



TOWN COUNCIL – AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, **including back up information**, 8 days prior to the requested meeting date. **Public Hearing requests must be submitted 20 days prior to requested meeting date to meet publication deadlines** (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

MEETING INFORMATION

Date Submitted: October 25, 2017
Submitted by: Town Manager Eileen Cabanel
Department: General Government
Speakers:

Date of Meeting: November 2, 2017

Time Required: 20 minutes

Background Info. Supplied: Yes: No:

CATEGORY OF BUSINESS (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Appointment:	<input type="checkbox"/>	Recognition/Resignation/Retirement:	<input type="checkbox"/>
Public Hearing:	<input type="checkbox"/>	Old Business:	<input type="checkbox"/>
New Business:	<input checked="" type="checkbox"/>	Consent Agenda:	<input type="checkbox"/>
Nonpublic:	<input type="checkbox"/>	Other:	<input type="checkbox"/>

TITLE OF ITEM

All Veterans' Tax Credit Discussion

DESCRIPTION OF ITEM

Town Council to discuss and consider the options for adopting the All Veterans' Tax Credit.

REFERENCE (IF KNOWN)

RSA:	72:27-a, 72:28	Warrant Article:	
Charter Article:		Town Meeting:	
Other:		N/A	

EQUIPMENT REQUIRED (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Projector:	<input type="checkbox"/>	Grant Requirements:	<input type="checkbox"/>
Easel:	<input type="checkbox"/>	Joint Meeting:	<input type="checkbox"/>
Special Seating:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Laptop:	<input type="checkbox"/>	None:	<input type="checkbox"/>

CONTACT INFORMATION

Name:	<u>Eileen Cabanel</u>	Address:	<u>6 Baboosic Lake Road</u>
Phone Number:	<u>424-2331</u>	Email Address:	<u>ecabanel@merrimacknh.gov</u>

APPROVAL

Town Manager: Yes No: Chair/Vice Chair: Yes No:

Hold for Meeting Date: _____

ASSESSING DEPARTMENT

To: Eileen Cabanel
From: Tracy Doherty
Subject: All Veterans' Tax Credit RSA 72:28-b

The All Veterans' Tax Credit RSA 72:28-b went into law effective August 8, 2016. This all veterans' tax credit was created for those veterans who did not serve during a qualifying war or armed conflict and did not receive a qualifying medal but they did served at least 90 days of active duty and received an Honorable discharge. On June 8, 2017 Senate Bill 80 was signed into law by the Governor. This bill allows a town or city adopting the all veterans' credit against property taxes to phase-in the amount over 3 years.

72:28-b All Veterans' Tax Credit

I. A town or city may adopt or rescind the all veterans' property tax credit granted under this section by the procedure in RSA 72:27-a.

II. The credit granted under this section shall be the same as the amount of the standard or optional veterans' tax credit in effect in the town or city under RSA 72:28. *A town or city with an existing standard or optional veteran's tax credit under RSA 72:28 prior to August 18, 2016, adopting the credit under this section, may phase in the amount of the all veteran's tax credit over a 3-year period to match the standard or optional veterans' tax credit.*

III. The all veterans' tax credit shall be subtracted each year from the property tax on the veteran's residential property.

IV. A person shall qualify for the all veterans' tax credit if the person is a resident of this state who served not less than 90 days on active service in the armed forces of the United States and was honorably discharged or an officer honorably separated from service; or the spouse or surviving spouse of such resident, provided that Title 10 training for active duty by a member of a national guard or reserve shall be included as service under this paragraph; provided however that the person is not eligible for and is not receiving a credit under RSA 72:28 or RSA 72:35.

Currently Merrimack has 1,136 veterans receiving the standard veterans tax credit in the amount of \$500 per year Standard Veterans' Tax Credit Totaling \$567,500

In the past 5 years there have been approximately 17 applicants who were denied the standard veterans tax credit, however they would qualify for the all veterans' tax credit.

To estimate the potential impact of adopting RSA 72:28-b I have contacted the following communities.

Municipality	Current # of standard veteran tax credits	Standard veteran tax credit amount	RSA 72:28-b Adopted (All Veteran)	# ALL Veterans Approved for 2017	All Veterans Credit	3-Year Phase In
Amherst	501	\$500	Yes 2017	17	\$500	No
Bedford	977	500	Yes 2017	23	\$500	No
Concord	974	\$150	No	--	--	--
Derry	882	\$500	No	--	--	--
Dover*	1015	\$500	No	--	--	*will likely adopt for 2018 with 3-year phase in
Hudson	938	\$500	Yes 2017	69	\$500	No
Milford	479	\$300	Yes 2017	26	\$300	No
Nashua	2570	\$500	Yes 2017	79	\$500	Yes: 2017 = \$165 2018 = \$330 2019 = \$500
Portsmouth	774	\$500	Yes 2017	29	\$500	No
Rochester**	1637	\$250	No	--	--	**considering adoption
Salem	1067	\$500	Yes 2017	50	\$500	No

Please note that the filing deadline for all exemptions and tax credits is **April 15th**. Town Meeting is April 10th. The applicants applying for the All Veterans' Tax Credit will need to file an application (PA29) and provide a copy of their DD214. For those whose property is in a trust they will also need to provide a copy of the trust document.

Becky Thompson

From: Becky Thompson
Sent: Tuesday, October 24, 2017 1:16 PM
To: Eileen Cabanel (ecabanel@merrimacknh.gov)
Subject: All Veterans' Tax Credit Processes for Implementation
Attachments: Attachment #1 Section 72_27-a Procedure for Adoption, Modification, or Rescission_.pdf;
Attachment #2 Section 39_3 Articles_.pdf

Eileen,

- **Option 1** – Town Council can vote in a regular meeting to place on ballot (**Attachment #1**)
- **Option 2** – Town Council can adopt an ordinance at the regular meeting by normal procedure, with a first reading, public hearing and final reading (**Attachment #1**)
- **Option 3** – Process can be initiated by a resident through a citizen petition (**Attachment #2**)

****Please note that if this is brought before the voters on the ballot on Tuesday, April 10th, the applicants applying for the All Veterans' Tax Credit will have only 5 days to do so (assuming it passes), as the deadline for all exemptions and tax credits is April 15th****

Becky Thompson

Executive Secretary
Town of Merrimack
6 Baboosic Lake Rd.
Merrimack, NH 03054
bthompson@merrimacknh.gov

Phone: (603) 424-2331 | Fax: (603) 424-0461

TITLE V TAXATION

CHAPTER 72 PERSONS AND PROPERTY LIABLE TO TAXATION

Property Taxes

Section 72:27-a

72:27-a Procedure for Adoption, Modification, or Rescission. –

I. Any town or city may adopt the provisions of RSA 72:28, RSA 72:28-b, RSA 72:29-a, RSA 72:35, RSA 72:37, RSA 72:37-b, RSA 72:38-b, RSA 72:39-a, RSA 72:62, RSA 72:66, RSA 72:70, RSA 72:76, or RSA 72:82 in the following manner:

(a) In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition pursuant to RSA 39:3.

(b) In a city or town that has adopted a charter pursuant to RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

II. The vote shall specify the provisions of the property tax exemption or credit, the amount of such exemption or credit, and the manner of its determination, as listed in paragraph I. If a majority of those voting on the question vote "yes," the exemption or credit shall take effect within the town or city, on the date set by the governing body, or in the tax year beginning April 1 following its adoption, whichever shall occur first.

III. A municipality may modify, if applicable, or rescind the exemption or credits provided in paragraph I in the manner described in this section.

IV. An amendment to a statutory provision listed in paragraph I related to an exemption or credit amount or to the eligibility or application of an exemption or credit, shall apply in a municipality which previously adopted the provision only after the municipality complies with the procedure in this section, unless otherwise expressly required by law.

Source. 2003, 299:1; 299:23. 2004, 170:3. 2008, 224:3, eff. July 1, 2008. 2016, 217:2, eff. Aug. 8, 2016. 2017, 179:1, eff. Aug. 28, 2017.

**TITLE III
TOWNS, CITIES, VILLAGE DISTRICTS, AND
UNINCORPORATED PLACES**

**CHAPTER 39
TIME FOR HOLDING TOWN MEETINGS AND WARNING
THEREOF**

Section 39:3

39:3 Articles. – Upon the written application of 25 or more registered voters or 2 percent of the registered voters in town, whichever is less, although in no event shall fewer than 10 registered voters be sufficient, presented to the selectmen or one of them not later than the fifth Tuesday before the day prescribed for an annual meeting, the selectmen shall insert in their warrant for such meeting the petitioned article with only such minor textual changes as may be required. For the purposes of this section, the number of registered voters in a town shall be the number of voters registered prior to the last state general election. The right to have an article inserted in the warrant conferred by this section shall not be invalidated by the provisions of RSA 32. In towns with fewer than 10,000 inhabitants upon the written application of 50 or more voters or 1/4 of the voters in town, whichever is fewer, and in towns with 10,000 or more inhabitants upon the written application of 5 percent of the registered voters in the town, so presented not less than 60 days before the next annual meeting, the selectmen shall warn a special meeting to act upon any question specified in such application. The checklist for an annual or special town meeting shall be corrected by the supervisors of the checklist as provided in RSA 654:25-31. Those persons qualified to vote whose names are on the corrected checklist shall be entitled to vote at the meeting. The same checklist used at a recessed town meeting shall be used at any reconvened session of the same town meeting. In no event shall a special town meeting be held on the biennial election day.

Source. RS 32:3. CS 34:3. GS 35:3. GL 38:3. PS 41:3. PL 45:3. 1937, 40:1. RL 57:3. 1947, 21:1. RSA 39:3. 1969, 59:1. 1971, 79:1. 1975, 160:1. 1981, 454:1. 1987, 299:1. 1990, 192:1. 1991, 223:1; 370:5. 1994, 197:1, eff. July 23, 1994. 1998, 194:1, eff. Aug. 17, 1998.

TITLE V TAXATION

CHAPTER 72 PERSONS AND PROPERTY LIABLE TO TAXATION

Property Taxes

Section 72:28

72:28 Standard and Optional Veterans' Tax Credit. –

I. The standard veterans' tax credit shall be \$50.

II. The optional veterans' tax credit, upon adoption by a city or town pursuant to RSA 72:27-a, shall be an amount from \$51 up to \$500. The optional veterans' tax credit shall replace the standard veterans' tax credit in its entirety and shall not be in addition thereto.

III. Either the standard veterans' tax credit or the optional veterans' tax credit shall be subtracted each year from the property tax on the veteran's residential property. However, the surviving spouse of a resident who suffered a service-connected death may have the amount subtracted from the property tax on any real property in the same municipality where the surviving spouse is a resident.

IV. The following persons shall qualify for the standard veterans' tax credit or the optional veterans' tax credit:

(a) Every resident of this state who served not less than 90 days on active service in the armed forces of the United States in any qualifying war or armed conflict listed in this section and was honorably discharged or an officer honorably separated from service; or the spouse or surviving spouse of such resident, provided that Title 10 training for active duty by a member of a national guard or reserve shall be included as service under this subparagraph;

(b) Every resident of this state who was terminated from the armed forces because of service-connected disability; or the surviving spouse of such resident; and

(c) The surviving spouse of any resident who suffered a service-connected death.

V. Service in a qualifying war or armed conflict shall be as follows:

(a) "World War I" between April 6, 1917 and November 11, 1918, extended to April 1, 1920 for service in Russia; provided that military or naval service on or after November 12, 1918 and before July 2, 1921, where there was prior service between April 6, 1917 and November 11, 1918 shall be considered as World War I service;

(b) "World War II" between December 7, 1941 and December 31, 1946;

(c) "Korean Conflict" between June 25, 1950 and January 31, 1955;

(d) "Vietnam Conflict" between December 22, 1961 and May 7, 1975;

(e) "Vietnam Conflict" between July 1, 1958 and December 22, 1961, if the resident earned the Vietnam service medal or the armed forces expeditionary medal;

(f) "Persian Gulf War" between August 2, 1990 and the date thereafter prescribed by Presidential proclamation or by law; and

(g) Any other war or armed conflict that has occurred since May 8, 1975, and in which the resident

earned an armed forces expeditionary medal or theater of operations service medal.

Source. 1871, 13:1. GL 54:2. PS 56:4. 1907, 95:1. 1919, 54:1. 1921, 12:3; 103:1. 1923, 68:2. PL 60:26. 1941, 157:1. RL 73:29. 1943, 174:1. 1944, 4:1. 1947, 240:1, par. 29. 1949, 167:1. 1951, 132:1. RSA 72:28. 1955, 289:1. 1963, 49:1; 118:1; 324:1. 1967, 35:1, 2; 219:1, 2. 1971, 303:1. 1975, 282:1. 1976, 42:1, 2. 1977, 61:1. 1979, 288:2. 1981, 215:1. 1989, 64:1; 270:1. 1991, 70:3-6. 1992, 70:3. 1993, 73:3, 10; 262:1. 2003, 299:2. 2005, 126:1, eff. April 1, 2006. 2013, 254:2, eff. July 24, 2013. 2016, 217:9, eff. Aug. 8, 2016.

TITLE V TAXATION

CHAPTER 72 PERSONS AND PROPERTY LIABLE TO TAXATION

Property Taxes

Section 72:28-b

72:28-b All Veterans' Tax Credit. –

I. A town or city may adopt or rescind the all veterans' property tax credit granted under this section by the procedure in RSA 72:27-a.

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III. The all veterans' tax credit shall be subtracted each year from the property tax on the veteran's residential property.

IV. A person shall qualify for the all veterans' tax credit if the person is a resident of this state who served not less than 90 days on active service in the armed forces of the United States and was honorably discharged or an officer honorably separated from service; or the spouse or surviving spouse of such resident, provided that Title 10 training for active duty by a member of a national guard or reserve shall be included as service under this paragraph; provided however that the person is not eligible for and is not receiving a credit under RSA 72:28 or RSA 72:35.

Source. 2016, 217:1, eff. Aug. 8, 2016. 2017, 109:1, eff. June 8, 2017.