

City Council Legislative Subcommittee Meeting

Conference Room A
5:30 p.m.
Monday, March 21, 2016

Present: David Allen, Deputy City Manager; Jane Ferrini, Assistant City Attorney; Mayor Blalock, Assistant Mayor Splaine, Councilor Spear, Councilor Dwyer (via conference call) and Kelli L. Barnaby, City Clerk

I. Call to Order

Mayor Blalock called the meeting to order at 5:30 p.m.

II. Approval of February 10, 2016 Minutes

Assistant Mayor Splaine moved to approve and accept the minutes of the February 10, 2016 meeting. Seconded by Councilor Dwyer and voted.

III. Distribution of draft Minutes from February 16, 2016 and February 29, 2016

Assistant City Attorney Ferrini distributed the draft Minutes for review and stated they will be voted on for acceptance at the next meeting.

IV. Discussion

- A. Status update and discussion of recent House votes on bills of interest, including but not limited to municipal liability and court costs, SAG funding, meals and rooms, bills regarding land use and zoning, bills regarding assessing and taxes, right to know and Medicaid expansion

Assistant City Attorney Ferrini said that many of the bills that we were tracking have been Inexpedient to Legislate. She reported that HB 1687 relative to governmental liability for personal injury on playground structures and HB 1688 relative to governmental liability for negligence claims that were voted Inexpedient to Legislate. She informed the Subcommittee that the SAG funding bill passed the House and will be going onto the Senate for consideration. Assistant City Attorney Ferrini stated that the Medicaid expansion hearing will be held on Tuesday, March 22nd and she will continue to track the bill from a distance. She spoke to the 2 Right-to-Know Law bills 1418 & 1419 that have been amended and reported a hearing will be held on Wednesday, March 23rd.

Assistant City Attorney Ferrini spoke to the attachment provided from the NHMA outlining various bills and their current status. She indicated she is watching HB 1322 regarding additional reporting requirements for Human Resources. She addressed the status of the various zoning and planning bills.

- B. Status update and discussion on amendments to bills of interest to the City including HB 1198 regarding poles and conduits, SB 345 and HB 1141 regarding agritourism, HB 1293 regarding amending municipal charters and HB 1356 regarding definition of resident, inhabitant, residence and residency

The following updates were provided on the above listed bills:

HB 1198 – This bill establishes the valuation for purposes of the property tax assessment of poles or conduit employed in the transmission of telecommunication owned in whole or in part by telephone utilities. The bill also grants rulemaking authority to the assessing standards board concerning telecommunications pole and conduit current use values and depreciation. Councilor Dwyer indicated that the NHMA supported the bill.

HB 1141 – defining “agritourism” passed.

HB 1293 – relative to the procedure for charter amendments. Passed with Amendments.

HB 1356 – relative to construction of the terms “residents,” “inhabitant,” “residence,” and “residency.” Passed with Amendments.

- C. Committee to discuss recent inquiries whether the City will take a position on HB 1697 regarding the Uber bill and SB 349, a bill requiring the governing body to elect a registered voter as chief election officer if the City Clerk is not a registered voter

Assistant City Attorney Ferrini spoke to the letter submitted by Councilor Dwyer on the Uber bill stating that the City wants to have local control. She asked if the Subcommittee would like to take a position on the bill now which is going before the Senate.

Assistant Mayor Splaine said we should take a position as it does not include misdemeanors at all.

The Subcommittee agreed that Assistant City Attorney Ferrini would resubmit the letter submitted by Councilor Dwyer and put it forward to the Senate.

Assistant Mayor Splaine said if the bill is passed it would go into effect 60 days from date of passage and the City Council will need to amend its Transportation Services Ordinance.

Mayor Blalock said the City Council will want everyone treated equally.

Assistant Mayor Splaine said that City Attorney Sullivan should provide input on this matter moving forward.

Assistant City Attorney Ferrini reported that SB 349 has been referred to Interim Study and to provide input is a moot point at this time.

Assistant City Attorney Ferrini reported on the status of various bills that were summarized in the March 11, 2016 NHMA Bulletin. For more details on each bill refer to www.nhmunicipal.org/LegislativeBulletins. The following bills were discussed as Inexpedient to Legislate: HB 1109; HB 1179; HB 1216; HB 1222; HB 1253; HB 1259; HB 1260; HB 1262; HB 1276; HB 1336; HB 1392; HB 1413; HB 1417; HB 1470; HB 1492; HB 1504; HB 1510; HB 1511; HB 1535; HB 1678; HB 1687; HB 1688. The following bills were tabled HB 1112; HB 1546; SB 348. The following bills were referred to Interim Study: HB 1449. The following bill passed the House: HB 1116 passed with amendment; HB 1141 passed with amendment; HB 1198 passed with amendment; HB 1202 passed; HB 1203 passed; HB 1219 passed with amendment; HB 1293 passed with amendment; HB 1356 passed with amendment; HB 1418 passed; HB 1419 passed. HB 1428 passed with amendment; HB 1689; SB 380 passed with amendment.

D. Update on Plastic Bag Legislation voted Inexpedient to Legislate

Assistant City Attorney Ferrini referred to an email provided to the Subcommittee in their packet on this matter from Senator Stiles.

E. Discussion of upcoming hearings and bills referenced in the Senate and House Calendars published on March 10, 11, 17 and 18, 2016

Assistant City Attorney Ferrini reported on upcoming hearings and bills referenced in the Senate and House Calendars.

V. Miscellaneous/Unfinished Business

Assistant City Attorney Ferrini reported that the 2 education bills we were tracking were voted Inexpedient to Legislate and she would advise the Coalition of what has happened.

Assistant Mayor Splaine requested that a reminder of the meeting on March 28th be sent to the Legislative Delegation.

VI. Adjournment

At 6:10 p.m., Mayor Blalock closed the meeting.

The next meeting will be held on Monday, March 28, 2016 at 8:30 a.m. in the Eileen Dondero Foley Council Chambers.

Respectfully submitted by:

Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk