



"Serving the industry since 1949"

Newsletter for the Commercial Construction Industry

AGC iPad Giveaway Contest Winners Revealed!

The winners of AGC of NH iPad Giveaway Contest were picked during the March 10 Board of Directors meeting. It was lucky Jim Gove of Gove Environmental Services who won the grand prize- an Apple 32 gigabyte 3G iPad 2. Jim Gove currently serves as Vice President of Associates on the Board of Directors, and was the first person entered into the iPad Giveaway.



The contest also included two additional prizes a free golf foursome to the 2011 AGC Golf Tournament and four free tickets to the 2011 Annual Meeting. Able Crane was the lucky recipient of the golf foursome and Nathan Wechsler & Company was the winner of the four free tickets to the 2011 Annual Meeting.

AGC of NH began the iPad Giveaway in October of 2010 as an incentive for our membership. Members had two ways to enter the contest, either recruit new members for the Association or pay their entire 2011 dues by February 1, 2011. Congratulations again to the winners!

The Associated General Contractors of NH, Inc.
48 Grandview Rd
Bow, NH 03304
603-225-2701

Vol 11 No. 6
March 21, 2011

Inside

Unemployment Council
Treatens 16-Week Rule

Capital Budget
Appropriations Unveiled

Hard Times Continue for NH
Contractors

Economic Impact for NH

Flag Training Seminar

Breakfast with DOT &
Administrative Services Flyer

Many Retained Bills Equal A
Busy Summer

Building on Hope Volunteer

Stormwater Policymaking

Mark Your Calendars for the 2011 AGC of NH Build Awards Banquet



AGC of NH is excited to announce the next event in our 2011 calendar of events is the 2011 Build Awards Banquet. The Banquet will take place on June 9 at The Derryfield in Manchester, NH. This year we will be recognizing four firms for their outstanding work over the past two years through the presentation of the AGC Build NH Awards. Who will win Best Building Project, Best Environmental Building Project, Best Highway/Bridge Project, or Best Environmental Highway/Bridge Project?

Also on the agenda for the evening will be a recognition of exceptional safety records through the National AGC Safety Awards. This awards program compares the safety records of companies of similar size and type across the nation. Lastly, the David W. Wood Ethics Award will be presented to John Zahr. Registration and sponsorship information will be available soon, but be sure to mark your calendars for this event now!

Virtual University
online training
technical • industrial
safety skills
Visit our Online Training
Programs at www.agcnh.org.

Unemployment Advisory Council Threatens 16-Week Rule

AGC of NH has learned that business owners on the Unemployment Advisory Council are currently discussing changes to the unemployment compensation rules. Among these changes is the removal of the 16-week exception for seasonal workers. The 16-week exception allows seasonal workers to collect unemployment compensation for 16 weeks without having to look for work. The 16-week rule is beneficial for the construction industry and its employees because it covers the majority of the winter season when construction activity is slow to non-existent.



AGC of NH is concerned that removing this exception will have dramatic negative effects on construction employees. AGC of NH worked with this advisory committee in 2009 to ensure that the 16-week rule remained intact. To ensure that the exception remained in place, the Association agreed to additional increases in the tax to the unemployment trust fund for employers who have been negative balance employers for the previous three years.

Below are the ten options the advisory council is considering regarding seasonal workers and employers:

1. Amend Emp 501.11 and Emp 501.12 to remove the 16 week exception for seasonal workers.
2. Amend RSA 182-A:32, I(d)(1) to provide that suitable work for a seasonal worker during the off season would be any work the individual can do that pays an hourly rate which when multiplied times 40 would be equal 130% of the individual's weekly benefit amount or minimum wage, whichever is greater.
3. Adopt a statute similar to Maine's which states that an unemployed individual shall not be eligible to receive benefits based on services in seasonal employment for any week which commences during a period determined by the commissioner to be a period in which the industry is not customarily in operation.
4. Increase the maximum tax rate to reflect the actual costs of paying benefits to seasonal workers.
5. Require seasonal employers to reimburse for all weeks beyond week 16.
6. Require seasonal employers to reimburse for all weeks if the claimant returns to work in more than 16 weeks.
7. Require seasonal employers to reimburse for weeks paid during the off season if the employer has a negative balance separate account.
8. Require seasonal workers to register with temporary agencies during the off season.
9. Have temporary agencies which hire seasonal workers during the off season not become the MRE based on weeks during the off season. The seasonal employer would remain the MRE.
10. Require individuals who obtain work through a temporary agency to contact the temporary agency when an assignment ends, or be considered to have voluntarily quit.

The Association believes that members need to take an active role in the future development of this matter. Hearing directly from business owners who will be affected by these changes will go a long way in achieving a beneficial outcome for the industry. Members who wish to take part in a special AGC of NH committee and work with the Advisory Committee can email their name, company name, and contact information to info@agcnh.org. Please call the chapter office at (603) 225-2701 with any questions.



AGC Update (USPS 389-890) is published bi-weekly by the Associated General Contractors of New Hampshire Inc. 48 Grandview Road, Bow, NH 03304. Annual Subscription rate is four copies per Active membership, eight copies per Active membership paying the maximum dues amount, and two copies per Associate membership. Annual subscription rate is \$200. Members can purchase annual printed subscriptions for \$100 each. Unused subscriptions will be distributed at the discretion of the Chapter Office Executive Vice President. Periodical postage paid at Concord, NH 03301. POSTMASTER: Send address changes to the Associated General Contractors of New Hampshire, 48 Grandview Road, Bow, NH 03304 or contact us at (603) 225-2701 or fax (603) 226-3859.

2012-2013 Capital Budget Appropriations Unveiled

Governor Lynch has submitted his 2012-2013 Capital Budget recommendations to the legislature. The Capital Budget outlines expenditures for improvements totaling over \$225 million. Federal and other funding will offer approximately \$115 million in assistance, leaving the state's obligation at just under \$110 million. The House Public Works & Highways Committee held public hearings and agency presentations throughout March. The Executive Session will be held on March 24.

In June 2010, history was made when New Hampshire's agencies submitted budget requests totaling \$635 million, four times greater than the \$130 million lawmakers have historically approved. Below is the list of projects contained in the Capital Budget.

2012-2013 Capital Budget

1. Capital Appropriations

I. Adjutant General

| <i>Location</i> | <i>Project Name</i> | <i>Cost</i> |
|-----------------|--|-------------|
| Statewide | Readiness Center Life Safety Upgrades | 500,000 |
| Statewide | Readiness Center Restoration & Modernization | 2,500,000 |

II. Department of Administrative Services

A. Bureau of Court Facilities

| | | |
|---------------------------|------------------------------------|---------|
| Rockingham Cty Courthouse | Reseal Parking Lot/Drainage Repair | 300,000 |
| Milford | Site & Plan Design | 50,000 |

B. Facilities & Assest Management

| | | |
|--------------|---|-----------|
| Concord | Gov. High Gallen SOP- Main Bldg. FACP Replacement | 355,000 |
| Lakes Region | Lakes Region Facility Campus Site Environmental Survey II | 2,900,000 |
| | Driveway/Parking & Walkway Paving Phase 2 | 575,000 |
| | Main Building Kitchen Roof Repair | 500,000 |
| Lakes Region | Lakes Region Facility Campus Roof Repair- Multiple Bldgs. | 300,000 |
| Concord | Gov. Hugh Gallen SOP Main Bldg. - ADA Restrooms | 425,000 |
| Concord | Gov. Hugh Gallen SOP- Upgrade Electric- Philbrook Center | 3,575,000 |

C. Financial Data Management

| | | |
|--|---|-----------|
| | Critical IT Infrastructure | 1,500,000 |
| | Enterprise Resource Planning Phase 2, general funds | 3,648,998 |

D. General Services

| | | |
|---------|---|-----------|
| | All State Owned Facilities-Emergency Repairs & Energy Improv. | 1,500,000 |
| | Londergan Hall- New Roof | 161,000 |
| Concord | State House/LOB- Tunnel Elevettes | 91,000 |
| | Health & Human Services- Window Repairs | 730,000 |
| | Bridges House Renovations | 1,000,000 |
| Concord | State House Annex- Window Repairs | 355,000 |

III. Department of Corrections

| | | |
|--|--|-----------|
| | Replace Door Operating System in SHU | 1,300,000 |
| | Replacement Steam Lines & Install Steam Injector Pumps | 250,000 |
| | Repair Bathroom Floors- Hancock Building | 245,000 |
| | Replace Roofs- Gym, Auto Shop. Outside Canteen & Wrhse | 1,180,000 |

IV. Department of Cultural Resources

| | | |
|--|------------------|--------|
| | Archival Storage | 50,000 |
|--|------------------|--------|

Continued on page 6...

Hard Times Continue for Granite State Contractors

By Ken Simonson, Chief Economist, AGC of America



The national recession ended in mid-2009. But for contractors nationally and in New Hampshire, the slump continues for both construction employment and spending.

Construction employment in the U.S. totaled 5,509,000 in February, seasonally adjusted—a drop of 0.4 percent from a year earlier. That was the 47th consecutive month in which employment was lower than a year before. The cumulative decline from the peak in April 2006 was 29 percent or 2.2 million jobs. The unemployment rate for construction workers was 21.8 percent, not seasonally adjusted, by far the highest of any industry and more than double the all-industry rate.

February data at the state level is not available yet, but January numbers show construction employment in New Hampshire totaled 20,100, seasonally adjusted, a drop of 7 percent from January 2010 and 33 percent from the state's peak in March 2006. New Hampshire's job loss placed the state 45th out of 50 states plus the District of Columbia over the 12-month period. However, the poor showing may have been exacerbated by extreme winter weather in mid-January; the data reflect the headcount during the pay period that includes the 12th of the month. Before January, New Hampshire's year-over-year job loss in construction had closely matched that of the U.S. as a whole.

Employment data is available for four metropolitan areas (New England City and Town Areas) that include parts of New Hampshire. Employment in construction, mining and logging (the Bureau of Labor Statistics combines these industries to prevent disclosure of data about industries with few employers) climbed 8 percent from January 2010 to January 2011 in the Rochester-Dover area (including portions of Maine), held steady in the Nashua region (including part of Massachusetts), dropped 3 percent around Manchester, and slumped 8 percent around Portsmouth (including sections of Maine).

Construction spending nationwide totaled \$792 billion in January at a seasonally adjusted annual rate, a decrease of 6 percent compared with January 2010 and the second-lowest monthly figure since July 2000. (Seasonal adjustment is a statistical technique to remove the influence of normal weather and holiday patterns. Annual rate means the monthly total is multiplied by 12 to allow ready comparison to full-year numbers.)

The rest of 2011 is likely to be a period of change—for better and worse. Several categories of private construction appear to be poised for a revival, especially rental apartments, hospitals and warehouses. Later in the year, construction may pick up at private colleges, hotels and factories.

Single-family construction should also increase at some point but the timing is hard to predict. Prices of existing homes that resold during the fourth quarter slipped about 3 percent from a year earlier in New Hampshire, the Federal Housing Finance Agency reported on February 24, marginally better than the 4 percent national decline. Prices fell about 1 percent in the Manchester-Nashua area.

Residential construction in New Hampshire should benefit from the state's ongoing population growth. The Granite State's population grew by 6.5 percent in the last decade, faster than any other state in the northeast, although less than the national average of 9.7 percent.

On the negative side, public construction activity is now on a plateau from which it may soon fall sharply. Federal spending has been swelled by funds for stimulus and military base realignment projects, but the latter are due to wrap up in September, while some of the biggest categories of stimulus projects are now fully obligated and will soon be exhausted. In particular, New Hampshire has already paid out 84 percent of its highway stimulus funds. Meanwhile, the state government—like nearly every other state—is facing significant budget shortfalls for the next two years that will force cuts in funding for construction. Local governments and school districts also are looking at cuts.

Three other categories of spending are likely to stay roughly level. Power construction—retrofits to coal-fired plants, new wind and solar facilities, and transmission lines—should remain the strongest single category. At the other extreme, retail and private office construction will have another dismal year.

Putting together the pluses and minuses, U.S. construction spending should rise between 3 and 7 percent from the decade-long low set in 2010. New Hampshire will be in the same range. But there will be wide variations among contractors, categories and regions.



The Economic Impact of Construction in the United States and New Hampshire

Economic Impact of Investment in Nonresidential Construction:

- An additional \$1 billion invested in nonresidential construction would add \$3.4 billion to Gross Domestic Product (GDP), \$1.1 billion to personal earnings and create or sustain 28,500 jobs.
 - About one-third (9,700) of these jobs would be on-site construction jobs in the state of investment.
 - About one-sixth (4,600) of the jobs would be indirect jobs from supplying construction materials and services. Most jobs would be in-state, depending on the project and the mix of in-state suppliers.
 - About half (14,300) of the jobs would be induced jobs created when the construction and supplier workers and owners spend their additional incomes. These jobs would be a mix of in-state and out-of-state jobs. Conversely, investments elsewhere would support some indirect and induced jobs in New Hampshire.

Nonresidential Construction Spending:

- Nonresidential spending in the U.S. in 2009 totaled \$654 billion (\$346 billion private, \$307 billion public).
- Private nonresidential spending in New Hampshire totaled \$928 million in 2009. (Public spending is not available by state.)
- Nonresidential starts in New Hampshire totaled \$1.1 billion in 2010, according to Reed Construction Data.

Construction Employment (Seasonally Adjusted):

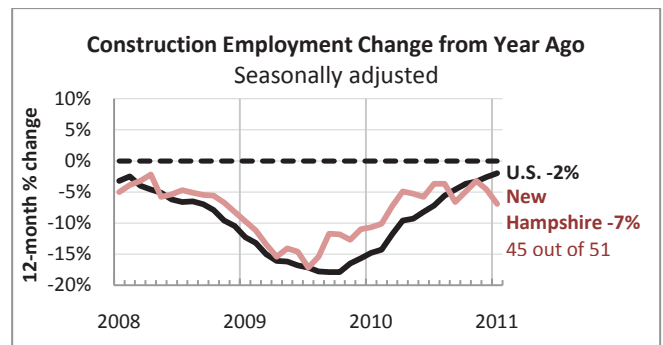
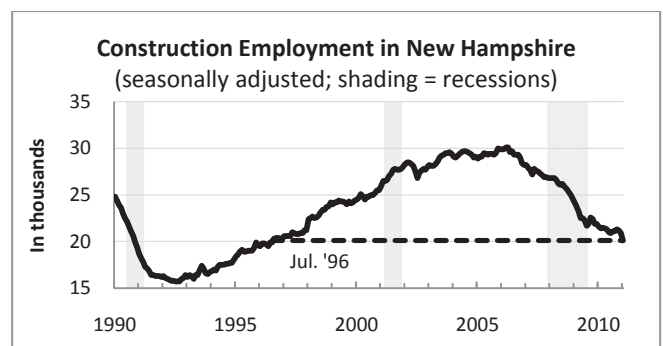
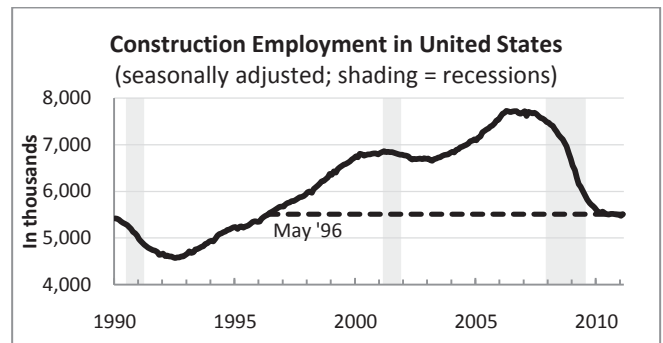
- Construction (residential + nonresidential) employed 5.5 million workers in January 2011, a decrease of 109,000 (2%) from January 2010 and a decrease of 2.3 million (29%) from April 2006 when U.S. construction employment peaked.
- Construction employment in New Hampshire in January totaled 20,100, a decrease of 7% from January 2010 and a decrease of 33% from the state's peak in March 2006.

Construction Industry Pay:

- In 2009, annual pay of all construction workers in the United States averaged \$49,312, 9% more than the average for all private sector employees.
- Construction workers' pay in New Hampshire averaged \$49,045, 9% more than all private sector employees in the state.

Small Business:

- The United States had 773,600 construction firms in 2008, of which 91% employed fewer than 20 workers.
- New Hampshire had 4,500 construction firms in 2008, of which 94% were small (<20 employees).



| Metro area or division | 12-mo. empl. change (NSA) | Rank (out of 337) |
|-------------------------------|---------------------------|-------------------|
| Statewide | -5% | - |
| Manchester, NECTA* | -3% | 197 |
| Nashua, NH-MA NECTA Div.* | 0% | 128 |
| Portsmouth, NH-ME NECTA* | -8% | 282 |
| Rochester-Dover, NH-ME NECTA* | 8% | 45 |

*Mining and logging included with construction

NECTA= New England City and Town Area

Continued from page 3...

| V. Department of Education | | |
|--|---|------------|
| | Kindergarten construction | 15,110,195 |
| VI. Department of Employment Security | | |
| | Renovation of Tobey Building | 22,500,000 |
| VII. Department of Environmental Sciences | | |
| | Clean water state revolving fund loan program | 16,225,952 |
| | Drinking water state revolving fund state match | 6,420,220 |
| | Dam repairs & reconstruction | 3,300,000 |
| | Great Bay oil spill protection strategy | 545,000 |
| | WRBP Infrastructure Capital Improvements | 3,950,000 |
| | Suncook River Infrastructure Protection Project | 1,035,000 |
| VIII. Department of Health & Human Services | | |
| | Fire Protection Sprinklers | 1,125,000 |
| | Administration Building Fire Safety/ADA Compliance | 385,000 |
| | Fire Suppression System Administration Building | 615,000 |
| | Nurse Call System | 265,000 |
| | APS Repairs/Renovations- Roof, Windows & Curtain Wall | 4,050,000 |
| | New Roof- Boiler House Building | 103,000 |
| | New Roof- Campus Edge Building | 110,000 |
| | Incremental Renewal of New HEIGHTS | 7,500,000 |
| | Electronic Health Record | 390,212 |
| | Regional Assessments Database II | 100,000 |
| | Administrative Appeals Unit- Video Conferencing | 268,800 |
| | Warehousing Infrastructure/Inventory Management Project | 2,000,000 |
| | Replatform Option Application | 722,200 |
| | Handicap Access & Elevator Administration Bldg | 175,000 |
| | DPHS Radiochemistry Laboratory Improvements | 50,000 |
| | Brown Building Window Replacement | 390,000 |
| | Howard Recreation Building Renovations | 480,000 |
| | Transformation Initiative- ACCESS Front Door Release 2 | 15,000,000 |
| IX. Department of Information Technology | | |
| | Data Center Upgrade | 1,606,500 |
| | Network Operations Infrastructure Upgrade & VOIP | 4,851,953 |
| | Enterprise Single Sign-On/2- Factor Authentication & Firewall | 1,390,000 |
| | Business One Stop Center | 3,775,984 |
| | E-Licensing Maintenance | 750,000 |
| X. Judicial Branch | | |
| | Prisoner Video Conference | 541,085 |
| | Call Center | 97,500 |
| | E-Court Initiative | 1,951,000 |
| XI. Liquor Commission | | |
| | Hooksett North & South Store Additions | 6,775,000 |
| | Portsmouth Store 38 Roof Replacement | |

Continued on page 7...

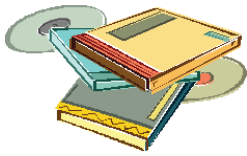
| XII. McAuliffe- Shepard Discovery Center | | |
|--|--|--------------------|
| | Original Planetarium Repair & Renovation | 270,000 |
| XIII. Department of Resources & Economic Development | | |
| | Fire Tower Maintenance | 170,000 |
| | State Park Repairs | 1,000,000 |
| | Mt. Washington State Park- Sherman Adams Bldg. Concrete Repair | 180,000 |
| | North Hampton State Beach Redevelopment | 900,000 |
| | Hampton Beach North Seawall Repair | 1,000,000 |
| | Mittersil Upgrades/Snowmaking | 500,000 |
| XIV. Department of Safety | | |
| | E-911 Next Generation | 3,702,000 |
| XV. Department of Transportation | | |
| | 2.5 % Match for FAA Projects | 28,816,866 |
| | Transit Match: Bus Replacement | 306,600 |
| XVI. Veterans Home | | |
| | Electronic Medical Records | 400,000 |
| XVII. Community College System of New Hampshire | | |
| | Manchester Community College Student Center | 6,000,000 |
| | Career & Technical Building Projects | 18,815,000 |
| 2. Appropriation: Highway Fund, Dept. Admin Services, Dept. Safety, Dept. Of Trans. | | |
| I. Department of Administrative Services | | |
| | Enterprise Resource Planning Phase 2 Highway Funds | 398,187 |
| II. Department of Safety | | |
| | Standby Generator Replacement Hayes Bldg | 775,000 |
| III. Department of Transportation | | |
| Statewide | Underground Fuel Tank Replacement | 4,500,000 |
| Statewide | Radio Communication Replacement | 1,240,000 |
| Statewide | Salt Sheds | 1,630,000 |
| Salem | New Patrol Shed & Salt Storage | 330,000 |
| | TMC Equipment Room Upgrade to Data Center | 580,000 |
| 3. Appropriation: University System of New Hampshire | | |
| | University of New Hampshire | 5,000,000 |
| | Total | 225,059,252 |



Flag Training Seminar

April 8, 2011
8:30 AM - 12:30 PM

The AGC of NH Flag Training Course will cover flagging procedures including NH DOT regulations on flag person training, proper use of paddles and flags, placement of flaggers on the job site, qualities of a good flag person, equipment and proper placement of signs.



Course material include a newly designed disk of materials for each attendee. The disk contains the State of New Hampshire Flagger Handbook, a video clip titled "Professional Flagging", produced by the Iowa Department of Transportation, a template you may use as a guideline when preparing your own flagging training course completion cards, a checklist of things to consider before entering the work site, and a checklist to review with all personnel you train.

All participants who complete the course and pass a short exam will receive a pocket card signifying course completion.



Location

AGC of NH Office
48 Grandview Road
Bow, NH 03304

Instructors

**Gary A. Abbott
and Bobbie Caradonna**
Associated General
Contractors of New
Hampshire, Inc.

Pricing

Member Pre-Pay Discount

\$65 Per Person
(Must pay upon
registration)

Member Price

\$75 Per Person
(Invoice Price)

Non-Member Price

\$110 Per Person
(Pre-Paid Only)



Facts About Flagging

- ▶ *More fatalities occur involving flag persons than any other single construction category.*
- ▶ *Trained flaggers are required on all NH DOT highway projects.*
- ▶ *NH DOT requires that any contractor or subcontractor supplying a flagger shall have an employee designated to train flag personnel.*
- ▶ *Designated trainers are required to complete a flagging course at least every four years.*
- ▶ *Proper signage, lane closures and flagging techniques are essential to accident and litigation free job sites.*
- ▶ *Flaggers have the greatest impact on company image. They are the first and last personnel seen on any site.*



**Mail to: AGC of NH,
48 Grandview Road,
Bow, NH 03304
or fax to: (603) 226-3859
or email:
bcaradonna@agcnh.org*

Registration Form

Company: _____

Name(s): _____

Company Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Amount Due: \$ _____

Enclosed Please Invoice (AGC Members)

Mastercard Visa Discover

Exp. Date: _____

Card number: _____

Signature: _____

Cancellations must be received 72 hours in advance to be eligible for a full refund.

Sponsored by:
THE ROWLEY AGENCY INC.

 and
HinckleyAllenSnyder LLP
 ATTORNEYS AT LAW



BREAKFAST WITH DOT & ADMINISTRATIVE SERVICES

Thursday, April 21st, 2011 at the Derryfield in Manchester, NH

**What is the project outlook for 2011?
 How much funding will there be for projects in the future?
 Will I have to learn new requirements or follow new regulations?**

Are these questions and more on your mind as the 2011 construction season gets ready to start up? If so, you won't want to miss AGC of NH's breakfast with the Department of Transportation (DOT) and Administrative Services. Come to hear the answers to these questions and more from agency leaders.

SPEAKERS

AGENDA



**Public Works Director
 Michael Connor**
*Administrative
 Services*



**Commissioner
 George Campbell**
*Department of
 Transportation*

**7:30 AM - Registration
 8:00 AM - Breakfast
 Presentations to follow
 Questions & Answers**

TOPICS TO BE DISCUSSED

- Funding for DOT & Administrative Services
- Project Outlook for 2011
- Requirements and regulations for 2011

Registration Form:

Pricing:

Name(s): _____

\$30 MEMBER PRICE

\$60 NON-MEMBER PRICE

Company Name: _____

Payment Enclosed Please Invoice

Amount Due: _____

Visa Mastercard Discover

Credit Card#: _____ Exp. Date: _____

Cardholder's Name: _____

Cardholder's Signature: _____



*Please fax this back to the AGC at
 (603) 226-3859 or mail it to: 48
 Grandview Road, Bow, NH 03304.
 Cancellations must be made 72 hours
 in advance in order to be eligible for
 a refund. No refunds will be given for
 non-attendance.*

***Registration deadline is Friday, April 13th.**

THAT MACHINE CAN TELL YOU A THING OR TWO.

But you have to listen to it.

With Product Link, your equipment communicates directly with the Milton Cat® Service Solutions Center. Now you don't have to worry about your equipment's health, they do it for you so you can keep working.

To hear what your equipment has to say, go to <http://mikerowe.catdealer.com/milton-cat> or call Milton Cat.

Mike Rowe



Milford, MA • Wareham, MA • Cranston, RI
Brewer, ME • Scarborough, ME • Hopkinton, NH
Warner, NH • Binghamton, NY • Batavia, NY
Clifton Park, NY • Syracuse, NY • Richmond, VT

1-888-637-0640

Milton



www.miltoncat.com

Many Retained Bills Equals a Busy Summer & 2012 Legislative Session

As the 2011 Legislative Session approaches cross-over, thirty of the ninety-five bills AGC of NH is actively following have been retained or re-referred to committee. The large number of retained and re-referred bills means that the House and Senate will have a busy summer working on this legislation, and a busy 2012 Legislative Session. While the House has moved up the filing date for 2012 legislation considerably compared with past years, the retained and re-referred bills from 2011 will add to the list of active bills.



Below is a list of AGC of NH bills that have been retained or re-referred. AGC of NH will follow these bills throughout the summer and into the next session, and report on any that have major developments.

House Bill 96: Retained by the House Commerce & Consumer Affairs Committee

House Bill 96 is relative to issuance of individual health insurance policies by health carriers. This bill prohibits health carriers from issuing a new individual health policy pursuant if the individual is eligible for certain other group health coverage. AGC of NH monitored this bill.

House Bill 137: Retained by the House Executive Departments & Administration Committee

House Bill 137 is relative to the state fire code and the state building code. The bill updates references to the most recent version of the codes in the state building code, renames the fire code the fire prevention code, clarifies the authority of the state fire marshal to inspect and issue permits for state buildings, permits municipalities to contract with outside entities for building inspection services, establishes the position of vice chair of the state building code review board, and limits the state building code review board's rulemaking authority. This bill was originally slated to be combined with House Bill 260, another bill that makes changes to the fire and building codes, however the House Committee voted to retain the bills instead. AGC of NH monitored this bill.

House Bill 222: Retained by the House Executive Departments & Administration Committee

House Bill 222 is relative to administrative rules which contain a fee increase. The bill allows political subdivisions to object to a proposed rule, and eliminates certain statutory provisions granting general rulemaking authority. AGC of NH monitored this bill.

House Bill 241: Retained by the House Commerce & Consumer Affairs Committee

House Bill 241 is relative to health insurance coverage. The bill allows consumers and insurance carriers to create a free market option in health insurance. AGC of NH monitored this bill.

House Bill 242: Retained by the House Ways & Means Committee

House Bill 242 is relative to the net loss carry forward under the business enterprise taxes and the business profits tax. This bill increases the net operating loss carryover under the business profits tax. AGC of NH supports this bill.

House Bill 256: Retained by the House Resources, Recreation & Development Committee

House Bill 256 is relative to the administrative appeals process of the Department of Environmental Services. The bill modifies the appeals process. AGC of NH supports this bill.

House Bill 260: Retained by the House Executive Departments & Administration Committee

House Bill 260 is relative to the state fire code and the appeal process for decisions of the state fire marshal. The bill removes references to the Life Safety Code and requires the adoption of the 2006 International Code Council Fire Code, allows the state fire marshal to approve plans for construction and revision of state buildings for their compliance with the state building code, and provides that decisions of the state fire marshal may be appealed to the state building code review board. This bill was supposed to be combined with House Bill 137, but the Committee voted to retain the bill instead. AGC of NH monitored this bill.

House Bill 293: Retained by the House Municipal & County Government Committee

House Bill 293 phases out the exemption from property taxes for the appraised value of water and air pollution control facilities as determined by the Department of Environmental Services over a 5-year period and repeals the exemption on March 31, 2016. AGC of NH opposed this bill.

House Bill 321: Retained by the House Resources, Recreation & Development Committee

House Bill 321 requires the Department of Environmental Services to develop criteria for classifying wetlands and contributing or noncontributing, and makes noncontributing wetlands exempt from regulations. AGC of NH monitored this bill.

House Bill 327: Retained by the House Commerce & Consumer Affairs Committee

House Bill 327 is relative to health care choice. This bill authorizes individuals to purchase health insurance from out-of-state health insurance carriers selected by the insurance commissioner. AGC of NH monitored this bill.



House Bill 420: Retained by the House Labor, Industrial & Rehabilitative Services Committee

House Bill 420 is relative to independent contractors under workers' compensation. The bill requires the commission of labor to establish a voluntary registration procedure for independent contractors under workers' compensation law.

Continued on page 12...

Continued from page 11...

AGC of NH supported this bill for binding registration and fixing the independent contractor criteria.

House Bill 470: Retained by the House Resources, Recreation & Development Committee

House Bill 470 repeals the comprehensive shoreland protection act. AGC of NH supports this bill.



House Bill 480: Retained by the House Executive Departments & Administration Committee

House Bill 480 establishes a state renovation repair, and painting rule program relative to lead-safe practices. AGC of NH opposed this bill because it listed the definition of renovator to include an individual who either performs or direct workers who perform renovations. All construction firms would have to be certified under the definition.

House Bill 517: Retained by the House Executive Departments & Administration Committee

House Bill 517 repeals the licensure of fuel gas fitters. The bill repeals the statutory authority for the state fire marshal to regulate fuel gas fitters. AGC of NH supports this bill.

House Bill 533: Retained by the House Education Funding Committee

House Bill 533 establishes a cap in the amount of school building aid grants distributed in each fiscal year. AGC of NH monitored this bill.

House Bill 604: Retained by the House Education Committee

House Bill 604 is relative to procedure for approval of plans, specifications, and costs of school building construction or renovation. The bill creates a priority list for school construction/renovation. AGC of NH monitored this bill.

House Bill 611: Retained by the House Ways & Means Committee

House Bill 611 is relative to "reasonable compensation" under the business profits tax. The bill establishes standards and burden of proof for determination of the reasonable compensation deduction under the business profits tax. AGC of NH supports this bill.

House Bill 619: Retained by the House Commerce & Consumer Affairs Committee

House Bill 619 requires the state of NH to opt out of the requirement that individuals purchase health insurance contained in the Patient Protection & Affordable Care Act. AGC of NH monitored this bill.

House Bill 624: Retained by the House Executive Departments & Administration Committee

Continued on page 13...

With multiple rigs, sized per job, we have the capacity to lay up to 2,000 feet of pipe in one shot. ETTI has the experience, the technology, and the skilled team, to assist you with your next project.

- Directional Drilling
- Vacuum Excavation
- Pipe Fusing
- Geothermal
- Utility Locating
- Water & Sewer
- Electrical & Telecomm.

ETTI
Enterprise Trenchless Technologies, Inc.
Lisbon Falls, ME 04252
(207) 353-5000
www.hdd-etti.com
Your Underground Solution

Continued from page 12...

House Bill 624 limits the rulemaking authority of state agencies to establish or increase fees, or establish or modify an agency program or responsibility in a manner that increases costs to persons affected by the rule. AGC of NH monitored this bill.

House Bill 638: Retained by the House Public Works & Highways Committee

House Bill 638 is relative to access to public buildings by brick or stone walkways. The bill requires new public walkways to include a smooth surface wheelchair-walking aisle. AGC of NH monitored this bill.



House Bill 645: Retained by the House Ways & Means Committee

House Bill 645 repeals increased taxes or fees enacted since 2007. AGC of NH opposed this bill because it would cause a reduction in highway funds through measures such as lowering the hazardous waste permits, repealing the registration fee, AOT fees, and excavating and dredging fees.

House Bill 646: Retained by the House Ways & Means Committee

House Bill 646 eliminates various taxes and fees and tax and fee increases enacted since 2006. AGC of NH opposed this bill because it would have repealed the registration fee increase.

Senate Bill 71: Re-referred by the Senate Commerce Committee

Senate Bill 71 clarifies medical fees and reimbursement levels for health care services under workers' compensation law. AGC of NH helped with this bill, and supports it.

Senate Bill 77: Re-referred by the Senate Commerce Committee

Senate Bill 77 clarifies when payments are to be made from the special fund for second injuries under workers' compensation law. This bill establishes a special fund review board to hear appeals from the commissioner of labor's actions regarding requests for reimbursement from the special fund. AGC of NH supports this bill.

Senate Bill 142: Re-referred by the Senate Energy & Natural Resources Committee

Senate Bill 142 is relative to reorganizing the permitting process within the Department of Environmental Services. The bill establishes an integrated land development permit. AGC of NH monitored this bill.

Senate Bill 150: Re-referred by the Senate Commerce Committee

Senate Bill 150 authorizes individuals and certain businesses to purchase health insurance from out-of-state insurance companies. AGC of NH monitored this bill.

Senate Bill 155: Re-referred by the Senate Ways & Means Committee

Senate Bill 155 is relative to section 179 expense deductions under the business profits tax. This bill allows a business organization to apply the current federal section 179 expense deduction amount in the calculation of gross business projects before net operating loss and special deductions under the business profits tax. AGC of NH supports this bill.

Senate Bill 163: Re-referred by the Senate Commerce Committee

Senate Bill 163 establishes the NH health benefit exchange as a public corporation. The bill establishes the exchange board to provide procedures to facilitate the exchanges purpose which is to assist in the purchase and sale of qualified health plans and to meet the requirements of the Patient Protection and Affordable Care Act. AGC of NH monitored this bill.

Senate Bill 167: Re-referred by the Senate Ways & Means Committee

Senate Bill 167 establishes a production jobs credit under the business enterprise tax and makes changes affecting small business to the business profits tax, the business enterprise tax, and the meals and rooms tax. AGC of NH monitored this bill.

Volunteer Requested for Building On Hope

In December 2010, AGC of NH lent its name as a partner to the Building On Hope organization. Building on Hope is a volunteer organization that provides physical improvements to facilities that support non-profit service group's mission. The Association is proud to lend its name to this worthwhile organization, and we encourage our membership to read more about it and its mission at www.buildingonhope.com.

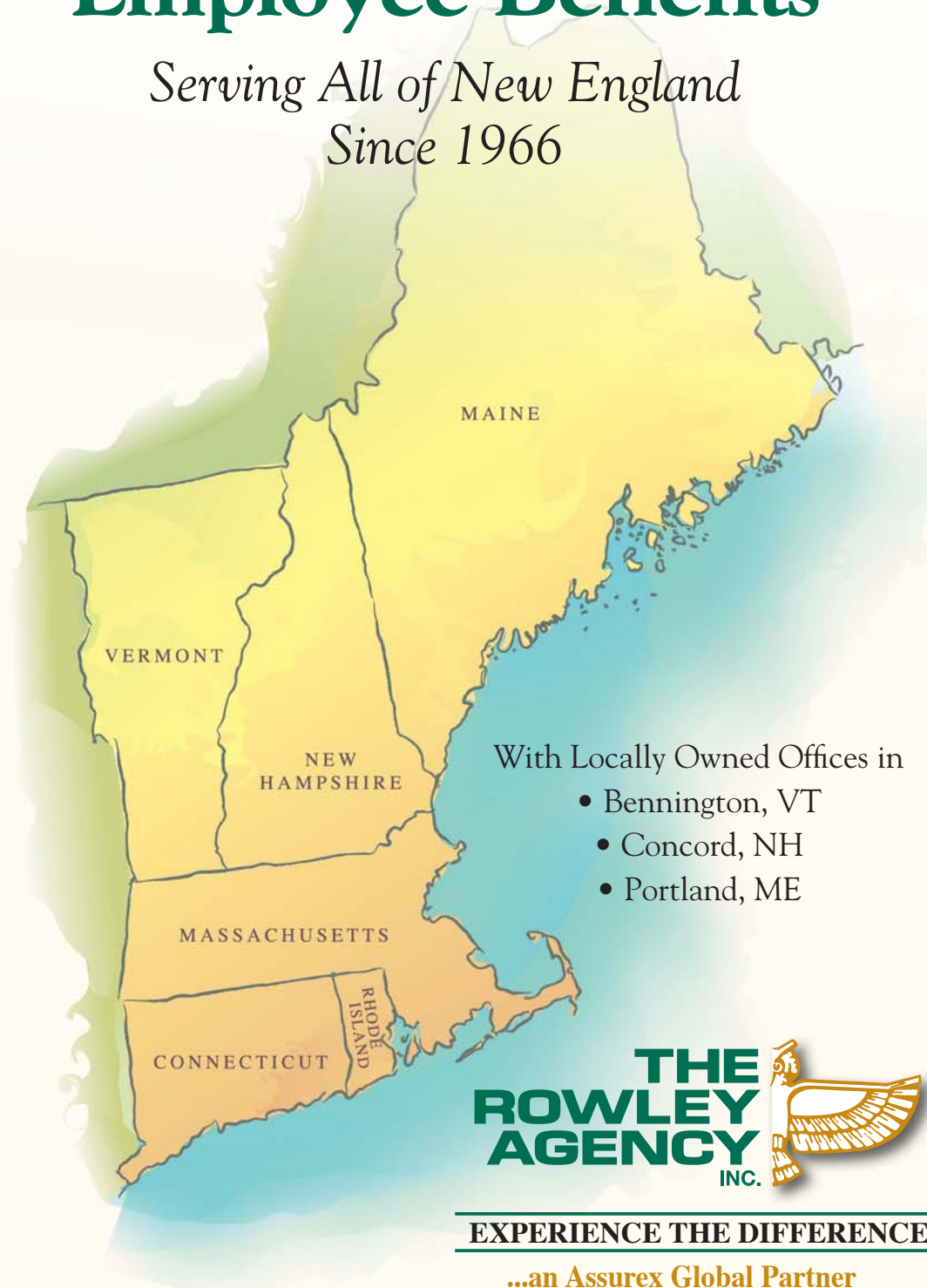


Currently, the organization is looking for a volunteer to serve as a contact for the Community Impact Project partners. Community Impact Projects provide project guidance to improve a non-profit service group's facilities or other community spaces. The role of the contact person is to help Community Impact Partners make connections in their communities and answer questions.

AGC of NH believes this is a great organization to volunteer with, and any member who chooses to do so can represent their company. If you are interested in being the AGC of NH representative please call Gary Abbott at (603) 225-2701.

Insurance, Bonds, Employee Benefits

*Serving All of New England
Since 1966*



With Locally Owned Offices in

- Bennington, VT
- Concord, NH
- Portland, ME



EXPERIENCE THE DIFFERENCE

...an Assurex Global Partner

1-800-238-3840

www.rowleyagency.com

'Get Your Hands Wet'

HELP INFORM AGC'S STORMWATER POLICYMAKING EFFORTS

You can help AGC ensure that future construction stormwater rules are based on sound science by supplying AGC with the data necessary to make informed policy decisions. Your support is needed to guide the Association's future advocacy and potential legal efforts associated with stormwater-related rules.

Please consider participation in this very important data collection effort. This request is urgent, contact AGC today.

WHY SAMPLE STORMWATER?

The U.S. Environmental Protection Agency (EPA) is relying on a very limited data set to establish a nationwide limit on how murky (or turbid) stormwater can be before it leaves an active construction site. This numeric [discharge] turbidity limit or NTU standard, which is part of EPA's new **Effluent Limitation Guidelines (ELG)** rule, is based on information from nine construction sites in only three states. EPA is in the process of reworking its NTU standard because of a lawsuit but it does not intend to collect additional stormwater data. The Agency also is revising its Construction General Permit for stormwater discharges to include the new NTU standard and associated monitoring requirements and writing a separate new rule to control stormwater discharges from newly developed and re-developed construction sites (i.e., post-construction stormwater runoff). AGC expects its stormwater sampling data effort to be very informative. But it is yet to be determined whether or not (and to what extent) AGC will share any of the data that it collects with EPA. AGC's experience with the California Air Resources Board has shown that data can improve our success in advocating for the industry.

HOW DOES IT WORK?

For this effort, AGC has teamed up with the National Association of Home Builders (NAHB). Interested members sign up with AGC and commit to perform a "one time" sampling of stormwater discharges. AGC will forward a list of volunteers to NAHB. NAHB will mail out detailed instructions, sample vials, data collection sheets and pre-addressed stamped return envelopes. The volunteers will take three (3) samples of stormwater discharges associated with one (1) wet weather event at one (1) active jobsite. The volunteers will then mail the samples with the completed data collection sheet to NAHB for analysis, which NAHB will share with AGC.

The data you collect would not "pass or fail" any test; it is not being collected or used for the purpose of demonstrating compliance with EPA requirements. In fact, we expect the stormwater samples to show a wide variance in stormwater runoff turbidity based on soil type, controls used and other factors.

SAFEGARDING YOUR PRIVACY

Strict privacy will be kept to protect members' identities and jobsite locations (indicated by state and county only). AGC will know only who has committed to provide samples, but will not handle those samples. NAHB will not store company information with the collected samples, thereby ensuring the samples cannot be traced back to individual companies. Furthermore, NAHB will not follow-up with volunteers, without having received permission in advance.



AGC members now have the opportunity to "get their hands wet" collecting stormwater samples for the good of the industry.



TO VOLUNTEER, CONTACT:

Melinda L. Tomaino

AGC of America
2300 Wilson Boulevard
Suite 400
Arlington, VA 22201

(703) 837-5415
tomainom@agc.org



AGC UPDATE
Associated General Contractors of NH
48 Grandview Road
Bow, New Hampshire 03304

Periodical
Postage Paid
Concord, NH
03301

SIZE DOESN'T MATTER.

At Infantine Insurance, we treat you the same whether you're a one-person shop or a multi-location operation. Our clients include contractors, manufacturers, retailers, professionals, wholesalers, distributors, and homeowners – and should include you.

Call us today at 1.800.937.0704 or visit us online at infantineinsurance.com to see what we can do for you.



Infantine Insurance Inc.

203 Meetinghouse Road, Bedford, NH 03110

