

CONSENT CALENDAR

March 7, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Committee on Executive Departments and Administration to which was referred HB 1079-FN,

AN ACT relative to part-time employment of a retirement system retiree. Having considered the same, report the same with the following resolution:

RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Stephen Pearson

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Executive Departments and Administration
Bill Number:	HB 1079-FN
Title:	relative to part-time employment of a retirement system retiree.
Date:	March 7, 2022
Consent Calendar:	CONSENT
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill would increase the amount of hours that a retired person could work in a New Hampshire Retirement System eligible job. This increase was problematic for several reasons. First, it would have allowed teachers to completely double dip ie: working full time and collecting a pension. The second problem would be that the hours allowed would put the employee over the threshold to make them fall under the Affordable Care Act as a full time employee. The third issue is that this would not solve any seasonal employment issues as seasonal employees don't exceed the current limitations and the limit is per employee, not per employer. Currently employees' hours under a declared emergency are exempt so this increase was not necessary for any declared emergency.

Vote 19-0.

Rep. Stephen Pearson
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

Executive Departments and Administration

HB 1079-FN, relative to part-time employment of a retirement system retiree. **INEXPEDIENT TO LEGISLATE.**

Rep. Stephen Pearson for Executive Departments and Administration. This bill would increase the amount of hours that a retired person could work in a New Hampshire Retirement System eligible job. This increase was problematic for several reasons. First, it would have allowed teachers to completely double dip ie: working full time and collecting a pension. The second problem would be that the hours allowed would put the employee over the threshold to make them fall under the Affordable Care Act as a full time employee. The third issue is that this would not solve any seasonal employment issues as seasonal employees don't exceed the current limitations and the limit is per employee, not per employer. Currently employees' hours under a declared emergency are exempt so this increase was not necessary for any declared emergency. **Vote 19-0.**

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

EXECUTIVE SESSION on HB 1079-FN

BILL TITLE: relative to part-time employment of a retirement system retiree.

DATE: March 7, 2022

LOB ROOM: 302-304

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. S. Pearson

Seconded by Rep. Goley

Vote: 19-0

CONSENT CALENDAR: YES

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John Sytek, Clerk



1/22/2021 9:57:48 AM
Roll Call Committee Registers
Report

22
2021 SESSION

PEAR
Gov

Executive Departments and Administration

Bill #: HB 1079 Motion: ITL AM #: _____ Exec Session Date: 3-7-22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
McGuire, Carol M. Chairman	X		
Roy , Terry Vice Chairman <u>RHODES</u>	X		
Sytek, John Clerk	X		
Pearson, Stephen C.	X		
Yakubovich, Michael	X		
Lekas, Tony	X		
Alliegro, Mark C.	X		
Bailey, Glenn	X		
Lanzara, Tom E.	X		
Santonastaso, Matthew	X		
Goley, Jeffrey P.	X		
Schuett, Dianne E.	X		
Judy, Jean L.	X		
Schmidt, Peter B. <u>HORRIGAN</u>	X		
Schultz, Kristina M. <u>MARSH</u>	X		
Fellows, Sallie D.	X		
Fontneau, Timothy J.	X		
Grote, Jaci L.	X		
O'Brien, Michael B.	X		
TOTAL VOTE:			

19-0

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HOUSE COMMITTEE ON EXECUTIVE DEPARTMENTS AND ADMINISTRATION

PUBLIC HEARING ON HB 1079-FN

BILL TITLE: relative to part-time employment of a retirement system retiree.

DATE: January 13, 2022

LOB ROOM: 302-304 **Time Public Hearing Called to Order:** 11:00 a.m.

Time Adjourned: 11:30 a.m.

Committee Members: Reps. McGuire, Rhodes, Sytek, S. Pearson, Yakubovich, T. Lekas, Alliegro, Bailey, Lanzara, Santonastaso, Goley, Schuett, P. Schmidt, Marsh, Fellows, Grote and O'Brien

Bill Sponsors:
Rep. Trottier

Rep. Bordes

TESTIMONY

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

Rep. Trottier, prime sponsor, introduced the bill and spoke in favor. He explained the bill and the hardship that the lower number of hours has caused the smaller communities in terms of recruitment and use of experienced personnel. Also, the undesirability of using the state police to help the local agency. Committee questions were whether both Group I and Group II are intended to be included; whether there was opposition, about the history of why the number of hours was lowered.

Arthur Beaudry, representing the NH State Permanent Retired Fire Fighters Association, spoke in opposition. He was concerned about negative impact on the NHRS.

Katherine Heck, Government Finance Advisor for the NHMAss'n, spoke in favor. She said that this would help small towns to meet staffing needs with skilled workers but are not needed on a full-time basis.

Marty Karlon, representing the NHRS, spoke and said that the NHRS was neutral. He recounted a history of the part-time situation.

Respectfully Submitted,

Rep. Sytek

House Remote Testify

Executive Departments and Administration Committee Testify List for Bill HB1079 on 2022-01-13

Support: 7 Oppose: 1 Neutral: 1 Total to Testify: 0

Export to Excel

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Dargie, Paul	Milford, NH pauldargie@gmail.com	An Elected Official	Myself	Support	No	No	1/7/2022 3:07 PM
Kudlik, Cindy	Grafton, NH CindyKudlik@protonmail.com	An Elected Official	Myself	Oppose	No	No	1/9/2022 2:04 AM
Mascio, Lissa	Concord (DOC HQ), NH Lissa.D.Mascio@doc.nh.gov	State Agency Staff	Department of Corrections	Support	No	No	1/11/2022 9:21 AM
Karlon, Marty	Concord, NH marty.karlon@nhrs.org	State Agency Staff	NHRS	Neutral	No	No	1/12/2022 8:08 AM
Frew, Jerome	Concord, NH jerry@nhsaa.org	A Lobbyist	NHSAA	Support	No	No	1/12/2022 12:45 PM
Christina, Barrett	Concord, NH bchristina@nhsba.org	A Lobbyist	New Hampshire School Boards Association	Support	No	No	1/12/2022 1:16 PM
Pike, Jamie	Francestown, NH selectmensoffice@francestownnh.org	A Member of the Public	Town of Francestown	Support	No	No	1/13/2022 10:54 AM
Tarleton, Matthew	Merrimack, NH jonsered910@gmail.com	A Member of the Public	Myself	Support	No	No	1/13/2022 12:15 PM
Hoebeke, Joseph	Hollis, NH jhoebeke@hollisnh.org	A Member of the Public	NH Association of Chiefs of Police	Support	No	No	1/13/2022 1:02 PM

HB 1079-FN - AS INTRODUCED

2022 SESSION

22-2092

10/08

HOUSE BILL ***1079-FN***

AN ACT relative to part-time employment of a retirement system retiree.

SPONSORS: Rep. Trottier, Belk. 6; Rep. Bordes, Belk. 3

COMMITTEE: Executive Departments and Administration

ANALYSIS

This bill increases the number of hours a retiree may work for a retirement system employer and eliminates the initial 28-day restriction on such part-time employment after retiring.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struckthrough.]~~
 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 Twenty Two

AN ACT relative to part-time employment of a retirement system retiree.

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

- 1 1 Retirement System; Part-time Employment. Amend RSA 100-A:1, XXXIV to read as follows:
2 XXXIV. "Part-time" for purposes of employment of a retired member of the New Hampshire
3 retirement system but excepting per diem court security officers and court bailiffs, means
4 employment by one or more participating employers of the retired member which shall not exceed
5 ~~[1,352]~~ **1,664** hours in a calendar year, except as provided in RSA 100-A:7-b. ~~[Notwithstanding the~~
6 ~~foregoing, no retired member shall be employed on a part-time basis by any participating employer~~
7 ~~for a period of 28 days from the member's effective date of retirement.]~~
8 2 Effective Date. This act shall take effect 60 days after its passage.

**HB 1079-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT relative to part-time employment of a retirement system retiree.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2022	FY 2023	FY 2024	FY 2025
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Funding Source:	<input checked="" type="checkbox"/> General State funds <input type="checkbox"/> Education <input checked="" type="checkbox"/> Highway <input checked="" type="checkbox"/> Other - various			

**POLITICAL
SUBDIVISIONS:**

Revenue	\$0	\$0	\$0	\$0
Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

*The New Hampshire Retirement System states it is not able to separate the fiscal impact of this legislation between county and local government, therefore the fiscal impact is shown together as political subdivision.

METHODOLOGY:

This bill increases the number of hours a New Hampshire Retirement System (NHRS) retiree may work in a calendar year, for a NHRS participating employer, from 1,352 to 1,664 and eliminates the initial 28-day restriction on such part-time employment after retiring. The NHRS states there is no fiscal impact to the increase in limit on the number of hours nor the elimination of the 28-day prohibition on part-time work for new retirees. However, to the extent the need for full-time positions are reduced there would be an indeterminable impact on state, county and local expenditures.

It is assumed any fiscal impact would not occur until FY 2023.

AGENCIES CONTACTED:

New Hampshire Retirement System