

Bill as Introduced

HB 1250 - AS INTRODUCED

2010 SESSION

10-2184
09/10

HOUSE BILL **1250**

AN ACT clarifying that a quorum of the current use board is not required to hold public forums.

SPONSORS: Rep. Patten, Carr 4; Rep. Pilotte, Hills 16; Rep. Schmidt, Straf 4; Sen. Cilley, Dist 6

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill clarifies that a quorum of the current use board is not required to hold public forums.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT clarifying that a quorum of the current use board is not required to hold public forums.

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

- 1 1 Powers and Duties of Current Use Board. Amend RSA 79-A:4, III to read as follows:
2 III. The board shall annually determine, vote upon and recommend to the chairman of the
3 board the schedule of criteria and current use values for use in the forthcoming tax year. The board
4 shall hold a series of at least 3 public forums throughout the state to receive general comment
5 through verbal and written testimony on the current use law. ***A quorum of the board shall not be***
6 ***required to hold such public forums provided no decisions are made at the public forum.***
7 After the public forums are concluded and the board has made its recommended changes, the
8 chairman shall proceed to adopt any proposed rules, in accordance with paragraph IV.
9 2 Effective Date. This act shall take effect 60 days after its passage.

Speakers

Hearing Minutes

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

PUBLIC HEARING ON HB 1250

BILL TITLE: clarifying that a quorum of the current use board is not required to hold public forums.

DATE: February 4, 2010

LOB ROOM: 308 **Time Public Hearing Called to Order:** 1:00 p.m.

Time Adjourned: 2:25 p.m.

(please circle if present)

Committee Members: Reps. Sad, Beaulieu, Owen, P. Allen, Webb, Beauchamp, Lindsey, Poznanski, S. Smith, Wiley, Haefner, Messier, B. Williams, Knox, Gandia, Groen, Palmer and Tucker.

Bill Sponsors: Rep. Patten, Carr 4; Rep. Pilotte, Hills 16; Rep. Schmidt, Straf 4; Sen. Cilley, Dist 6

TESTIMONY

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

Rep. Betsy Patten – Prime sponsor of bill. Supports bill. This bill has been vetted by current use board and they are in agreement with bill. Decisions are not made at public forums. If this bill passes, could one member of board be the sole member of current use board at public forum? The harm she sees is when the meeting isn't held, public don't get to give their testimony. (Rep Gandia: Statute 673:10 states that a quorum is necessary for a land use board to "transact business.")

Norm Pelletier, Current use board member. Supports bill. He doesn't remember ever having 1 member only at a public forum. Formal minutes are not taken at forums but people do take notes and those are passed around to all after the meetings. 3 forums held. Mileage is paid and to hold more would cost more for state government. Before required to have a quorum, it worked very well. They accepted written testimony. He does not see a negative side. They are hoping to do teleconferencing by next fall. **PROCESS:** Each member is given a choice of dates and they reply as to which dates and locations they can be present at. Worked well when quorum not needed, now more difficult. Mr. Pelletier suggests we check with Mr. Bridges (?) to find out when this rule on a quorum being necessary was passed and why.

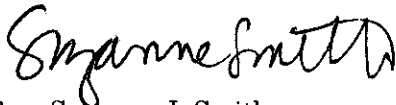
Rob Johnson, NH Farm Bureau – Farm Bureau is opposed to the bill. Govt. Affairs committee made this decision because too important to not have a quorum of current use board members present. Possibly room for compromise. In fall of 2008, complaint by a citizen resulted in DRA legal

council advising them to have a quorum at these meetings. Feels that information can be flavored by the person or persons who were at the hearing.

Jason Stock, NH Timberland Owners Association. Opposes the bill. Decisions of current use board may affect millions of acres. The board needs to hear the feedback. Per statute public forums are to be held throughout the state. Current use board consists of members from DRA, DRED, legislature, Dept. of Agriculture and several members of the public who are approved by governor's council. This needs to be a good mix of Farm and Forest.

Rep. Tim O'Connell, Representing SPACE – Opposes bill. Members of current use board should know what they are getting into and show up at hearings. 14 members not 13 on current use board. 5 are members from state entities, 3 public assessors, 1 Senator, 1 house member and 8 members would be a quorum. DRA and Current use Board and SPACE are considering teleconferencing. He suggests interim study to get bugs ironed out. SPACE will lose their newsletter to motivate members to encourage attendance at public hearings. He would like to see more than a quorum at these forums so current use board can make sound, valid decisions.

Respectfully submitted,



Rep. Suzanne J. Smith
Clerk

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

PUBLIC HEARING ON HB 1250

BILL TITLE: clarifying that a quorum of the current use board is not required to hold public forums.

DATE: 2-4-10

LOB ROOM: 308

Time Public Hearing Called to Order: 1:00 p.m.

Time Adjourned: 2:25 pm

(please circle if present)

Committee Members: Reps. (Sad) Beaulieu, (Owen) P. Allen, (Webb) Beauchamp, Lindsey, Poznanski, (S. Smith), (Wiley) Haefner, (Messier), (B. Williams) Knox, (Gandia) Groen, (Palmer) and (Tucker).

Bill Sponsors: Rep. Patten, Carr 4; Rep. Pilotte, Hills 16; Rep. Schmidt, Straf 4; Sen. Cilley, Dist 6

TESTIMONY

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2/4/2010

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Voting Sheets

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on HB 1250

BILL TITLE: clarifying that a quorum of the current use board is not required to hold public forums.

DATE: February 18, 2010

LOB ROOM: 308

Amendments:

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

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

Moved by Rep. Wiley

Seconded by Rep. Haefner

Vote: 16-0 (Please attach record of roll call vote.)

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

Moved by Rep.

Seconded by Rep.

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

CONSENT CALENDAR VOTE: 16-0

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Suzanne J. Smith, Clerk



HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on HB 1250

BILL TITLE: clarifying that a quorum of the current use board is not required to hold public forums.

DATE: 2/18/10

LOB ROOM: 308

Amendments:

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Seconded by Rep. Haefner

Vote: (Please attach record of roll call vote.) 16-0

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

Moved by Rep.

Seconded by Rep.

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

CONSENT CALENDAR VOTE: 16-0 unanimous

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

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Suzanne J. Smith, Clerk

[Handwritten signature of Suzanne J. Smith]

ENVIRONMENT AND AGRICULTURE

Bill #: 1250 Title: clarifying a quorum of current use board
not required for public forums

PH Date: 2/4/10 Exec Session Date: 2/18/10

Motion: ITL Amendment #: _____

MEMBER	YEAS	NAYS
Sad, Tara A, Chairman	✓	
Beaulieu, Jane E, V Chairman	✓	
Owen, Derek	✓	
Allen, Peter H	✓	
Webb, Leigh A	✓	
Beauchamp, Roger R	✓	
Lindsey, Steven W	✓	
Poznanski, Brian D	✓	
Smith, Suzanne J, Clerk	✓	
Wiley, Susan E	✓	
Haefner, Robert H	✓	
Messier, Irene M	✓	
Williams, Burton W	✓	
Knox, J. David	✓	
Gandia, Laura J	✓	
Groen, Warren J	✓	
Palmer, Stephen J	✓	
Tucker, Pamela Z	✓	
TOTAL VOTE:	16	

Committee Report

CONSENT CALENDAR

February 18, 2010

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on ENVIRONMENT AND
AGRICULTURE to which was referred HB1250,**

**AN ACT clarifying that a quorum of the current use
board is not required to hold public forums. Having
considered the same, report the same with the following
Resolution: RESOLVED, That it is INEXPEDIENT TO
LEGISLATE.**

Rep. Warren J Groen

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	ENVIRONMENT AND AGRICULTURE
Bill Number:	HB1250
Title:	clarifying that a quorum of the current use board is not required to hold public forums.
Date:	February 18, 2010
Consent Calendar:	YES
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

The purpose of a quorum is to maintain an adequate number of members present in a deliberative body. The quorum requirement prevents minority rule. If this bill were enacted it is possible that public forums could be conducted with only a single committee member present. This has not been the case in the past and we owe the citizens of New Hampshire a quorum of committee members at these public forums. We realize that voting does not take place at these forums, however public input is gathered. This information is later presented to the balance of the committee members who then vote. Interaction, debate and feedback are all essential parts of the forum and committee process. The quality of this process suffers when a quorum is not present. It is the opinion of the majority that those persons willing to be appointed to this committee should be willing and able to attend the necessary meetings. When they accept this position they would do well to be aware of their responsibilities since their decisions affect policy on millions of acres of New Hampshire land and its owners.

Vote 16-0.

Rep. Warren J Groen
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

CONSENT CALENDAR

ENVIRONMENT AND AGRICULTURE

HB1250, clarifying that a quorum of the current use board is not required to hold public forums.
INEXPEDIENT TO LEGISLATE.

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Original: House Clerk

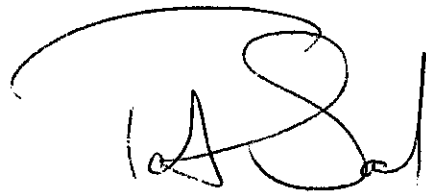
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HB 1250

ITL

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Warren Groen

A handwritten signature in black ink, appearing to be 'W. Groen', written in a cursive style.

HB1250 Blurb

Majority

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Warren Groen

