

# Bill as Introduced

HB 622 - AS INTRODUCED

2011 SESSION

11-0568  
10/04

HOUSE BILL           **622**

AN ACT               relative to adjustments to the semi-annual collection of property taxes in towns and cities.

SPONSORS:           Rep. B. Patten, Carr 4; Rep. Knox, Carr 4; Rep. Ahlgren, Carr 4; Rep. S. Schmidt, Carr 4

COMMITTEE:          Municipal and County Government

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ANALYSIS

This bill allows for adjustments in the method of calculating the partial payment of taxes related to an increase or decrease in local education taxes resulting from a change to the town's or city's adequate education grant.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to adjustments to the semi-annual collection of property taxes in towns and cities.

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

1 1 New Paragraph; Semi-annual Rate Adjustments for Adequate Education Grants. Amend RSA  
2 76:16-a by inserting after paragraph II the following new paragraph:

3 III.(a) Notwithstanding the provisions of paragraphs I and II, and with approval of the  
4 commissioner of the department of revenue administration, any municipality affected by a change in  
5 adequate education grants distributed by the department of education under RSA 198:41 may:

6 (1) Adjust the 1/2 previous year's tax rate determined in paragraph I by an amount  
7 sufficient to collect 1/2 of the increase or decrease in the local school tax resulting from the change; or

8 (2) Adjust the rate using an alternative method provided that the method selected  
9 has been deemed necessary by the municipality to avoid a disproportionate semi-annual collection of  
10 taxes.

11 (b) The department of education shall certify, no later than November 15, to the  
12 commissioner of the department of revenue administration the difference in the amount of the  
13 adequate education grants between the current fiscal year and the forthcoming fiscal year for every  
14 municipality.

15 2 Rate Adjustments for Fiscal Year 2011. On the effective date of this act, the department of  
16 education shall certify to the commissioner of the department of revenue administration the  
17 difference in the amount of the adequate education grants between the 2011 fiscal year and the 2012  
18 fiscal year for every municipality. The department of revenue administration shall expedite  
19 approvals required in RSA 76:16-a, III.

20 3 Effective Date. This act shall take effect upon its passage.

HB 622 - AS AMENDED BY THE HOUSE

15Mar2011... 0487h

2011 SESSION

11-0568

10/04

HOUSE BILL            **622**

AN ACT                relative to adjustments to the semi-annual and quarterly collection of property taxes in towns and cities.

SPONSORS:            Rep. B. Patten, Carr 4; Rep. Knox, Carr 4; Rep. Ahlgren, Carr 4; Rep. S. Schmidt, Carr 4

COMMITTEE:          Municipal and County Government

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AMENDED ANALYSIS

This bill allows for the adjustment in the method of calculating the partial payment of taxes related to an increase or decrease in local education taxes resulting from a change to the town's or city's adequate education grant or excess tax amount. The changes applies to both semi-annual and quarterly collection of taxes.

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Explanation:          Matter added to current law appears in *bold italics*.  
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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Eleven*

AN ACT relative to adjustments to the semi-annual and quarterly collection of property taxes in towns and cities.

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

1           1 New Paragraph; Semi-annual Rate Adjustments for Adequate Education Grants or Excess Tax  
2 Amounts. Amend RSA 76:15-a by inserting after paragraph II the following new paragraph:

3           III.(a) Notwithstanding the provisions of paragraphs I and II, any municipality affected by a  
4 change in adequate education grants or excess tax amounts, determined pursuant to RSA 198:41,  
5 may apply to the commissioner of revenue administration on forms prescribed by the commissioner  
6 to adjust the 1/2 of the previous year's tax rate by an amount sufficient to collect 1/2 of the estimated  
7 increase or decrease in the local school tax resulting from the change.

8           (b) The department of education shall certify, no later than November 15, to the  
9 commissioner of the department of revenue administration the difference in the amount of the  
10 adequate education grants and excess tax amounts between the current fiscal year and the  
11 forthcoming fiscal year for every municipality.

12           (c) Any municipality requesting an adjusted rate for the semi-annual bill shall submit  
13 such request to the commissioner of the department of revenue administration by April 1 prior to the  
14 issuance of the semi-annual bill.

15           2 New Paragraph; Quarterly Rate Adjustments for Adequate Education Grants or Excess Tax  
16 Amounts. Amend RSA 76:15-aa by inserting after paragraph IV the following new paragraph:

17           V.(a) Notwithstanding the provisions of paragraphs II and III, any municipality with  
18 quarterly billing affected by a change in adequate education grants or excess tax amounts,  
19 determined pursuant to RSA 198:41, may apply to the commissioner of revenue administration on  
20 forms prescribed by the commissioner to adjust the 1/4 of the previous year's tax rate by an amount  
21 sufficient to collect 1/4 of the estimated increase or decrease in the July and October quarterly bills  
22 in local school tax resulting from the change.

23           (b) The department of education shall certify, no later than November 15, to the  
24 commissioner of the department of revenue administration the difference in the amount of the  
25 adequate education grants and excess tax amounts between the current fiscal year and the  
26 forthcoming fiscal year for every municipality.

27           (c) Any municipality requesting an adjusted rate for the quarterly bills shall submit such  
28 request to the commissioner of the department of revenue administration by April 1 prior to the  
29 issuance of the July and October quarterly bills.

**HB 622 - AS AMENDED BY THE HOUSE**

**- Page 2 -**

1           (d) The department of revenue administration shall expedite certified adjusted rate  
2 applications.

3           3 Rate Adjustments for Fiscal Year 2011. On the effective date of this act, the department of  
4 education shall certify to the commissioner of the department of revenue administration the  
5 difference in the amount of the adequate education grants between the 2011 fiscal year and the 2012  
6 fiscal year for every municipality. The department of revenue administration shall expedite certified  
7 adjusted rate applications in accordance with RSA 76:15-a, III and RSA 76:15-aa, V.

8           4 Effective Date. This act shall take effect upon its passage.

CHAPTER 262  
HB 622 - FINAL VERSION

15Mar2011... 0487h  
22June2011... 2252CofC

2011 SESSION

11-0568  
10/04

HOUSE BILL           **622**

AN ACT               relative to adjustments to the semi-annual and quarterly collection of property taxes in towns and cities.

SPONSORS:           Rep. B. Patten, Carr 4; Rep. Knox, Carr 4; Rep. Ahlgren, Carr 4; Rep. S. Schmidt, Carr 4

COMMITTEE:          Municipal and County Government

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CHAPTER 262  
HB 622 – FINAL VERSION

15Mar2011... 0487h  
22June2011... 2252CofC

11-0568  
10/04

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Eleven*

AN ACT           relative to adjustments to the semi-annual and quarterly collection of property taxes in towns and cities.

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

1           262:1 New Paragraph; Semi-annual Rate Adjustments for Adequate Education Grants or Excess  
2 Tax Amounts. Amend RSA 76:15-a by inserting after paragraph II the following new paragraph:

3           III.(a) Notwithstanding the provisions of paragraphs I and II, any municipality affected by a  
4 change in adequate education grants or excess tax amounts, determined pursuant to RSA 198:41,  
5 may apply to the commissioner of revenue administration on forms prescribed by the commissioner  
6 to adjust the 1/2 of the previous year's tax rate by an amount sufficient to collect 1/2 of the estimated  
7 increase or decrease in the local school tax resulting from the change.

8           (b) The department of education shall certify, no later than November 15, to the  
9 commissioner of the department of revenue administration the difference in the amount of the  
10 adequate education grants and excess tax amounts between the current fiscal year and the  
11 forthcoming fiscal year for every municipality.

12           (c) Any municipality requesting an adjusted rate for the semi-annual bill shall submit  
13 such request to the commissioner of the department of revenue administration by April 1 prior to the  
14 issuance of the semi-annual bill.

15           262:2 New Paragraph; Quarterly Rate Adjustments for Adequate Education Grants or Excess  
16 Tax Amounts. Amend RSA 76:15-aa by inserting after paragraph IV the following new paragraph:

17           V.(a) Notwithstanding the provisions of paragraphs II and III, any municipality with  
18 quarterly billing affected by a change in adequate education grants or excess tax amounts,  
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**CHAPTER 262**  
**HB 622 - FINAL VERSION**  
**- Page 2-**

1 request to the commissioner of the department of revenue administration by April 1 prior to the  
2 issuance of the July and October quarterly bills.

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5 262:3 Rate Adjustments for Fiscal Year 2011. On the effective date of this act, the department of  
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9 adjusted rate applications in accordance with RSA 76:15-a, III and RSA 76:15-aa, V.

10 262:4 Effective Date. This act shall take effect upon its passage.

11

12 Approved: July 13, 2011

13 Effective Date: July 13, 2011

# Amendments

Amendment to HB 622

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to adjustments to the semi-annual and quarterly collection of property  
4 taxes in towns and cities, and relative to the transition of the tax year for the town  
5 of Hampton.  
6

7 Amend the bill by inserting after section 3 the following and renumbering the original section 4 to  
8 read as 5:

9

10 4 Transition; Tax Year; Town of Hampton. Notwithstanding any general provisions of law to  
11 the contrary, the collection of taxes in the Town of Hampton shall be governed by the following  
12 provisions:

13 I. Taxes assessed as of April 1, 2012, shall be assessed for a single 18-month accounting  
14 period running from January 1, 2012 to June 30, 2013. The town shall budget receipts and  
15 expenditures, and raise and appropriate revenues, on the basis of a single, 18-month period. Taxes  
16 for the 18-month period shall be paid as follows: On July 1, 2012, a payment on the taxes for said  
17 period shall be due and payable, which will equal 1/2 the amount of taxes paid on the 2011  
18 assessment. A second payment shall be due and payable on or before December 1, 2012, which shall  
19 be equal to 2/3 of the 18-month assessment made on April 1, 2012, less the amount of the payment  
20 due July 1, 2012. The balance of the taxes due on the then current 18-month assessment shall be  
21 due and payable on or before July 1, 2013.

22 II. Taxes assessed as of April 1, 2013 and in all subsequent years shall be due and payable  
23 as follows: 1/2 on or before December 1st of each year thereafter, and 1/2 on or before July 1st of each  
24 year thereafter and the fiscal year of the town of Hampton shall thereafter be July 1st to the  
25 following June 30th.

26 III. Interest on taxes assessed in the Town of Hampton as provided in paragraph I shall be  
27 charged upon all taxes not paid on or before the due date as set forth in RSA 80, which shall be  
28 collected from that date with the taxes as incident thereto.

2011-1231s

AMENDED ANALYSIS

This bill allows for the adjustment in the method of calculating the partial payment of taxes related to an increase or decrease in local education taxes resulting from a change to the town's or city's adequate education grant or excess tax amount. The changes applies to both semi-annual and quarterly collection of taxes.

This bill also provides for an 18-month transitional budget period for the town of Hampton to change its tax year.

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2011-1268s

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# Committee Minutes

*ATTENDANCE*

**SENATE CALENDAR NOTICE  
PUBLIC AND MUNICIPAL AFFAIRS**

- ✓ Senator John Barnes, Jr. Chairman
- ✓ Senator Jeanie Forrester V Chairman
- ✓ Senator David Boutin
- ✓ Senator Amanda Merrill
- ✓ Senator Nancy Stiles

*START: 9:00 Am*  
*STOP: 9:12 Am*

For Use by Senate Clerk's Office ONLY

Bill Status

Docket

Calendar

Proof:  Calendar  Bill Status

Date: March 23, 2011

**HEARINGS**

**Tuesday**

**3/29/2011**

**PUBLIC AND MUNICIPAL AFFAIRS**

**LOB 101**

**9:00 AM**

(Name of Committee)

(Place)

(Time)

**EXECUTIVE SESSION MAY FOLLOW**

Comments: Please note the hearing for HB 155 was recessed from March 22, 2011.

- 9:00 AM HB622 (New Title) relative to adjustments to the semi-annual and quarterly collection of property taxes in towns and cities.
- 9:15 AM HB155 relative to permits to conduct raffles.
- 9:30 AM HB185-FN relative to determining bargaining units for purposes of public employee collective bargaining.
- 10:00 AM HB70 relative to changes to town charters.
- 10:15 AM HB106 relative to filing for town offices.

**Sponsors:**

**HB622**

Rep. Betsey Patten

Rep. J. David Knox

Rep. Christopher Ahlgren

Rep. Stephen Schmidt

**HB155**

Rep. Rick Ladd

Rep. Edmond Gionet

Rep. Lyle Bulis

**HB185-FN**

Rep. Gary Daniels

**HB70**

Rep. Phyllis Katsakiores

Rep. John O'Connor

Rep. Beverly Ferrante

Rep. Robert Fesh

**HB106**

Rep. Kenneth Hawkins

Rep. John Graham

Debra Martone 271-3092

Sen. John Barnes, Jr.

Chairman



# Public and Municipal Affairs Committee

## Hearing Report

**TO:** Members of the Senate

**FROM:** Deb Martone, Legislative Aide

**RE:** Hearing report on HB 622 – Relative to adjustments to the semi-annual collection of property taxes in towns and cities.

**HEARING DATE:** March 29, 2011

**MEMBERS OF THE COMMITTEE PRESENT:** Senators Barnes, Forrester, Merrill, Boutin and Stiles.

**MEMBERS OF THE COMMITTEE ABSENT:** No one.

**Sponsor(s):** Representatives B. Patten, Knox, Ahlgren and S. Schmidt.

**What the bill does:** allows for adjustments in the method of calculating the partial payment of taxes related to an increase or decrease in local education taxes resulting from a change to the town's or city's adequate education grant.

**Who supports the bill:** Representatives B. Patten, Knox, Ahlgren and S. Schmidt; Senator Stiles; Mark Gearreald, Town of Hampton; Mike Williams, NHMA; Pat Remick, Coalition Communities.

**Who opposes the bill:** No one.

**Summary of testimony received:**

- Senator Barnes opened the hearing at 9:00 am and called on Representative Patten, the prime sponsor.

- Representative Patten explained that when the statewide education property tax went into effect in 1999, municipalities were allowed to make an adjustment in their June estimated tax bills to smooth out tax bills that would otherwise increase when the statewide education property tax went into effect. This legislation would again allow this possibility for adjustment and include it permanently in RSA 198:41. The effect of HB 622 would be to

help those cities and towns deal with either an increase or a decrease in the change of the tax amounts or grants if the statewide property tax continues as it is currently calculated. The bill was originally submitted with last year's calculations to enable the communities to do the same adjustment so that part of what is needed in taxes could come due in June and also in December; instead of having to raise the entire amount in the month of December, which is difficult for taxpayers of communities.

- Senator Barnes asked Representative Patten if there would be any problem with the House concurring with the bill if Senator Stiles' amendment was added. Patten indicated in her estimation there would be no problem, as the amendment gives the Town of Hampton the authority to be able to change their fiscal year.

- Pat Remick testified on behalf of the "Coalition Communities", the former donor towns, 35 communities with high property values. They wanted to insure this legislation passed, although they are very hopeful there won't be donor towns when the education funding formula passes the Legislature this year.

- The House version only suspends donor towns for two years; the Senate bill removes them.

- If there is a lawsuit against whatever is passed, and the towns are hit with the donations in the original formula that's supposed to go into effect July 1<sup>st</sup>, the towns will have great difficulty with the taxpayers, as it is a huge hit.

- Another problem is that mortgage escrow resets are done in December. They would be inaccurate as they would be based on the higher amount, due to the excess property tax that would have to be raised.

- This is a fallback position for the towns to have this bill passed, although they're hoping for no donor towns. If, for example, Waterville Valley is hit with the amount they're supposed to be hit with under the formula, their tax bills will go up 16.5 percent—an incredible amount to be hit with in December.

- Mike Williams of the New Hampshire Municipal Association explained this was a policy bill of the Association that was voted on by the bulk of their membership last September. It takes what was put into Session Law in 1999 and places it into statute, to make it available to municipalities on a permanent basis going forward. It is subject to review by the Department of Revenue Administration. It creates no harm. Williams encouraged Committee members to support it.

●Senator Stiles introduced Amendment 2011-1231s, and thanked Representative Patten for allowing her to attach the amendment to HB 622. This past March the community of Hampton voted to change their fiscal year to July to June. But before they could implement it, they realized they needed permission from the Legislature.

●Mark Gearreald, Hampton Town Attorney, distributed a certified copy from the Town Clerk of the vote (2,136-783). Article 30 is an act authorizing the Town of Hampton to collect taxes for one 18-month accounting period. That will allow Hampton to have their fiscal year correspond with the state, enabling them to better plan for the funding of various programs. It will also allow them to have their Town Meeting vote before they've spent the money.

●Senator Barnes related to Attorney Gearreald that this 18-month transition period would be interesting, based on what other towns have gone through. Attorney Gearreald assured Committee members this would involve no change to the bill taxpayers would see. It involves no borrowing to facilitate the change, and it makes no reservation of a certain amount of unrestricted general funds. Attorney Gearreald indicated the town is attempting to take advantage of the problems other communities have experienced.

●Senator Barnes asked Attorney Gearreald if he had an opinion as to why some voters were against this action. Gearreald indicated he thought the language of the proposal was complex. It also asks for approval from the Legislature, rather than directly taking action.

●Senator Barnes closed the hearing at 9:12 am.

**Action:** Senator Merrill made a motion of Ought to Pass on Amendment #2011-1231s. Senator Boutin seconded the motion. The vote was 5-0 in favor. Senator Stiles then made a motion of Ought to Pass with Amendment on HB 622. Senator Boutin seconded the motion. The vote was 5-0 in favor. Senator Stiles will report the bill out of committee.

dam

[file: HB 622 report]

Date: March 29, 2011

# Speakers

# Senate Public and Municipal Affairs Committee: Sign-In Sheet

Date: 03/29/11

Time: 9:00 am     Public Hearing on HB 622

HB 622 (New Title) relative to adjustments to the semi-annual and quarterly collection of property taxes in towns and cities.

Name	Representing	Please Check				
<i>✓</i> MIKE WILLIAMS	NHMA	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>✓</i> Sen Nancy Stiles	Dist. 24	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<i>✓</i> Pat Kenick	Coalition Communities	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

# Senate Public and Municipal Affairs Committee: Sign-In Sheet

Date: 03/29/11

Time: 9:00 am Public Hearing on HB 622

HB 622

(New Title) relative to adjustments to the semi-annual and quarterly collection of property taxes in towns and cities.

Name	Representing	Please Check				
✓ MARK GEARHEAD	Town Attorney Town of Hampton	Support <input checked="" type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
		Support <input type="checkbox"/>	Oppose <input type="checkbox"/>	Speaking? <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

# Testimony



Town of Hampton, New Hampshire  
**OFFICE OF THE TOWN CLERK**  
100 Winnacunnet Road, 03842-2190

Jane M. Marzinzik  
Town Clerk

Tel: 603-926-0406  
Fax: 603-929-5917

March 16, 2011

This is to certify that on March 8, 2011 the Town of Hampton approved the following article:

**ARTICLE 30**

Shall the Town of Hampton vote to authorize the submission to the State Legislature of the following Act so that the Town can transition from a calendar fiscal year to a fiscal year beginning July 1 and ending the following June 30, entailing an 18-month transitional budget and tax payment schedule as outlined in said Act, which will involve no change in the schedule of periodic tax payments? (Majority vote required)

**AN ACT AUTHORIZING THE TOWN OF HAMPTON  
TO COLLECT TAXES FOR ONE 18-MONTH ACCOUNTING PERIOD**

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

Section 1. Notwithstanding any general provisions of law to the contrary, the collection of taxes in the Town of Hampton shall be governed by the following provisions:

Taxes assessed as of April 1, 2012, shall be assessed for a single 18-month accounting period running from January 1, 2012 to June 30, 2013. The town shall budget receipts and expenditures, and raise and appropriate revenues, on the basis of a single 18-month period. Taxes for the 18-month period shall be paid as follows: On July 1, 2012, a payment on the taxes for said period shall be due and payable, which will equal  $\frac{1}{2}$  the amount of taxes paid on the 2011 assessment. A second payment shall be due and payable on or before December 1, 2012, which shall be equal to  $\frac{2}{3}$  of the 18-month assessment made on April 1, 2012, less the amount of the payment due July 1, 2012. The balance of the taxes due on the then current 18-month assessment shall be due and payable on or before July 1, 2013. Taxes assessed as of April 1, 2013 and in all subsequent years shall be due and payable as follows:  $\frac{1}{2}$  on or before December 1<sup>st</sup> of each year thereafter, and  $\frac{1}{2}$  on or before July 1<sup>st</sup> of each year thereafter and the fiscal year of the Town shall thereafter be July 1<sup>st</sup> to the following June 30<sup>th</sup>.

Interest on taxes assessed in the Town of Hampton as provided in paragraph I shall be charged upon all taxes not paid on or before the due date as set forth in RSA 80, which shall be collected from that date with the taxes as incident thereto.

Section 2. This act shall take effect upon its passage.



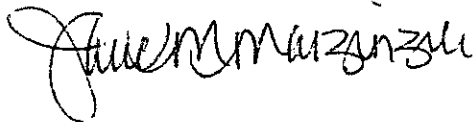
Moved by Richard Nichols  
Seconded by William Lally

Results of Balloting on March 8, 2011

Yes - 2136

No - 783

The article passed.

A handwritten signature in cursive script, appearing to read "Jane M. Marzinzik".

Jane M. Marzinzik, Town Clerk

# The Coalition Communities

*Alton..Bridgewater..Carroll..Center Harbor..Dublin..Easton..Eaton..Franconia..Freedom..Grantham..Greenland..Hampton..Hampton Falls..Hanover*

*Hart's Location..Hebron..Holderness..Jackson..Lincoln..Meredith..Moultonborough..Newbury..New Castle..New London..Newington*

*North Hampton..Pittsburg..Portsmouth..Rye..Sandwich..Seabrook..Stoddard..Sugar Hill..Sunapee..Tuftonboro..Waterville Valley*

Telephone: 603 610-7281

Fax: 603 427-1575 E-Mail: [Coalition@cityofportsmouth.com](mailto:Coalition@cityofportsmouth.com)

[www.CityofPortsmouth.com/Coalition](http://www.CityofPortsmouth.com/Coalition)

## **Testimony to the Senate Committee on Public and Municipal Affairs Regarding House Bill 622**

**March 29, 2011**

**Pat Remick, Coordinator, Coalition Communities**

My name is Pat Remick and I appear today on behalf of the 35 municipalities in the Coalition of Communities. We are the former Donor towns with high property values due to geography, although we may not be wealthy in terms of income and other factors.

Although our group's obvious preference is that the Legislature adopt a new education funding formula to replace the one scheduled to go into effect July 1, 2011, that reinstates "Donor" communities, we worked with Representative Betsey Patten to craft House Bill 622 as a "fallback" position and believe it is important to get this legislation on the books now as there is always be a threat of "Donor" towns as long as the Statewide Education Property Tax exists.

We also successfully urged the New Hampshire Municipal Association in September to support, as legislative policy, allowing adjustments in how the partial payment of taxes is calculated in relation to any increase – or decrease – in local education taxes resulting from a change in a municipality's adequate education grant or its "donation."

Rather than have taxpayers be hit with the full brunt of the change, HB622 would allow towns to receive an estimate from DRA by April 1, 2011, and send out an assessment for the first half of the total bill by May 1 for the June tax payment, easing somewhat this difficult burden for taxpayers. Also, without such first-half billing, we are concerned that mortgage holders also could suffer major and inaccurate escrow resets based on the December tax bill.

Thank you for your consideration.



***Office of Selectmen***  
Town of Moultonborough  
6 Holland Street - PO Box 139  
Moultonborough, NH 03254  
(603) 476-2347 \* Fax (603) 476-5835

March 24, 2011

The Honorable Jack Barnes, Chairman  
Committee on Public & Municipal Affairs  
107 North Main Street - Room 302  
Concord, New Hampshire, 03301

Re: HB 622

Dear Chairman Barnes & Members of the Committee:

I write on behalf of the Town of Moultonborough to support the passage of HB622. My apologies that I cannot testify in person due to a long planned family commitment.

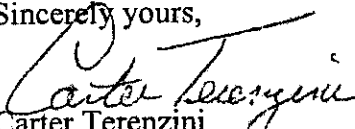
This statute would permanently codify a onetime provision of the 1999 legislation creating the Statewide Education Property Tax. At that time municipalities were allowed to make an adjustment to their June estimated tax bills to "smooth-out" tax bills that would otherwise "spike" when the SWEPT hit the December actual tax bill in its entirety.

While the SWEPT continued in effect this provision to "smooth-out" the implementation impact did not. We now face a very real possibility of such a 'spiking" re-occurring whenever there is a substantial increase in the amount to be raised locally as the result the SWEPT formula. At present, the Moultonborough taxpayers face a \$3.9 million dollar spike in local property taxes that – without HB 622 – will all have to hit our December actual bill.

This legislation will allow us "smooth out" this spike making tax payments more manageable and avoiding tax escrow reset problems based upon an inflated December tax bill. Similarly, communities which will see their local taxes go down with any increase in the SWEPT formula can pass these savings along to their taxpayers earlier rather than later should they so choose.

Notwithstanding the many pending pieces of legislation on the SWEPT and education funding, we do believe the time has come to put this 1999 implementation feature on the original law back into effect on a permanent basis and urge you to report out favorably the legislation sponsored by Representative Patten and our entire local delegation.

Sincerely yours,

  
Carter Terenzini  
Town Administrator

CC: BoS; P. Remick; B. Patten; J. Bradley

**Martone, Debra**

---

**From:** Carter Terenzini [cterenzini@moultonboroughnh.gov]  
**Sent:** Thursday, March 24, 2011 8:29 AM  
**To:** Martone, Debra  
**Cc:** Patten, Betsey; Patten, Betsey; 'Pat Remick'; Bradley, Jeb  
**Subject:** HB 622  
**Attachments:** SWEPT032411.doc

Good Day Debra:

I attach a support letter for HB 622 which I understand will be heard next Tuesday in the Committee on Public & Municipal Affairs. As an FYI this legislation was sponsored by Representative Patten and the three other House members of our delegation at our request with the full support of the Coalition Communities and Municipal Association. While current efforts to eliminate or defer the "Donor Town" issue would mean it is not actually needed this year, we nonetheless urge its passage as a tool for a possible future need. Had this been a permanent fixture of the 1999 SWEPT legislation (instead of just the year of implementation) we would not be dealing with it now at all.

Many Thanks

Carter Terenzini  
Town Administrator

Town of Moultonborough  
6 Holland St - PO Box 139  
Moultonborough, NH 03254  
Tel: 603.476.2347  
Fax: 603.476.5835  
[www.moultonboroughnh.gov](http://www.moultonboroughnh.gov)

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3/24/2011

# Committee Report

STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE

Date: March 29, 2011

THE COMMITTEE ON Public and Municipal Affairs

to which was referred House Bill 622

AN ACT (New Title) relative to adjustments to the semi-annual and quarterly collection of property taxes in towns and cities.

Having considered the same, the committee recommends that the Bill:

**OUGHT TO PASS WITH AMENDMENT**

BY A VOTE OF: 5-0

AMENDMENT # 1268s

Senator Nancy Stiles  
For the Committee

Debra Martone 271-3092

## New Hampshire General Court - Bill Status System

**Docket of HB622**

Docket Abbreviations

**Bill Title:** (New Title) relative to adjustments to the semi-annual and quarterly collection of property taxes in towns and cities.

*Official Docket of HB622:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/25/2011	H	Introduced 1/6/2011 and Referred to Municipal and County Government; <b>HJ 11</b> , PG. 194
2/15/2011	H	Public Hearing: 2/22/2011 1:00 PM LOB 301
2/23/2011	H	Executive Session: 3/3/2011 10:30 AM LOB 301
3/8/2011	H	Committee Report: Ought to Pass with Amendment #0487h(NT) for Mar 15 (Vote 16-0; CC); <b>HC 22</b> , PG.538
3/8/2011	H	Proposed Committee Amendment <b>#2011-0487h</b> (New Title); <b>HC 23</b> , PG.652-653
3/15/2011	H	Amendment #0487h (New Title) Adopted, VV; <b>HJ 26</b> , PG.733-734
3/15/2011	H	Ought to Pass with Amendment #0487h(NT): MA VV; <b>HJ 26</b> , PG.733-734
3/16/2011	S	Introduced and Referred to Public and Municipal Affairs
3/24/2011	S	Hearing: 3/29/11, Room 101, LOB, 9:00 a.m.; <b>SC17</b>
3/29/2011	S	Committee Report: Ought to Pass with Amendment <b>#2011-1268s</b> , NT, 4/13/11; <b>SC19</b>
4/13/2011	S	Committee Amendment 1268s, NT, AA, VV; <b>SJ 12</b> , Pg.253
4/13/2011	S	Ought to Pass with Amendment 1268s, MA, VV; OT3rdg; <b>SJ 12</b> , Pg.253
4/13/2011	S	Passed by Third Reading Resolution; <b>SJ 12</b> , Pg.255
5/18/2011	H	House Non-Concurs with Senate AM #1268s(NT) and Requests C of C (Rep Ferrante): MA VV; <b>HJ 44</b> , PG.1531
5/18/2011	H	Speaker Appoints: Reps B.Patten, Ferrante, Sterling, and D.Hooper; <b>HJ 44</b> , PG.1531
5/25/2011	S	Sen. Barnes Accedes to House Request for Committee of Conference, MA, VV
5/25/2011	S	President Appoints: Senators Barnes, Stiles and Merrill
5/31/2011	H	Committee of Conference Meeting: 6/2/2011 12:30 PM LOB 301 ==TIME CHANGE (Orig 1:00 PM)==
6/9/2011	S	Conference Committee Report <b>#2011-2252c</b> ; House Amendment, Filed
6/22/2011	S	Conference Committee Report 2252c; Adopted, VV
6/22/2011	H	Conference Committee Report #2252c Adopted, VV
6/22/2011	S	Enrolled
6/22/2011	H	Enrolled
7/18/2011	H	Signed By Governor 07/13/2011; Effective 07/13/2011; Chapter 0262

NH House

NH Senate

# Other Referrals



# COMMITTEE REPORT FILE INVENTORY

HB 622 ORIGINAL REFERRAL

\_\_\_\_\_ RE-REFERRAL

1. THIS INVENTORY IS TO BE SIGNED AND DATED BY THE COMMITTEE AIDE AND PLACED INSIDE THE FOLDER AS THE FIRST ITEM IN THE COMMITTEE FILE.
2. PLACE ALL DOCUMENTS IN THE FOLDER FOLLOWING THE INVENTORY IN THE ORDER LISTED.
3. THE DOCUMENTS WHICH HAVE AN "X" BESIDE THEM ARE CONFIRMED AS BEING IN THE FOLDER.
4. THE COMPLETED FILE IS THEN DELIVERED TO THE CALENDAR CLERK.

- DOCKET (Submit only the latest docket found in Bill Status)
- COMMITTEE REPORT
- CALENDAR NOTICE
- HEARING REPORT
- PREPARED TESTIMONY AND OTHER SUBMISSIONS HANDED IN AT THE PUBLIC HEARING

SIGN-UP SHEET(S)

**ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:**

- AMENDMENT # 2011-1231S \_\_\_\_\_ - AMENDMENT # \_\_\_\_\_  
 - AMENDMENT # 2011-1268S \_\_\_\_\_ - AMENDMENT # \_\_\_\_\_

**ALL AVAILABLE VERSIONS OF THE BILL:**

AS INTRODUCED  AS AMENDED BY THE HOUSE  
 FINAL VERSION \_\_\_\_\_ AS AMENDED BY THE SENATE

\_\_\_\_\_ OTHER (Anything else deemed important but not listed above, such as amended fiscal notes):

DATE DELIVERED TO SENATE CLERK

08/03/11

BY:

Rebra A. Martore  
COMMITTEE AIDE