

Bill as Introduced

HB 126-LOCAL - AS INTRODUCED

2013 SESSION

13-0192
08/05

HOUSE BILL

126-LOCAL

AN ACT relative to use of revolving funds by towns for maintaining recycling programs.

SPONSORS: Rep. Daniels, Hills 40

COMMITTEE: Municipal and County Government

ANALYSIS

This bill allows a town, by vote of the legislative body, to establish a revolving fund to facilitate, maintain, or encourage recycling.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to use of revolving funds by towns for maintaining recycling programs.

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

- 1 1 Revolving Funds; Use for Maintaining Recycling Programs. Amend RSA 31:95-h, I(a) to read
2 as follows:
3 (a) Facilitating, ***maintaining***, or encouraging recycling as defined in RSA 149-M:4;
4 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 9
HB 126-LOCAL - FINAL VERSION

2013 SESSION

13-0192
08/05

HOUSE BILL

126-LOCAL

AN ACT relative to use of revolving funds by towns for maintaining recycling programs.

SPONSORS: Rep. Daniels, Hills 40

COMMITTEE: Municipal and County Government

ANALYSIS

This bill allows a town, by vote of the legislative body, to establish a revolving fund to facilitate, maintain, or encourage recycling.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 9
HB 126-LOCAL – FINAL VERSION

13-0192
08/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to use of revolving funds by towns for maintaining recycling programs.

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

1 9:1 Revolving Funds; Use for Maintaining Recycling Programs. Amend RSA 31:95-h, I(a) to read
2 as follows:

3 (a) Facilitating, *maintaining*, or encouraging recycling as defined in RSA 149-M:4;

4 9:2 Effective Date. This act shall take effect 60 days after its passage.

5 Approved: May 7, 2013

6 Effective Date: July 6, 2013

Committee Minutes

**SENATE CALENDAR NOTICE
PUBLIC AND MUNICIPAL AFFAIRS**

ATTENDANCE

- Senator David Boutin Chairman
- Senator Jeanie Forrester V Chairman
- Senator Bette Lasky
- Senator David Pierce
- Senator Nancy Stiles

10

*START: 9:34
STOP: 9:44*

For Use by Senate Clerk's Office ONLY	
<input type="checkbox"/>	Bill Status
<input type="checkbox"/>	Docket
<input type="checkbox"/>	Calendar
Proof: <input type="checkbox"/>	Calendar <input type="checkbox"/> Bill Status

Date: March 12, 2013

HEARINGS

Wednesday

3/20/2013

PUBLIC AND MUNICIPAL AFFAIRS

LOB 102

9:00 AM

(Name of Committee)

(Place)

(Time)

EXECUTIVE SESSION MAY FOLLOW

- | | | |
|----------|---------|---|
| 9:00 AM | HB115 | relative to the procedure for filling a vacancy on a cooperative school district budget committee. |
| 9:15 AM | HB126-L | relative to use of revolving funds by towns for maintaining recycling programs. |
| 9:30 AM | HB138 | (New Title) permitting a town that has adopted official ballot voting to use a topical description of the substance of a warrant article for the adoption of ordinances on the official ballot. |
| 10:00 AM | HB198 | relative to town boundary perambulation. |
| 10:20 AM | HB134 | relative to contingency funds in towns. |

Sponsors:

HB115

Rep. James Belanger
Sen. Peggy Gilmour

Sen. Peter Bragdon

Rep. Jack Flanagan

Rep. Carolyn Gargas

HB126-L

Rep. Gary Daniels

HB138

Rep. Robert Cushing
Rep. J. Tracy Emerick

Rep. Chris Muns
Sen. Nancy Stiles

Rep. E. Elaine Andrews-Ahearn

Rep. Frederick Rice

HB198

Rep. Kenneth Weyler

Rep. Karen Umberger

Sen. Sam Cataldo

Sen. John Reagan

HB134

Rep. James Belanger

Rep. Carolyn Gargas

Debra Martone 271-3092

Sen. David Boutin

Chairman

PUBLIC AND MUNICIPAL AFFAIRS COMMITTEE

Hearing Report

Deb Martone, Legislative Aide

HB 126-LOCAL -- *An Act relative to use of revolving funds by towns for maintaining recycling programs.*

Hearing Date: March 20, 2013

Time Opened: 9:34 am

Time Closed: 9:44 am

Members of the Committee Present: Senators Boutin, Forrester, Stiles, Lasky and Pierce.

Bill Analysis: Allows a town, by vote of the legislative body, to establish a revolving fund to facilitate, maintain or encourage recycling.

Sponsors: Representative Daniels

Who supports the bill: Representative Daniels

Summary of testimony presented in support:

Representative Daniels:

- Current statute allows revolving funds to be created for recycling programs; for facilitating or encouraging recycling. But can revolving fund money be used for replacing equipment or maintaining the program?
- This bill makes it clear revolving fund money can be used for facilitating, maintaining and encouraging recycling.
- Senator Stiles inquired if "maintaining" meant purchasing vehicles to accommodate the recycling process. Would the revolving fund cover labor costs? Representative Daniels indicated in the affirmative for both questions.
- The revolving fund is created by a vote of the town legislative body, via a warrant article. The revenue for the fund is generated by recyclables.
- Senator Boutin asked if revolving funds can be used for capital acquisitions. He would not be opposed to using funds for general maintenance, but how much latitude would this bill be giving to a volunteer group spending taxpayer dollars? Would it give spending authority outside of the town legislative body that the legislative body may not have jurisdiction over? If the money goes into such a revolving fund, an appointed board would decide how to spend the money. Representative Daniels reminded the committee the governing body would be required to give approval for such a proposal beforehand.
- In response to questions from Chairman Boutin, Atty. Cordell Johnston of the NH Municipal Association reviewed various provisions of RSA 31:95-h, the revolving funds statute, with committee members.

Action: By unanimous vote, the committee recommended passage of HB 126-LOCAL.

dam

Date hearing report completed: March 21, 2013

Speakers

Senate Public and Municipal Affairs Committee: Sign-In Sheet

Date: 03/20/13

Time: 9:15 am Public Hearing on HB 126-L

HB 126-L relative to use of revolving funds by towns for maintaining recycling programs.

PLEASE PRINT

Name	Representing				Please Check	
✓ Rep. Gary Daniels	Sponsor	Support	Oppose	Speaking?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
		Support	Oppose	Speaking?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Date: March 21, 2013

THE COMMITTEE ON Public and Municipal Affairs
to which was referred House Bill 126-LOCAL

AN ACT relative to use of revolving funds by towns for
 maintaining recycling programs.

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

OUGHT TO PASS

BY A VOTE OF: 5-0

CONSENT CALENDAR VOTE: 5-0

Senator David Pierce for the Committee

Current law allows a town, by vote of its legislative body, to establish a revolving fund to "facilitate" and encourage recycling. This bill adds to that list by permitting a town to use those funds to also "maintain" a recycling program. The bill retains the authority of the local legislative body to restrict the nature and extent of any expenditures.

Debra Martone 271-3092

New Hampshire General Court - Bill Status System

Docket of HB126

Docket Abbreviations

Bill Title: relative to use of revolving funds by towns for maintaining recycling programs.*Official Docket of HB126:*

Date	Body	Description
1/3/2013	H	Introduced 1/3/2013 and Referred to Municipal and County Government; HJ 12 , PG.183
1/9/2013	H	Public Hearing: 1/15/2013 1:30 PM LOB 301 ==TIME CHANGE (Orig 1:00 PM)==
1/16/2013	H	Executive Session: 1/22/2013 1:00 PM LOB 301
1/23/2013	H	Committee Report: Ought to Pass for Jan 30 (Vote 16-0; CC); HC 10 , PG.129
1/30/2013	H	Ought to Pass: MA VV; HJ 14 , PG.239
2/14/2013	S	Introduced and Referred to Public & Municipal Affairs
3/13/2013	S	Hearing: 3/20/13, Room 102, LOB, 9:15 a.m.; SC12
3/21/2013	S	Committee Report: Ought to Pass, 3/28/13; Vote 5-0; CC; SC13
3/28/2013	S	Ought to Pass: MA, VV; OT3rdg;
4/3/2013	H	Enrolled; HJ35 , PG.1192
4/18/2013	S	Enrolled 3/28/13
5/8/2013	H	Signed by Governor 05/07/2013; Effective 07/06/2013; Chapter 0009

NH House

NH Senate

Other Referrals

COMMITTEE REPORT FILE INVENTORY

HB 126-L 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
- HANDOUTS FROM THE PUBLIC HEARING
- PREPARED TESTIMONY AND OTHER SUBMISSIONS
- SIGN-UP SHEET(S)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

____ - AMENDMENT # ____ ____ - AMENDMENT # ____
____ - AMENDMENT # ____ ____ - 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

07/25/13

Debra A. Martore
BY COMMITTEE AIDE