

Bill as
Introduced

HB 364 - AS INTRODUCED

2013 SESSION

13-0673

10/04

HOUSE BILL

364

AN ACT

requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.

SPONSORS:

Rep. Copeland, Rock 19; Rep. Turcotte, Merr 22; Rep. St. James, Rock 13

COMMITTEE:

Executive Departments and Administration

ANALYSIS

This bill requires New Hampshire retirement system employers to notify prospective part-time employees who are retired members in the retirement system of the annual limitations on hours for part-time employment.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.

Be it Enacted by the Senate and House of Representatives in General Court convened:

- 1 1 New Section; Retirement System; Part Time Employment; Notice to Prospective Employee.
- 2 Amend RSA 100-A by inserting after section 7 the following new section:
- 3 100-A:7-a Certain Part-time Employment; Notice by Employer Required. An employer shall
- 4 provide written notice to a prospective employee who is a retired member of the retirement system of
- 5 the hourly limitations on part-time employment as defined in RSA 100-A:1, XXXIV and the effect of
- 6 exceeding such hourly limitations on the retired member's retirement benefits. The executive
- 7 director may make copies of such a written notice available to employers.
- 8 2 Effective Date. This act shall take effect 60 days after its passage.

Amendments

Rep. Moffett, Merr. 9
Rep. Byron, Hills. 20
March 4, 2013
2013-0678h
10/03

Amendment to HB 364

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to notice required concerning employment of a retired member of the New
4 Hampshire retirement system of the limitations on part-time employment.
5

6 Amend the bill by replacing all after the enacting clause with the following:

7

8 1 New Section; Retirement System; Part Time Employment; Notices Required. Amend RSA
9 100-A by inserting after section 7 the following new section:

10 100-A:7-a Certain Part-time Employment; Notices Required.

11 I. An employer shall provide written notice of the hourly limitations on part-time
12 employment as defined in RSA 100-A:1, XXXIV and the potential effect that exceeding such hourly
13 limitations could have on the retired member's retirement benefits because of restoration to service
14 as required in RSA 100-A:7, as follows:

15 (a) Prior to employment and as part of employment documentation, to any prospective
16 employee who is a retired member of the retirement system.

17 (b) Annually, to each existing part-time employee who is a retired member of the
18 retirement system.

19 II. The executive director shall provide employers the form of such notices required in
20 paragraph I.

21 III. An employer who provides the notices required in paragraph I shall not be held liable for
22 any consequences to the employee resulting from the employee's restoration of service due to
23 exceeding the hourly limitations on part-time employment as defined in RSA 100-A:1, XXXIV.

24 IV. The retirement system shall annually provide written notice to all retired members of
25 the retirement system of the hourly limitations on part-time employment as defined in RSA 100-A:1,
26 XXXIV and the potential effect that exceeding such hourly limitations could have on the retired
27 member's retirement benefits because of restoration to service as required in RSA 100-A:7.

28 2 Effective Date. This act shall take effect 60 days after its passage.

2013-0678h

AMENDED ANALYSIS

This bill requires New Hampshire retirement system employers to notify existing and prospective part-time employees, who are retired members in the retirement system, of the annual limitations on hours for part-time employment. The bill also requires the retirement system to provide similar notice to all retired members.

Rep. Moffett, Merr. 9
Rep. Byron, Hills. 20
March 4, 2013
2013-0678h
10/03



Amendment to HB 364

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12 employment as defined in RSA 100-A:1, XXXIV and the potential effect that exceeding such hourly
13 limitations could have on the retired member's retirement benefits because of restoration to service
14 as required in RSA 100-A:7, as follows:

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16 employee who is a retired member of the retirement system.

17 (b) Annually, to each existing part-time employee who is a retired member of the
18 retirement system.

19 II. The executive director shall provide employers the form of such notices required in
20 paragraph I.

21 III. An employer who provides the notices required in paragraph I shall not be held liable for
22 any consequences to the employee resulting from the employee's restoration of service due to
23 exceeding the hourly limitations on part-time employment as defined in RSA 100-A:1, XXXIV.

24 IV: The retirement system shall annually provide written notice to all retired members of
25 the retirement system of the hourly limitations on part-time employment as defined in RSA 100-A:1,
26 XXXIV and the potential effect that exceeding such hourly limitations could have on the retired
27 member's retirement benefits because of restoration to service as required in RSA 100-A:7.

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2013-0678h

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Speakers

Hearing Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 364

BILL TITLE: requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.

DATE: 2/12/13

LOB ROOM: 306 **Time Public Hearing Called to Order:** 11:10 am

Time Adjourned: 11:40 am

(please circle if present)

Committee Members: Reps. ~~Weber~~, Schuett, P. Schmidt, D. Sullivan, Jeudy, Goley, Gagnon, ~~Booras~~, ~~Moffett~~, M. Nelson, Hansberry, C. McGuire, Pratt, Hansen, S. Sweeney, Beaudoin, Bianca, Rose Garcia, Sytek, Danaïs and Byron.

Bill Sponsors: Rep. Copeland, Rock 29; Rep. Turcotte, Merr 22; Rep. St. James, Rock 13

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

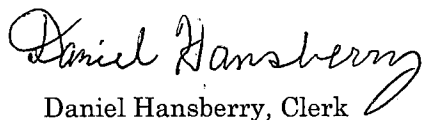
Rep. Tim Copeland, Prime Sponsor – Crucial that employers notify retirees of limits on hours worked.

Diana Lacey – State Employees Association – Supports the bill. There needs to be a mechanism in place to alert employees of hours worked, restrictions for retirees. Retiree should be notified of hour limitations prior to being hired. Currently there are court cases addressing paying back the retirement system by retirees who have exceeded the work hours limit.

Barbara Reid – N. H. Municipal Association – Opposed to the bill – Does believe retirees need to know restrictions regarding hours worked. Believes it is NHRS's responsibility to notify retirees, not employers.

Marty Karlon – P.I.O. for NHRS – NHRS orients new retirees if they come in to file for retirement regarding working restrictions after retirement. Not all retirees file to retire in person. Retiree is given information orally.

Respectfully submitted,


Daniel Hansberry, Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 364

BILL TITLE: requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.

DATE: 3/12/13

LOB ROOM: 306

Time Public Hearing Called to Order: 11:10 a.m.

Time Adjourned: 11:40 a.m.

(please circle if present)

Committee Members: Reps. Weber, Schuett, P. Schmidt, D. Sullivan, Judy Goley, Gagnon, Booras, Moffett, M. Nelson, Hansberry, C. McGuire, Pratt, Hansen, S. Sweeney, Beaudoin, Bianca Rose Garcia, Sytek, Danais and Byron.

Bill Sponsors: Rep. Copeland, Rock 29; Rep. Turcotte, Merr 22; Rep. St. James, Rock 13

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Tim Copeland, prime sponsor - Crucial that employers notify retirees of limits on hours worked.
Diana Lacey - State Employees Assoc. - Supports the bill. There needs to be a mechanism in place to alert employees of hours worked restrictions for retirees. Retiree should be notified of hour limitations prior to being hired. Currently there are court cases addressing paying back the retirement system by retirees who have exceeded the work hours limit.
Barbara Reid - N.H. Turn. Assoc. - Opposed to the bill - Does believe retirees need to know

restrictions regarding hours worked. Believes it is N.H.A. responsibility to notify retirees not employees.

Marty Norton - Act 8 for N.H.A. - N.H.A. orients new retirees if they come in to file for retirement regarding working restrictions after retirement. Not all retirees file to retire in person. Retiree is given information orally.

Sub-Committee Actions

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SECOND SUBCOMMITTEE WORK SESSION ON HB 364

BILL TITLE: requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.

DATE: 3/4/13

Subcommittee Members: Reps. Gagnon, Goley, McGuire, Schuett, Byron, Danais, Hansberry, Moffett, Hansen

Comments and Recommendations: Request Reps. Moffett and Byron to draft amendment with OLS for review by full committee.

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Byron

Seconded by Rep. Hansen

Vote: 7-1

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Ray Gagnon
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SECOND SUBCOMMITTEE WORK SESSION ON HB 364

BILL TITLE: requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.

DATE: 3/4/13

Subcommittee Members: Reps. Gagnon, Goley, McGuire, Schuett, Byron, Danais, Hansberry, Moffett, Hansen

*Rep Byron
2nd Rep Hansen*

Comments and Recommendations:

*OTP/A -
7-1. Request Reps Moffett & Byron to fine tune
amendment of OLS for review by fall Cttee.*

Amendments:

Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. *Byron*
Seconded by Rep. *Hansen*
Vote:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.
Seconded by Rep.
Vote:

Respectfully submitted,
Rep.
Subcommittee Chairman/Clerk

R. Gagnon

Sub-Committee Minutes

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 364

BILL TITLE: requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.

DATE: 2/26/13

Subcommittee Members: Reps. Gagnon, Goley, McGuire, Schuett, Byron, Danais, Hansberry, Moffett, Hansen

Comments and Recommendations: Reps. Moffett & Byron will draft an amendment for consideration @ next subcommittee meeting

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Raymond Gagnon
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

SUBCOMMITTEE WORK SESSION ON HB 364

BILL TITLE: requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.

DATE: 2/26/13

Subcommittee Members: Reps. Moffatt & Byron will craft amendment for consideration @ next subcommittee

Comments and Recommendations:

Amendments:

Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:
Sponsor: Rep.	OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.
Seconded by Rep.
Vote:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.
Seconded by Rep.
Vote:

Respectfully submitted,
Rep.
Subcommittee Chairman/Clerk

Testimony

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Section; Retirement System; Part Time Employment; Notice to Prospective Employee. Amend RSA 100-A by inserting after section 7 the following new section:

100-A:7-a Certain Part-time Employment; Notice by Employer Required. An employer shall provide written notice ***annually to existing part time and to any*** ~~to a prospective employees who is~~ ***are*** a retired member of the retirement system of the hourly limitations on part-time employment as defined in RSA 100-A:1, XXXIV. ~~and the effect of exceeding such hourly limitations on the retired member's retirement benefits. The executive director may make copies of such a written notice available to employers.~~ ***The existing part time employee or prospective employee shall acknowledge receipt of the written notice on a form provided to the employer by the retirement system. Employers who provide this annual notice shall be protected from liability of employees whose benefits are affected by failure to comply with the limitations of RSA 100-A:1, XXXIV.***

2 Effective Date. This act shall take effect 60 days after its passage.

100-A:7-a. Certain Part-time Employment; Notice by Employer Required. An employer shall provide written notice—

(a) Each Calendar year to existing part-time employees who are retired members of the retirement system, and

(b) upon application for employment (1) to any prospective employee who is a retired member of the retirement system—

of the hourly limitations on part-time employment specified in RSA 100-A:1, XXXIV, and the potential effect that exceeding such hourly limitations could have on the retired member's retirement benefits under [RSA 100-A: 7?]. The executive director shall provide to all employers the form of such a notice. Employers who provide the required notice to part-time and prospective applicants shall not be liable for any consequences to the employee resulting from the employee's exceeding the hourly limitations on part-time employment set forth in RSA 100-A:1, XXXIV.

1. I'll use the example of Litchfield which is a common town and is representative of the majority of smaller communities. When we went forward to hire a town administrator about 4 years ago. The

Board of Selectmen (BOS) got together and developed a job description and we hired NHMA to search for a candidate. NHMA did a couple of things. They posted the job on their web site and they posted the job opening on an Town Administrator/Town Manager forum. They then collected resumes. At no time did the candidate fill in an application. At a point, NHMA met with the BOS and we then went through the resumes. Based upon the grading of the resumes by the BOS, we then brought into the town offices for interviews the top 6 candidates. Out of the top 6 candidates, we brought back for a second interview the top 3 candidates. We then selected the candidate we hired. The other candidates who did not come in were simply sent a letter of regret. For other senior positions in the town like finance manager we don't use NHMA, but recruit through posting on the NHMA website and ads placed into the Union Leader or other large papers. For people like plow drivers (which are typically retired fire fighters who hold commercial driver's licenses) or workers at the recycling center, they don't submit a resume but are interviewed by the road agent and hired. Some people send in resumes just to see if the town has a job at odd times of the year. So if you can suggest some alternative wording to clarify that would be great. I hope you see my thinking.

Town Manager

The Town of Lincoln, Maine is looking for a new Town Manager. Lincoln is located in the north central part of Maine and has a population of 5,085.

The Lincoln Town Council is seeking an individual that is a leader, skilled in budgeting and finance, as well as personnel management, labor relations, with TIF and grant-writing experience. The person seeking to fill this position should have a positive attitude, can communicate and work with the town council, department heads, and the citizens on the street. Municipal management experience and a college degree would be a plus but individuals with comparable work experience and education are encouraged to apply.

Salary negotiable based on experience and training. Resume and cover letter along with salary requirements must be received by March 8, 2013 at 5:00 p.m. by email at towncouncil@lincolmaine.org or by US mail with all correspondence directed to:

Stephen Clay, Lincoln Town Council Chairman
63 Main Street, Lincoln, ME 04457



March 3, 2013 Powered by
TECNAVIA

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03/03/2013 4:56 pm

Voting Sheets

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 364

BILL TITLE: requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.

DATE: 3/5/13

LOB ROOM: 306

Amendments:

Sponsor: Rep. Moffett OLS Document #: 2013 0678h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTR, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Moffett

Seconded by Rep. Goley

Vote: 12-7 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Dianne Schuett, Acting Clerk

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 364

BILL TITLE: requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.

DATE: 3/5/13

LOB ROOM: 306

Amendments:

Sponsor: Rep. *Moffett / Goley* OLS Document #: *0678d (19-0)*
Sponsor: Rep. OLS Document #:
Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. *Moffett / Goley*

Seconded by Rep.

Vote: *12-7* (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Daniel C. Hansberry, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2013 9:17:57 AM
Roll Call Committee Registers
Report

2013 SESSION

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: HB 364 Title: notice to retired members of NHRS of P/T limits
PH Date: 2/12/2013 Exec Session Date: 3/5/13
Motion: OTP/AM Amendment #: 0678h

MEMBER	YEAS	NAYS
Weber, Lucy M, Chairman	12	
Schuett, Dianne E, V Chairman	1	
Schmidt, Peter B	2	
Jeudy, Jean L	3	
Sullivan, Daniel J	4	
Goley, Jeffrey P	5	
Gagnon, Raymond G	6	
Nelson, Mary S	7	
Booras, Efstathia C	8	
Hansberry, Daniel C, Clerk	9	
Moffett, Howard M	10	
McGuire, Carol M		1
Sytek, John		
Pratt, Calvin D		2
Hansen, Peter T	11	
Beaudoin, Steven P		3
Byron, Frank A		4
Danais, Romeo		5
Garcia, Bianca R O'CONNOR		6
Sweeney, Shawn P		7
TOTAL VOTE:	12	7



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2013 9:17:57 AM
Roll Call Committee Registers
Report

2013 SESSION

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

Bill #: HB 364 Title: notice to retired members of NHRS of P/T limits
 PH Date: 2/12/2013 Exec Session Date: 3/15/13
 Motion: AM Amendment #: 0678.h

MEMBER	YEAS	NAYS
Weber, Lucy M, Chairman	19	
Schuett, Dianne E, V Chairman	1	
Schmidt, Peter B	2	
Jeudy, Jean L	3	
Sullivan, Daniel J	4	
Goley, Jeffrey P	5	
Gagnon, Raymond G	6	
Nelson, Mary S	7	
Booras, Efstathia C	8	
Hansberry, Daniel C, Clerk	9	
Moffett, Howard M	10	
McGuire, Carol M	11	
Sytek, John		
Pratt, Calvin D	12	
Hansen, Peter T	13	
Beaudoin, Steven P	14	
Byron, Frank A	15	
Danais, Romeo	16	
Garcia, Bianca R O'CONNOR	17	
Sweeney, Shawn P	18	
TOTAL VOTE:	19	0

Committee Report

REGULAR CALENDAR

March 7, 2013

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Majority of the Committee on EXECUTIVE DEPARTMENTS AND ADMINISTRATION to which was referred HB364,

AN ACT requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

Rep. Howard M Moffett

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

Committee: **EXECUTIVE DEPARTMENTS AND
ADMINISTRATION**

Bill Number: **HB364**

Title: **requiring New Hampshire retirement system
employers to notify prospective part-time
employees who are retired members of the
limitations on part-time employment.**

Date: **March 7, 2013**

Consent Calendar: **NO**

Recommendation: **OUGHT TO PASS WITH AMENDMENT**

STATEMENT OF INTENT

This bill is intended to reduce confusion among retired members of the retirement system who work part-time or apply to work part-time for a town or other participating employer, but who may not realize that part-time work in excess of the hourly limitations in RSA 100-A:1, XXXIV (32 hours/week, or up to 1300 hours/year) will jeopardize their existing retirement system benefits under RSA 100-A:7. The bill requires participating employers to provide notice to applicants for part-time employment prior to employment, and to existing part-time employees annually, if they are retired members of the retirement system. The form of the notice is to be provided by the retirement system. Participating employers who provide the required notice may not be held liable for any consequences to an employee resulting from the employee's restoration of service on account of exceeding the hourly limits in RSA 100-A:1, XXXIV. The retirement system itself is also required to provide notice annually to all retired members of the retirement system.

Vote 12-7

Rep. Howard M Moffett
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB364, requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Howard M Moffett for the **Majority** of EXECUTIVE DEPARTMENTS AND ADMINISTRATION. This bill is intended to reduce confusion among retired members of the retirement system who work part-time or apply to work part-time for a town or other participating employer, but who may not realize that part-time work in excess of the hourly limitations in RSA 100-A:1, XXXIV (32 hours/week, or up to 1300 hours/year) will jeopardize their existing retirement system benefits under RSA 100-A:7. The bill requires participating employers to provide notice to applicants for part-time employment prior to employment, and to existing part-time employees annually, if they are retired members of the retirement system. The form of the notice is to be provided by the retirement system. Participating employers who provide the required notice may not be held liable for any consequences to an employee resulting from the employee's restoration of service on account of exceeding the hourly limits in RSA 100-A:1, XXXIV. The retirement system itself is also required to provide notice annually to all retired members of the retirement system.

Vote 12-7.

HB 364
OTP/A

This bill is intended to reduce confusion among retired members of the retirement system who work part-time or apply to work part-time for a town or other participating employer, but who may not realize that part-time work in excess of the hourly limitations in RSA 100-A:1, XXXIV (32 hours/week, or up to 1300 hours/year) will jeopardize their existing retirement system benefits under RSA 100-A:7. The bill requires participating employers to provide notice to applicants for part-time employment prior to employment, and to existing part-time employees annually, if they are retired members of the retirement system. The form of the notice is to be provided by the retirement system. Participating employers who provide the required notice may not be held liable for any consequences to an employee resulting from the employee's restoration of service on account of exceeding the hourly limits in RSA 100-A:1, XXXIV. The retirement system itself is also required to provide notice annually to all retired members of the retirement system.

Rep. Howard Moffett for the Committee

al

Luz Weber

Culberson, Kay**From:** Lucy McVitty Weber [lwmcv@comcast.net]**Sent:** Thursday, March 07, 2013 6:29 AM**To:** Culberson, Kay**Subject:** NEW BLURBS!!!

Hi Kay,

Just as I was going out the door, I found these new blurbs from Howard Moffett--

Sorry for the confusion—I had thought, when they did not arrive yesterday, that I was doing them instead. I will definitely use Howard's blurb for 364—I might blend his and mine for 683.

Lucy

1. COMMITTEE REPORT: Executive Depts. & Administration

BILL NUMBER: HB 364

TITLE: An Act relative to notice required concerning employment of a retired member of the New Hampshire retirement system of the limitations on part-time employment

DATE: March 5, 2013 CONSENT CALENDAR—No

X Ought to Pass w/Amendment Amendment No. 2013-0678h

STATEMENT OF INTENT:

This bill is intended to reduce confusion among retired members of the retirement system who work part-time or apply to work part-time for a town or other participating employer, but who may not realize that part-time work in excess of the hourly limitations in RSA 100-A:1, XXXIV (32 hours/week, or up to 1300 hours/year) will jeopardize their existing retirement system benefits under RSA 100-A:7. The bill requires participating employers to provide notice to applicants for part-time employment prior to employment, and to existing part-time employees annually, if they are retired members of the retirement system. The form of the notice is to be provided by the retirement system. Participating employers who provide the required notice may not be held liable for any consequences to an employee resulting from the employee's restoration of service on account of exceeding the hourly limits in RSA 100-A:1, XXXIV. The retirement system itself is also required to provide notice annually to all retired members of the retirement system.

COMMITTEE VOTE: 12-7 Ought to Pass w/Amendment *(Lucy—I'm not certain of this vote; my notes are at home. If I'm wrong about the vote, I'll e-mail you from home to correct this.)*

Respectfully Submitted,
Rep. Howard Moffett, For the Committee

2. COMMITTEE REPORT: Executive Depts. & Administration

BILL NUMBER: HB 683-FN

TITLE: An Act relative to the retirement system status of the director and assistant director of the division of homeland security and emergency management.

DATE: March 5, 2013 Consent Calendar—No

3/7/2013

REGULAR CALENDAR

March 7, 2013

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Minority of the Committee on EXECUTIVE
DEPARTMENTS AND ADMINISTRATION to which was
referred HB364,**

**AN ACT requiring New Hampshire retirement system
employers to notify prospective part-time employees
who are retired members of the limitations on part-time
employment. Having considered the same, and being
unable to agree with the Majority, report with the
following Resolution: RESOLVED, That it is
INEXPEDIENT TO LEGISLATE.**

Rep. Frank A Byron

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee: **EXECUTIVE DEPARTMENTS AND
ADMINISTRATION**

Bill Number: **HB364**

Title: **requiring New Hampshire retirement system
employers to notify prospective part-time
employees who are retired members of the
limitations on part-time employment.**

Date: **March 7, 2013**

Consent Calendar: **NO**

Recommendation: **INEXPEDIENT TO LEGISLATE**

STATEMENT OF INTENT

The majority, by recommending this bill, have placed additional obligations on municipalities to notify New Hampshire Retirement System (NHRA) retirees of their work hours limitations. By creating this municipal obligation there is a potential liability owned by the municipality should a retiree violate the work limit requirements. This municipal liability would not exist without this bill.

Rep. Frank A Byron
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

EXECUTIVE DEPARTMENTS AND ADMINISTRATION

HB364, requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment. **INEXPEDIENT TO LEGISLATE.**

Rep. Frank A Byron for the **Minority** of EXECUTIVE DEPARTMENTS AND ADMINISTRATION.

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Original: House Clerk

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MINORITY REPORT

COMMITTEE: E D & A

BILL NUMBER: HB 364

TITLE: Requiring New Hampshire retirement system employers to notify prospective part-time employees who are retired members of the limitations on part-time employment.

DATE: 3/5/13 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No. 0678h

STATEMENT OF INTENT:

The majority, by ~~passing~~ ^{recommending} this bill have placed additional obligations on municipalities to notify New Hampshire Retirement System (NHRS) retirees of their work hour limitations.

By creating this municipal obligation there is a potential liability owned by the municipality should a retiree violate the work limits requirements. This municipal liability would not exist without this bill.

*OK
Way Weber*

COMMITTEE VOTE: 12-7

RESPECTFULLY SUBMITTED,

• Copy to Committee Bill File

Rep. FRANK A. BYRNE
For the Minority

HB 364

ITL

Regular calendar 12-7

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Rep. Frank Byron for the Minority

HB 364

~~OTP/A 0678h~~

Regular calendar 12-7

ITC (Majority Report
OTP/A

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Rep. Frank Byron for the Minority

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Lucy Weber

HB 364

ITL

~~OTPA~~ 0678h

Regular calendar 12-7

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Rep. Frank Byron for the Minority

OK Lucy Weber