donation must be listed in the annual report.

House Action on Water, Fluoride Bills

Among other actions yesterday, the House passed retained bills [HB 398](#) and [HB 412](#), relative to state aid grants for municipal wastewater projects and water system projects, respectively. **HB 398** will fund the [11 forgotten wastewater projects](#) that qualified for state funding in the current biennium but were not funded

due to the pandemic budget freeze, as well as providing funding for [110 additional qualifying projects](#) that DES has identified across the state as eligible for state funding.

In addition, the House tabled [HB 611](#), which would prohibit the introduction of fluoride into any public water system in the state. The policy committee had recommended the bill, but representatives wisely set that recommendation aside, heeding the overwhelming, longstanding recommendations of the medical and dental community, as well as of the many municipalities that add fluoride to their water systems. Thank you to those local officials who contacted their legislators about this bill.

However, the bill is not dead—just on hold. It can be taken off the table at any time by a majority vote, and since the deadline for the House to act on its own bills is months away, there will be plenty of opportunities. Please ask your representatives to remain vigilant for any effort to revive the bill.

Senate Passes Amended Gun Bill

By a 14-10 party-line vote, the Senate on Wednesday passed an amended version of [HB 307](#), the very troubling bill that would punish local officials for innocently adopting an ordinance that restricts the possession of guns on town property.

As we stated in [last week's Bulletin](#), the Senate amendment represented a significant improvement over the House version of the bill, which would have prohibited a town from even regulating the use of guns on town property; but it is still a bad bill. The idea of punishing local officials for adopting an ordinance that exceeds their authority, rather than relying on the standard remedy of having a court declare the ordinance unenforceable, demonstrates a disturbing hostility toward local government. It is already difficult to find volunteers to serve in local government. Bills like this do not help.

One of the principal arguments advanced in support of [HB 307](#) on the Senate floor was that New Hampshire is one of the safest states in the nation because it has sensible laws on the books that protect the rights of gun owners. It does not seem to follow that there is an urgent need to change the state's gun laws, as [HB 307](#) would do.

Nevertheless, [HB 307](#) will now go back to the House with a request for the House to concur with the Senate amendment. We will encourage House members instead to reject the Senate amendment and let the bill die.

Register Your Position Remotely or Send a Letter

Currently, both the House and the Senate are planning to conduct all committee hearings in person, without the option to testify remotely that was available last year, and this seems unlikely to change. Thus, if you want to testify on a bill, you will need to come to Concord and attend the hearing in person. (You can [watch](#) the hearings on YouTube. See page 2 of the current [House Calendar](#) and page 1 of the current [Senate Calendar](#) for the links.)

However, you still can register your position on a bill remotely. To do so, go to the [General Court home page](#), and under **“Links to Meeting Schedules,”** click on either **“House Remote Sign In”** or **“Senate Remote Sign In,”** as appropriate, then follow the steps indicated, which are self-explanatory. If you have any questions, see the **“Remote Sign In Directions”** on the same page, and if you still have questions, call NHMA's government affairs staff.

Of course, registering as “support” or “oppose” merely makes you part of a number. While that helps a little, it is far better to send a letter or email to the committee that is hearing the bill and explain why the bill is good or bad. You can do this by finding the appropriate House or Senate committee (from the home page, go to “House” or “Senate,” then “Standing Committees”) and use the option to email all committee members. Again, contact us if you have questions.

HOUSE CALENDAR

TUESDAY, JANUARY 11, 2022

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 302-304, LOB

10:30 a.m. **HB 1273**, relative to the use of free and open source software.

1:15 p.m. **HB 1213-FN**, relative to legal holidays.

SCIENCE, TECHNOLOGY AND ENERGY, Room 306-308, LOB

3:00 p.m. **HB 1621-FN**, relative to reducing the rebates distributed by the energy efficiency fund.

WAYS AND MEANS, Room 202-204, LOB

9:00 a.m. **HB 1189**, permitting voluntary donations to municipalities or the state to fund certain projects or to reduce taxation.

WEDNESDAY, JANUARY 12, 2022

COMMERCE AND CONSUMER AFFAIRS, Room 302-304, LOB

10:45 a.m. **HB 1591-FN**, eliminating the enforcement division of the liquor commission.

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 202-204, LOB

11:15 a.m. **HB 1296-FN**, relative to money, coin, or currency which may be forfeited in connection with a drug offense.

FINANCE, Room 210-211, LOB

10:00 a.m. **HB 1300-FN-A**, making an appropriation to fund the Ash Landfill in Newport.

JUDICIARY, Room 206-208, LOB

9:30 a.m. **HB 1020**, relative to additional lights on emergency vehicles

11:00 a.m. **HB 1101**, relative to a forfeiture of personal property.

2:00 p.m. **HB 1254**, relative to the housing appeals board.

2:30 p.m. **HB 1216-FN**, repealing the housing appeals board.

LEGISLATIVE ADMINISTRATION, Room 301-303, LOB

3:30 p.m. **CACR 33**, relating to recall elections. Providing that the general court may authorize recall elections.

RESOURCES, RECREATION AND DEVELOPMENT, Room 305-307, LOB

10:30 a.m. **HB 1618-FN**, adding several perfluorinated chemicals to the list of per and polyfluoroalkyl substances with maximum contaminant levels and establishes a cumulative total for the maximum contaminant level of per and polyfluoroalkyl substances.

4:00 p.m. **HB 1227**, relative to the definition of prime wetland

THURSDAY, JANUARY 13, 2022

ELECTION LAW, Room 306-308, LOB

- 10:00 a.m. **HB 1482-FN**, relative to ranked-choice voting.
10:30 a.m. **HB 1264**, establishing ranked-choice voting for state party primary elections and municipal elections.
11:00 a.m. **CACR 22**, relating to elections. Providing that all elections in New Hampshire shall be by ranked-choice voting.
1:00 p.m. **CACR 15**, relating to elections. Providing that the age to vote in the primary election be reduced to 17 for those who will be 18 by the general election.
1:30 p.m. **CACR 19**, relating to paper ballots. Providing that all elections shall be conducted through paper ballots.
2:00 p.m. **HB 1064-FN**, requiring the use of hand-marked, durable paper ballots in elections.
2:30 p.m. **HB 1157**, relative to electronic ballot counting devices.
3:00 p.m. **HB 1247**, relative to folded ballots.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 302-304, LOB

- 9:00 a.m. **HB 1535-FN**, relative to cost of living adjustments for retirees in the state retirement system.
10:00 a.m. **HB 1417-FN-L**, relative to payment by the state of a portion of retirement system contributions of political subdivision employers.
11:00 a.m. **HB 1079-FN**, relative to part-time employment of a retirement system retiree.
1:00 p.m. **HB 1257-FN**, requiring the retirement system to divest from investment in companies located in China.
2:30 p.m. **HB 1318-FN-L**, relative to penalties for employer noncompliance with retirement system requirements.
3:15 p.m. **HB 1590-FN-L**, relative to municipalities withdrawing from the state retirement system. Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

JUDICIARY, Room 206-208, LOB

- 10:00 a.m. **HB 1389-FN**, establishing a superior court land use review docket.
3:45 p.m. **HB 1073**, repealing the right-to-know exemption for attorney-client work product. Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 305-307, LOB

- 10:00 a.m. **CACR 14**, relating to unions. Providing that all workers have the right to join a union
2:30 p.m. **HB 1207-FN**, requiring an employer to provide paid time off for an employee to vote.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301-303, LOB

- 9:00 a.m. **HB 1029**, relative to the Claremont police commission.
10:30 a.m. **HB 1275**, relative to municipal representation on regional planning commissions.
11:00 a.m. **HB 1387**, enabling municipalities to adopt a property tax homestead exemption.
1:30 p.m. **HB 1277**, relative to the reporting of cybersecurity incidents.

PUBLIC WORKS AND HIGHWAYS, Room 201-203, LOB

- 11:00 a.m. **HB 1432**, prohibiting the use of state funds for new passenger rail projects.

WAYS AND MEANS, Room 202-204, LOB

- 9:30 a.m. **HB 1430-FN-A**, repealing the tax on rentals of motor vehicles under the meals and rooms tax.
2:00 p.m. **HB 1204-FN-A-L**, reducing the rate of the meals and rooms tax and increasing the revenue sharing of meals and rooms tax revenue with municipalities.

FRIDAY, JANUARY 14, 2022

CRIMINAL JUSTICE AND PUBLIC SAFETY, Room 202-204, LOB

- 10:30 a.m. **HB 1031**, prohibiting law enforcement from encrypting public frequencies.
11:15 a.m. **HB 1682-FN-A**, establishing the law enforcement conduct review committee in the New Hampshire police standards and training council and making an appropriation therefor.
2:00 p.m. **HB 1540-FN**, relative to recording custodial interrogations.
3:00 p.m. **HB 1600**, relative to the use of body cameras by law enforcement during an interview or interrogation.

TUESDAY, JANUARY 18, 2022

ENVIRONMENT AND AGRICULTURE, Room 301-303, LOB

- 9:30 a.m. **HB 1121**, relative to new solid waste sites.
10:00 a.m. **HB 1134**, establishing a commission to study proper labeling and disposal of disposable wipes.
10:45 a.m. **HB 1420-FN**, prohibiting the issuance of new landfill permits until the state's solid waste plan is updated.
11:15 a.m. **HB 1049**, establishing a committee to study landfill siting criteria and methods for reducing pressure on landfill capacity.
1:00 p.m. **HB 1454-FN**, relative to permits for the siting of new landfills.
2:30 p.m. **HB 1652-FN**, relative to the recycling of beverage containers.

WEDNESDAY, JANUARY 19, 2022

PUBLIC WORKS AND HIGHWAYS, Room 201-203, LOB

- 9:30 a.m. **HB 1040**, establishing a commission to study revenue alternatives to the road toll for electric-powered and hybrid vehicles for the funding of improvements to the state's highways and bridges and their resulting improvements to the environment.
10:30 a.m. **HB 1656-FN-A-L**, establishing a road usage registration fee and making an appropriation therefor.
1:15 p.m. **HB 1675-FN-A**, establishing a surcharge collected through E-Z Pass for electric vehicles as an alternative road toll.

THURSDAY, JANUARY 20, 2022

LABOR, INDUSTRIAL AND REHABILITATIVE SERVICES, Room 305-307, LOB

- 10:00 a.m. **HB 1053**, relative to the hourly rate paid to an employee for hours worked but not previously scheduled.
11:00 a.m. **HB 1385**, prohibiting the use of credit history in employment decisions.
11:30 a.m. **HB 1251**, prohibiting payment of subminimum wages.
1:00 p.m. **HB 1094**, relative to employee work schedules and rest periods.
2:00 p.m. **HB 1231-FN**, relative to failure to make payment of compensation.
3:00 p.m. **HB 1156-FN**, requiring certain public servants to receive a copy of a pre-employment background investigation.

MUNICIPAL AND COUNTY GOVERNMENT, Room 301-303, LOB

- 9:00 a.m. **HB 1406**, authorizing municipalities to collect compost.
9:30 a.m. **HB 1055**, relative to the property tax exemption for individuals with disabilities and individuals who are deaf or severely hearing impaired.
10:30 a.m. **HB 1081**, relative to the dissolution of a village district.
11:00 a.m. **HB 1267**, relative to municipal authority for road and sidewalk closure.
11:30 a.m. **HB 1272**, limiting the authority of town health officers.

SENATE CALENDAR

MONDAY, JANUARY 10, 2022

ELECTION LAW AND MUNICIPAL AFFAIRS, Representatives' Hall, SH

- 1:00 p.m. SB 240, apportioning state senate districts.
- 1:00 p.m. SB 241, apportioning executive council districts.
- 1:00 p.m. SB 253, apportioning state senate districts.
- 1:00 p.m. SB 254, apportioning executive council districts.

TUESDAY, JANUARY 11, 2022

ENERGY AND NATURAL RESOURCES, Room 103, SH

- 9:00 a.m. SB 259, relative to the definition of “municipal host” for purposes of limited electrical energy producers.
- 9:15 a.m. SB 370-FN, allowing the university system and community college system to be municipal host electric customer generators.
- 9:45 a.m. SB 267-FN-A, establishing the upland invasive species program, program fund, and program coordinator in the department of agriculture, markets, and food.

FINANCE, Room 103, SH

- 1:00 p.m. SB 273-A, relative to broadband infrastructure funding.
- 1:10 p.m. SB 275, relative to the opioid abatement trust fund.

JUDICIARY, Room 100, SH

- 1:30 p.m. SB 302-FN, establishing the personal privacy protection act.
- 2:00 p.m. SB 377-FN, relative to the diagnosis of post-traumatic stress disorder in state troopers.

WEDNESDAY, JANUARY 12, 2022

ELECTION LAW AND MUNICIPAL AFFAIRS, Room 103, SH

- 1:00 p.m. SB 200, relative to the election of district commissioners in Haverhill.
- 1:20 p.m. SB 242, relative to the disqualification of certain persons from performing the duties of an election official.
- 1:40 p.m. SB 328, relative to the date of the state primary election.
- 2:00 p.m. SB 364, relative to the use of electronic poll books.
- 2:20 p.m. SB 366-FN, requiring an audit of ballots cast in the 2022 primary and general election.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 103, SH

- 9:00 a.m. SB 223, relative to requirements for recovery houses.
- 9:50 a.m. SB 363-FN, relative to service credit for certain group II retirement eligibility.

JUDICIARY, Room 100, SH

- 1:30 p.m. SB 301-FN-L, relative to the procedure for violations under the right to know law.
- 1:45 p.m. SB 304, relative to discrimination in public workplaces and education.

THURSDAY, JANUARY 13, 2022

COMMERCE, Room 100, SH

- 1:30 p.m. SB 209, relative to electronic wage payments.

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 103, SH

- 9:00 a.m. **SB 438-FN-L**, establishing state and local procurement policies intended to promote the use of American materials.
- 9:20 a.m. **SB 434-FN**, relative to the reduction in the calculation of state retirement annuities at age 65
- 9:40 a.m. **SB 411-FN**, relative to critical incident stress management for emergency services providers, and establishing a violent act injury disability retirement for public safety employees.
- 10:00 a.m. **SB 383-FN**, relative to land surveying services.
- 10:20 a.m. **SB 443-FN**, relative to municipal authority regarding the state building code.

TUESDAY, JANUARY 18, 2022

FINANCE, Room 103, SH

- 1:10 p.m. **SB 272**, establishing a committee to study the oversight and operation of the public deposit investment pool.
- 1:20 p.m. **SB 274**, relative to governmental construction contracts

JUDICIARY, Room 100, SH

- 1:00 p.m. **SB 300-FN**, relative to the state commission for human rights.

WEDNESDAY, JANUARY 19, 2022

EXECUTIVE DEPARTMENTS AND ADMINISTRATION, Room 103, SH

- 9:15 a.m. **SB 227-FN**, relative to death benefits for first responders who die from suicide
- 9:30 a.m. **SB 357-FN**, relative to mental health training for first responders

WAYS AND MEANS, Room 100, SH

- 9:00 a.m. **SB 317-L**, reducing the interest rate for abatements of paid property taxes.
- 9:15 a.m. **SB 312**, relative to adjusted assessments of taxable property.
- 9:30 a.m. **SB 338**, enabling municipalities to adopt a municipal occupancy fee.
- 9:45 a.m. **SB 315-L**, directing that a portion of revenue distributions from the meals and rooms municipal revenue fund be used by municipalities to reduce the local property tax rate.

THURSDAY, JANUARY 20, 2022

ELECTION LAW AND MUNICIPAL AFFAIRS, Room 100, SH

- 1:00 p.m. **SB 400-FN**, relative to training and procedures for zoning and planning boards and relative to financial investments and incentives for affordable housing development.
- 1:30 p.m. **SB 239-FN**, relative to noncompliance with municipal audit requirements
- 2:00 p.m. **SB 405-FN**, relative to fines and penalties for election law violations.
- 2:30 p.m. **SB 418-FN**, relative to verification of voter affidavits.

New House Bills

CACR 14 establishes the right for workers to join a union in the state of New Hampshire. Rep. Labranche of Amherst; **LABOR**.

CACR 15 lowers the age to vote in a primary election to 17 if the voter will be 18 at the time of the general election for which the primary election was held. Rep. Labranche of Amherst; **EL**.

CACR 19 provides that all elections shall be conducted using paper ballots. Rep. S. Pearson of Derry; **EL**.

CACR 22 requires all elections in the state of New Hampshire to be conducted using ranked-choice voting, the exact procedure of which is to be provided for by the legislature. Rep. Labranche of Amherst; **EL**.

CACR 30 establishes the positions of inspectors general to investigate elections fraud and fraud by elected officials. Rep. Abramson of Seabrook; **ED&A-H**.

CACR 33 provides that the general court may authorize recall elections. Rep. Moffett of Loudon; **LEGIS. ADMIN.**

HB 1640-FN allows anyone who receives a fine related to his or her motor vehicle to donate the fine amount to a charitable organization rather than submit payment to a state agency. Rep. Belanger of Epping; **TRANS-H**.

HB 1641-FN changes the way vessel registration fees are computed. Rep. Trottier of Belmont; **RR&D**.

HB 1644-FN requires that telecommunication antennas be placed at least 1,640 feet from residentially zoned areas. Rep. Abrami of Stratham; **ST&E**.

HB 1652-FN establishes the beverage container deposit recycling program and directs the proceeds of such program to the general fund and to the state recycling fund. Rep. Egan of Sugar Hill; **E&A**.

HB 1656-FN-A-L provides for an annual adjustment to motor vehicle registration fees to take into account gross vehicle weight and vehicle miles traveled, and directs the department of transportation to use part of the funds generated through vehicle registration for implementation of Type II noise abatement projects. Rep. Somssich of Portsmouth; **PW**.

HB 1665-FN-A-L establishes a municipal road and bridge disaster relief fund in the division of homeland security and emergency management to be used for temporary infrastructure repairs in order to facilitate the safe passage and access on municipal roads and bridges. Rep. Aron of Acworth; **M&CG**.

HB 1667 expands the veterans' property tax credits to apply to veterans who are still in service. Rep. Pauer of Brookline; **M&CG**.

HB 1675-FN-A establishes a surcharge collected through E-Z Pass for electric vehicles as an alternative road toll. Rep. Thompson of Stewartstown; **PW**.

HB 1681-FN revises the definition of the state building code, addresses the version of the building code applicable immediately following adoption of an updated edition, clarifies the role of the state building code review board, and requires municipalities to submit local building ordinances to the state building code review board for informational purposes. Rep. McGuire of Epsom; **ED&A-H**.

HB 1682-FN-A establishes the law enforcement conduct review committee in the New Hampshire police standards and training council and makes an appropriation therefor. Rep. Welch of Kingston; **CJ&PS**.

New Senate Bills

SB 422-FN requires the commissioner of health and human services to solicit information and to contract with dental managed care organizations to provide dental care to persons under the Medicaid managed care program. Sen. Rosenwald of Nashua; **HHS&EA**.

SB 425-FN authorizes the secretary of state to develop an election information panel. Sen. Gray of Rochester; **EL&MA**.

SB 427-FN allows for no-excuse absentee registration and voting, and partial processing of absentee ballots prior to election day. Sen. Soucy of Manchester; **EL&MA**.

SB 434-FN provides for the application of the reduction of a retiree's annuity at the member's full retirement age under the federal Social Security system, rather than at age 65. Sen. Cavanaugh of Manchester; **ED&A-S**.

SB 437-L increases the maximum fee that a municipality may charge for municipal transportation improvement purposes. Sen. Perkins Kwoka of Portsmouth; **W&M-S. NHMA Policy**.

SB 438-FN-L requires the use of American made steel products in all public works projects where the state or a local or county government is a party to the contract. Sen. Sherman of Rye; **ED&A-S**.

SB 441-FN-L provides for municipalities to receive a portion of fines collected for motor vehicle offenses. Sen. Perkins Kwoka of Portsmouth; **W&M-S**.

SB 443-FN requires the building code review board to approve local amendments to the state building code prior to their adoption and enforcement and requires the board to maintain and publish a catalog of local amendments to the state building code and state fire code; requires the fire marshal to approve local amendments to the state fire code prior to their adoption and enforcement and requires the fire marshal, with the assistance of the board of fire control, to maintain and publish a catalog of local fire safety codes and ordinances; and prohibits municipalities from imposing a fee to appeal the decision of a code compliance official. Sen. Carson of Londonderry; **ED&A-S**.

SB 445-FN appropriates federal funding to the broadband matching grant fund. Sen. Hennessey of Littleton; **F-S**.

House Floor Action

Wednesday, January 5, 2022

Thursday, January 6, 2022

SB 2, allowing the preprocessing of absentee ballots for certain 2021 elections and allowing for the postponement of annual town meetings in calendar year 2021 where concerns exist during the COVID-19 health emergency. **Inexpedient to Legislate**.

HB 82, relative to amending a conservation easement between the state and a landowner. **Inexpedient to Legislate**.

HB 86-FN, relative to voter qualifications and registration procedures. **Inexpedient to Legislate**.

HB 87, relative to the definition of electioneering. **Passed with Amendment.**

HB 97, modifying the dates of the state primary and associated filing deadline. **Inexpedient to Legislate.**

HB 106, establishing procedures for municipal host customer-generators of electrical energy. **Inexpedient to Legislate.**

HB 116, relative to personal delivery devices and mobile carriers. **Passed with Amendment.**

HB 132-LOCAL, relative to acreage required to build certain single family housing. **Interim Study.**

HB 148, allowing increased net energy metering limits for municipal hydroelectric facilities. **Inexpedient to Legislate.**

HB 162, permitting tastings by liquor manufacturers at farmers' markets. **Inexpedient to Legislate.**

HB 169, establishing a commission to study the removal of unused utility poles following the transition of equipment, lines, and cables to new utility poles. **Passed.**

HB 211-FN, revising certain benefit provisions in the city of Manchester employees contributory retirement system. **Inexpedient to Legislate.**

HB 237-FN-A, relative to the legalization and regulation of cannabis and making appropriations therefor. **Laid on Table.**

HB 253-LOCAL, requiring law enforcement officers to use body-worn cameras and establishing a grant program to assist local law enforcement agencies to purchase body-worn cameras. **Interim Study.**

HB 314, relative to homestead food operation licensure. **Passed with Amendment.**

HB 343, relative to billing for ambulance services. **Interim Study.**

HB 362, relative to domicile of students for voting purposes. **Inexpedient to Legislate.**

HB 379, relative to electronic notice. **Interim Study.**

HB 398, making an appropriation to the department of environmental services for funding eligible wastewater projects. **Passed with Amendment.**

HB 406, relative to the ability of the public to observe the processing and counting of absentee ballots. **Inexpedient to Legislate.**

HB 412, making an appropriation to the department of environmental services for the purpose of funding public water system projects. **Passed with Amendment.**

HB 431, relative to the responsibilities of an elected animal control officer. **Inexpedient to Legislate.**

HB 446, establishing a committee to study the effects of recreational vehicles and other vehicles used in recreational activities on class 5 and 6 roads. **Inexpedient to Legislate.**

HB 478, relative to treatment of PFAS contaminants in the drinking water of the Merrimack Village Water District. **Passed.**

HB 480, relative to verification of ballots cast in an election. **Interim Study.**

HB 481-FN-A, establishing the office of the right-to-know ombudsman and making an appropriation therefor. **Passed with Amendment.**

HB 504-FN-LOCAL, relative to the state education property tax and the low and moderate income homeowners property tax relief program. **Interim Study.**

HB 517-FN, relative to the state minimum hourly rate. **Laid on Table.**

HB 524-FN, requiring the secretary of state to conduct random verification counts of polling place results. **Interim Study.**

HB 537, relative to the date of the state primary. **Inexpedient to Legislate.**

HB 571, repealing the prohibition against OHRV travel on Hoit Road Marsh. **Passed.**

HB 579, requiring notice to the public before immigration checkpoints are conducted. **Passed with Amendment.**

HB 585-FN-LOCAL, allowing the prepayment of dog licensing fees for the duration of a rabies vaccination and reducing fines related thereto. **Interim Study.**

HB 589-FN, requiring workers' compensation to cover prophylactic treatment for critical exposure. **Passed with Amendment.**

HB 597-FN, relative to the expectation of privacy. **Passed with Amendment.**

HB 611-FN, abolishing fluoridation in water. **Laid on Table.**

HB 619-FN, designating police and fire dispatchers as group II members of the retirement system. **Inexpedient to Legislate.**

Senate Floor Action

Wednesday, January 5, 2022

HB 72, relative to ratification of amendments to the state building code and state fire code. **Inexpedient to Legislate.**

HB 110, relative to the distribution of adequate education grants. **Inexpedient to Legislate.**

HB 125, relative to post-arrest photo distribution by law enforcement officers. **Interim Study.**

HB 135, requiring parties responsible for pollution of a drinking water supply to be financially responsible for certain consequences of that pollution. **Inexpedient to Legislate.**

HB 218, repealing RSA 320 relative to hawkers and peddlers and RSA 321 relative to itinerant vendors. **Inexpedient to Legislate.**

HB 232, relative to nonpublic sessions under the right to know law. **Interim Study.**

HB 292, relative to the absentee ballot application process. **Passed with Amendment.**

HB 307, relative to the state preemption of the regulation of firearms and ammunition. **Passed with Amendment.**

SB 39, exempting information and records contained in law enforcement personnel files from disclosure under the right-to-know law. **Interim Study.**

SB 53, enabling municipalities to establish a community preservation and resilience program funded in part through a surcharge on real property. **Passed with Amendment.**

SB 63, relative to business liability protection for exposure to coronavirus and COVID-19. **Interim Study.**

SB 79-FN, relative to the authority of the moderator to verify the device count. **Interim Study.**

SB 111, relative to claims for medical monitoring. **Interim Study.**

SB 153-FN, relative to retirement benefits for a police officer or firefighter disabled as a result of a violent injury. **Interim Study.**

2022 NHMA UPCOMING MEMBER EVENTS	
Jan. 8	Town & School Moderator SB2 Workshop (REMOTE ONLY) - 9:00 – 1:30
Jan 19	Webinar: The Dos and Don'ts of Electioneering - 12:00 – 1:00
Jan 27	Right-to-Know for Law Enforcement Workshop (Hybrid) - 9:00 – 12:00
Feb. 12	Town & School Moderator Traditional Town Workshop (Hybrid) - 9:00 – 1:30
Please visit www.nhmunicipal.org for the most up-to-date information regarding our upcoming virtual events. Click on the Events and Training tab to view the calendar.	
For more information, please call NHMA's Workshop registration line: (603) 230-3350.	