

SB 302 – AS AMENDED BY THE HOUSE

01/25/12 0257s
25Apr2012... 1498h

2012 SESSION

12-2907
01/10

SENATE BILL **302**

AN ACT relative to maintenance of flags and memorials on state-owned property.

SPONSORS: Sen. Barnes, Jr., Dist 17; Sen. Boutin, Dist 16; Sen. Bradley, Dist 3; Sen. Carson, Dist 14; Sen. D'Allesandro, Dist 20; Sen. De Blois, Dist 18; Sen. Forrester, Dist 2; Sen. Forsythe, Dist 4; Sen. Gallus, Dist 1; Sen. Groen, Dist 6; Sen. Kelly, Dist 10; Sen. Lambert, Dist 13; Sen. Luther, Dist 12; Sen. Merrill, Dist 21; Sen. Morse, Dist 22; Sen. Odell, Dist 8; Sen. Rausch, Dist 19; Sen. Sanborn, Dist 7; Sen. Stiles, Dist 24; Rep. Knox, Carr 4

COMMITTEE: Public and Municipal Affairs

AAMENDED ANALYSIS

This bill requires the state in conjunction with the appropriate political subdivisions and organizations, to maintain flags and memorials on state-owned property.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twelve

AN ACT relative to maintenance of flags and memorials on state-owned property.

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

1 1 New Subdivision; Maintenance of Flags and Memorials on State-Owned Property. Amend
2 RSA 3 by inserting after section 26 the following new subdivision:

3 Maintenance of Flags and Memorials on State-Owned Property

4 3:27 Maintenance of Flags and Memorials on State-Owned Property. The state of
5 New Hampshire, in conjunction with and with the cooperation of local political subdivisions and
6 organizations, shall maintain any veterans' memorials, including flags flown over such memorials.
7 Organizations and political organizations which have initiated the flying of flags at such memorials
8 shall have the primary obligation to replace such flags.

9 2 Effective Date. This act shall take effect 60 days after its passage.

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LBAO
12-2907
Amended 03/29/12

SB 302 FISCAL NOTE

AN ACT relative to maintenance of flags and memorials on state-owned property.

FISCAL IMPACT:

The Department of Transportation states this bill, **as amended by the Senate (Amendment #2012-0257s)**, will increase state highway fund expenditures by an indeterminable amount in FY 2012 and each year thereafter. The Department of Administrative Services states this bill will increase state general fund expenditures by \$50 in FY 2013. The New Hampshire Municipal Association states this bill may decrease local expenditures by an indeterminable amount in FY 2012 and each year thereafter. There is no fiscal impact on state, county, or local revenue, or county expenditures.

METHODOLOGY:

The Department of Transportation states this bill requires it to maintain the flags and the landscaping at the rotary in the town of Epsom. The Department states it estimates the flag-tending duties would be handled by an existing highway patrol foreman paid overtime to make trips to raise or lower the flag when inclement weather made it necessary. The Department estimates these duties would be required on average 3 times per week, including every other weekend, and would entail approximately 176 hours of overtime each year at an overtime rate of \$32.38 per hour, for a total annual cost in FY 2013 of \$5,787. The Department also assumes the rotary landscaping would likely be handled by an existing assistant highway patrol foreman for 30 minutes per week and an existing highway maintainer for 1 hour per week. However, the Department states if the existing duties of these employees do not allow for the time to complete the additional duties called for in this bill, the Department may be forced to increase expenditures related to overtime or to the hiring of part-time staff. The Department states the 26 hours (30 minutes per week x 52 weeks per year) of an assistant highway patrol foreman's time costs \$505 per year (\$19.41 per hour x 26 hours per year) and the 52 hours (1 hour per week x 52 weeks per year) of a highway maintainer's time costs \$824 per year (\$15.84 per hour x 52 hours per year). The Department states this bill would also require an annual increase in state costs for equipment of \$364 and for plants, mulch, flags, and other materials of \$3,185.

The Department of Administrative Services estimates the only cost associated with this bill would be related to the purchase of an Honor and Remember Flag for \$50. The Department states the flag would be hung by existing state house security staff.

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The New Hampshire Municipal Association states this bill may result in a decrease in expenditures for the town of Epsom related to landscaping at the rotary. The Association cannot estimate the amount of such a decrease.