

Bill as
Introduced

HB 506 - AS INTRODUCED

2013 SESSION

13-0198

06/05

HOUSE BILL

506

AN ACT

relative to certain time periods for adoption and amendment of town codes and ordinances.

SPONSORS:

Rep. Daniels, Hills 40

COMMITTEE:

Municipal and County Government

ANALYSIS

This bill extends the time permitted between the 2 public hearings required in certain towns for the adoption of codes and ordinances.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 certain time periods for adoption and amendment of town codes and ordinances.

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

1 1 Adoption and Amendment of Town Codes and Ordinances. Amend RSA 41:14-b to read as
2 follows:

3 41:14-b Adoption and Amendment of Town Codes and Ordinances. If adopted in accordance
4 with RSA 41:14-c, in towns with 10,000 or more inhabitants, the selectmen shall have the authority
5 to establish, and amend town ordinances and codes after they hold 2 public hearings at least 10 but
6 not more than [14] 21 days apart on the establishment or amendment of the ordinance or code;
7 provided, however, upon the written petition of 50 registered voters presented to the selectmen prior
8 to the selectmen's vote, according to the provisions of RSA 39:3, the proposed establishment of or
9 amendment to the town ordinance or code shall be inserted as an article in the warrant for the town
10 meeting. The selectmen's vote shall take place no sooner than 10 days nor later than [14] 21 days
11 after the second public hearing [which] is held. The provisions of this section shall not apply to the
12 establishment and amendment of a zoning ordinance, historic district ordinance, or building code
13 under the provisions of RSA 675.

14 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 70
HB 506 - FINAL VERSION

05/23/13 1519s
05/23/13 1849s

2013 SESSION

13-0198
06/05

HOUSE BILL **506**

AN ACT relative to certain time periods for adoption and amendment of town codes and ordinances, permitting the town of Derry to combine the positions of tax collector and treasurer, and dissolving the police commission for the town of Hooksett.

SPONSORS: Rep. Daniels, Hills 40

COMMITTEE: Municipal and County Government

AMENDED ANALYSIS

This bill:

I. Extends the time permitted between the 2 public hearings required in certain towns for the adoption of codes and ordinances.

II. Permits the town of Derry to combine the positions of tax collector and treasurer.

III. Repeals the establishment of the police commission for the town of Hooksett.

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 70
HB 506 - FINAL VERSION

05/23/13 1519s
05/23/13 1849s

13-0198
06/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT relative to certain time periods for adoption and amendment of town codes and ordinances, permitting the town of Derry to combine the positions of tax collector and treasurer, and dissolving the police commission for the town of Hooksett.

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

1 70:1 Adoption and Amendment of Town Codes and Ordinances. Amend RSA 41:14-b to read as
2 follows:

3 41:14-b Adoption and Amendment of Town Codes and Ordinances. If adopted in accordance
4 with RSA 41:14-c, in towns with 10,000 or more inhabitants, the selectmen shall have the authority
5 to establish, and amend town ordinances and codes after they hold 2 public hearings at least 10 but
6 not more than [14] **21** days apart on the establishment or amendment of the ordinance or code;
7 provided, however, upon the written petition of 50 registered voters presented to the selectmen prior
8 to the selectmen's vote, according to the provisions of RSA 39:3, the proposed establishment of or
9 amendment to the town ordinance or code shall be inserted as an article in the warrant for the town
10 meeting. The selectmen's vote shall take place no sooner than 10 days nor later than [14] **21** days
11 after the second public hearing [which] is held. The provisions of this section shall not apply to the
12 establishment and amendment of a zoning ordinance, historic district ordinance, or building code
13 under the provisions of RSA 675.

14 70:2 Tax Collector and Treasurer of Town of Derry. Notwithstanding RSA 669:7 or any other
15 provision of law, the town of Derry may combine the positions of tax collector and treasurer.

16 70:3 Repeal and Dissolution of Hooksett Police Commission. 1975, 412, as amended by 2011, 2,
17 relative to establishing a police commission for the town of Hooksett, is repealed.

18 70:4 Effective Date.

19 I. Section 1 of this act shall take effect 60 days after its passage.

20 II. The remainder of this act shall take effect upon its passage.

21 Approved: June 6, 2013

22 Effective Date: I. Section 1 shall take effect August 5, 2013.

23 II. Remainder shall take effect June 6, 2013.

Amendments

Sen. Rausch, Dist. 19
April 23, 2013
2013-1352s
08/05

Amendment to HB 506

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

2

3 AN ACT relative to certain time periods for adoption and amendment of town codes and
4 ordinances and permitting the town of Derry to combine the positions of tax
5 collector and treasurer.
6

7 Amend the bill by replacing all after section 1 with the following:

8

9 2 Tax Collector and Treasurer of Town of Derry. Notwithstanding RSA 669:7 or any other
10 provision of law, the town of Derry may combine the positions of tax collector and treasurer.

11 3 Effective Date.

12 I. Section 1 of this act shall take effect 60 days after its passage.

13 II. The remainder of this act shall take effect upon its passage.

2013-1352s

AMENDED ANALYSIS

This bill extends the time permitted between the 2 public hearings required in certain towns for the adoption of codes and ordinances.

This bill also permits the town of Derry to combine the positions of tax collector and treasurer.

Public and Municipal Affairs
May 2, 2013
2013-1519s
06/01

Amendment to HB 506

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

2

3 AN ACT relative to certain time periods for adoption and amendment of town codes and
4 ordinances and permitting the town of Derry to combine the positions of tax
5 collector and treasurer.

6

7 Amend the bill by replacing all after section 1 with the following:

8

9 2 Tax Collector and Treasurer of Town of Derry. Notwithstanding RSA 669:7 or any other
10 provision of law, the town of Derry may combine the positions of tax collector and treasurer.

11 3 Effective Date.

12 I. Section 1 of this act shall take effect 60 days after its passage.

13 II. The remainder of this act shall take effect upon its passage.

Amendment to HB 506

- Page 2 -

2013-1519s

AMENDED ANALYSIS

This bill extends the time permitted between the 2 public hearings required in certain towns for the adoption of codes and ordinances.

This bill also permits the town of Derry to combine the positions of tax collector and treasurer.



Sen. Boutin, Dist. 16
May 21, 2013
2013-1849s
06/01

Floor Amendment to HB 506

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

2

3 AN ACT relative to certain time periods for adoption and amendment of town codes and
4 ordinances, permitting the town of Derry to combine the positions of tax collector
5 and treasurer, and dissolving the police commission for the town of Hooksett.
6

7 Amend the bill by replacing all after section 2 with the following:

8

9 3 Repeal and Dissolution of Hooksett Police Commission. 1975, 412, as amended by 2011, 2,
10 relative to establishing a police commission for the town of Hooksett, is repealed.

11 4 Effective Date.

12 I. Section 1 of this act shall take effect 60 days after its passage.

13 II. The remainder of this act shall take effect upon its passage.



2013-1849s

AMENDED ANALYSIS

This bill:

I. Extends the time permitted between the 2 public hearings required in certain towns for the adoption of codes and ordinances.

II. Permits the town of Derry to combine the positions of tax collector and treasurer.

III. Repeals the establishment of the police commission for the town of Hooksett.

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

4

START: 9:51 AM
STOP: 9:55 AM

For Use by Senate Clerk's Office ONLY

Bill Status

Docket

Calendar

Proof: Calendar Bill Status

Date: April 2, 2013

HEARINGS

Wednesday

4/10/2013

PUBLIC AND MUNICIPAL AFFAIRS

LOB 102

9:00 AM

(Name of Committee)

(Place)

(Time)

EXECUTIVE SESSION MAY FOLLOW

Comments: Proposed non-germane amendment to HB 139, Amendment #2013-1198s.

- 9:00 AM HB139 relative to the time towns that have adopted official ballot voting have to approve bonding in solid waste management districts.
- 9:30 AM HB265 relative to procedures by absentee voters.
- 9:50 AM HB506 relative to certain time periods for adoption and amendment of town codes and ordinances.
- 10:05 AM HB522 relative to duties of town treasurers.
- 10:20 AM HB429 relative to service of writs against cities.

Sponsors:

- HB139**
Rep. Robert Cushing Rep. Chris Muns Rep. E. Elaine Andrews-Ahearn Rep. Frederick Rice
Rep. J. Tracy Emerick Sen. Nancy Stiles
- HB265**
Rep. Frederick Rice Rep. James Belanger Rep. J. Tracy Emerick
- HB506**
Rep. Gary Daniels
- HB522**
Rep. Maureen Mann Rep. Donna Schlachman Rep. Romeo Danais Rep. Kyle Tasker
Rep. Ian Raymond Sen. David Boutin Sen. John Reagan
- HB429**
Rep. Katherine Rogers

SENATE PUBLIC AND MUNICIPAL AFFAIRS COMMITTEE
Hearing Report

Deb Martone, Legislative Aide

HB 506 -- *An Act relative to certain time periods for adoption and amendment of town codes and ordinances.*

Hearing Date: April 10, 2013

Time Opened: 9:51 am

Time Closed: 9:55 am

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

Members of the Committee Absent: Senator Boutin

Bill Analysis: Extends the time permitted between the 2 public hearings required in certain towns for the adoption of codes and ordinances.

Sponsors: Representative Daniels

Who supports the bill: Representatives Daniels, J. Belanger and Tucker; Senator Stiles; Atty. Cordell Johnston, NH Municipal Association; Lori Radke, NH City & Town Clerks' Association.

Summary of testimony presented in support:

Representative Daniels:

- If a town is going to establish an ordinance, current statute requires two public hearings and then a voting session. Those sessions must be separated by 10-14 days. Unfortunately, meeting times for school boards or select boards don't always coincide with such required meeting times. This bill would change the requirement from 10-14 days to 10-21 days, to eliminate the need for a special session.

Representative Belanger:

- The bill has much validity.

Atty. Cordell Johnston, NH Municipal Association:

- This is another one of the NHMA policy bills. This problem can occur any time there are five Mondays, Tuesdays, etc. in one month.
- Any time a select board is considering an ordinance or amendment during one of those months this problem would arise. HB 506 fixes the problem. No one has suggested any reason not to pass the bill.
- This applies only in towns with more than 10,000 residents—a limited number of municipalities. However, it is a problem that needs to be fixed.

Action: Pending

dam

Date hearing report completed: April 11, 2013

SENATE PUBLIC AND MUNICIPAL AFFAIRS COMMITTEE
Hearing Report

Deb Martone, Legislative Aide

AMENDMENT #2013-1352s To HB 506 -- *An Act relative to certain time periods for adoption and amendment of town codes and ordinances and permitting the town of Derry to combine the positions of tax collector and treasurer.*

Hearing Date: May 1, 2013

Time Opened: 9:02 am

Time Closed: 9:07 am

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

Bill Analysis: Extends the time permitted between the 2 public hearings required in certain towns for the adoption of codes and ordinances; permits the town of Derry to combine the positions of tax collector and treasurer.

Sponsor of amendment: Senator Rausch

Who supports the amendment: Senator Rausch; John Anderson and Frank Childs, Town of Derry.

Summary of testimony presented in support:

Senator Rausch:

- Amendment #2013-1352s was requested by the town of Derry.
- The town treasurer has retired. Fortunately, the town tax collector is qualified to act under both capacities. Derry would like to combine both positions into one.
- The cities of Nashua and Concord currently operate in the same fashion. Such action does require legislation.
- This will help Derry run more efficiently, while saving taxpayer dollars.

John Anderson, Derry Town Administrator:

- Mr. Anderson echoed the remarks of Senator Rausch.
- This action will save the taxpayers some money, which is what they endeavor to do all the time.

Action: The committee unanimously voted to adopt Amendment #2013-1352s. HB 506 passed with a 5-0 vote.

dam

Date hearing report completed: May 3, 2013

Speakers

Committee Report

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

Date: May 2, 2013

THE COMMITTEE ON Public and Municipal Affairs

to which was referred House Bill 506

AN ACT relative to certain time periods for adoption and
amendment of town codes and ordinances.

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

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1519s

CONSENT CALENDAR VOTE: 5-0

Senator Nancy Stiles for the Committee

This bill extends the time permitted between the two public hearings required for the adoption of codes and ordinances in towns with greater than 10,000 residents from 10-14 days to 10-21 days. The amendment permits the Town of Derry to combine the positions of Tax Collector and Treasurer.

Debra Martone 271-3092

New Hampshire General Court - Bill Status System

Docket of HB506

Docket Abbreviations

Bill Title: (2nd New Title) relative to certain time periods for adoption and amendment of town codes and ordinances, permitting the town of Derry to combine the positions of tax collector and treasurer, and dissolving the police commission for the town of Hooksett.

Official Docket of HB506:

Date	Body	Description
1/3/2013	H	Introduced 1/3/2013 and Referred to Municipal and County Government; HJ 12 , PG.198
1/30/2013	H	Public Hearing: 2/5/2013 1:30 PM LOB 301
2/13/2013	H	Executive Session: 2/21/2013 10:00 AM LOB 301
2/26/2013	H	Committee Report: Ought to Pass for Mar 13 (Vote 16-0; CC); HC 22 , PG.510
3/13/2013	H	Ought to Pass: MA VV; HJ 26 , PG.766
3/14/2013	S	Introduced and Referred to Public & Municipal Affairs
4/3/2013	S	Hearing: 4/10/13, Room 102, LOB, 9:50 a.m.; SC15
4/25/2013	S	On 5/1/2013 at 9:00 a.m., a hearing on proposed non-germane amendment #2013-1352s to HB 506 which was previously heard on April 10th, SC18
5/10/2013	S	Committee Report: Ought to Pass with Amendment #2013-1519s , NT, 5/23/13; Vote 5-0; CC; SC21
5/23/2013	S	Sen. Boutin Moved to Remove HB 506 from the Consent Calendar
5/23/2013	S	Without Objection, HB 506 is Special Ordered, 2/3 Necessary; MA;
5/23/2013	S	Committee Amendment 1519s, NT, AA, VV;
5/23/2013	S	Sen. Boutin Floor Amendment #2013-1849s , AA, VV;
5/23/2013	S	Ought to Pass with Amendments 1519s, NT, 1849s, MA, VV; OT3rdg;
5/23/2013	S	Without Objection, the Chair ordered HB 506 to 3rdg and Final Passage in the Early Session;
5/29/2013	H	House Concurs with Senate AM #1519s(NT) and #1849s(NT) (Rep Porter): MA VV; HJ45 , PG.1510
5/30/2013	S	Enrolled
5/30/2013	H	Enrolled, 5/29/13; HJ45 , PG.1527
6/13/2013	H	Signed by Governor 06/06/2013; Chapter 0070
6/13/2013	H	I. Section I Effective 08/05/2013
6/13/2013	H	II. Remainder Effective 06/06/2013

NH House

NH Senate

Other Referrals

COMMITTEE REPORT FILE INVENTORY

HB 506 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 - 04/10/13 & 05/01/13 (NON-GERMANE AMENDMENT)

HEARING REPORT - 04/10/13 & 05/01/13 (NON-GERMANE AMENDMENT)

___ HANDOUTS FROM THE PUBLIC HEARING

___ PREPARED TESTIMONY AND OTHER SUBMISSIONS

SIGN-UP SHEET(S) 04/10/13 & 05/01/13 (NON-GERMANE AMENDMENT)

ALL AMENDMENTS (passed or not) CONSIDERED BY COMMITTEE:

- AMENDMENT # 1352s - AMENDMENT # 1519s
___ - 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): SEN. BOUTIN FLOOR AMENDMENT # 1849s

DATE DELIVERED TO SENATE CLERK

07/30/13

Debra R. Martore
BY COMMITTEE AIDE