

Bill as Introduced

HB 332 - AS AMENDED BY THE HOUSE

9Apr2021... 0344h

2021 SESSION

21-0519

11/10

HOUSE BILL **332**

AN ACT relative to deadlines for consideration of developments of regional impact by planning boards.

SPONSORS: Rep. Seaworth, Merr. 20; Sen. Birdsell, Dist 19

COMMITTEE: Municipal and County Government

ANALYSIS

This bill clarifies the date upon which planning boards begin formal consideration of plats relating to developments of regional impact.

.....

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to deadlines for consideration of developments of regional impact by planning boards.

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

1 1 Planning and Zoning; Board's Procedures on Plats. Amend RSA 676:4, I(c)(1) to read as
2 follows:

3 (c)(1) The board shall, at the next regular meeting or within 30 days following the
4 delivery of the application, for which notice can be given in accordance with the requirements of
5 subparagraph (b), determine if a submitted application is complete according to the board's
6 regulation and shall vote upon its acceptance. Upon determination by the board that a submitted
7 application is incomplete according to the board's regulations, the board shall notify the applicant of
8 the determination in accordance with RSA 676:3, which shall describe the information, procedure, or
9 other requirement necessary for the application to be complete. Upon determination by the board
10 that a submitted application is complete according to the board's regulations, the board shall begin
11 formal consideration and shall act to approve, conditionally approve as provided in subparagraph (i),
12 or disapprove within 65 days, subject to extension or waiver as provided in subparagraph (f). *In the*
13 *case of a determination by the board that the application is a development of regional*
14 *impact requiring notice in accordance with RSA 36:57, III, the board shall have an*
15 *additional 30 days to act to approve, conditionally approve, as provided in subparagraph*
16 *(i), or disapprove.* Upon failure of the board to approve, conditionally approve, or disapprove the
17 application, the selectmen or city council shall, upon request of the applicant, immediately issue an
18 order directing the board to act on the application within 30 days. If the planning board does not act
19 on the application within that 30-day time period, then within 40 days of the issuance of the order,
20 the selectmen or city council shall certify on the applicant's application that the plat is approved
21 pursuant to this paragraph, unless within those 40 days the selectmen or city council has identified
22 in writing some specific subdivision regulation or zoning or other ordinance provision with which the
23 application does not comply. Such a certification, citing this paragraph, shall constitute final
24 approval for all purposes including filing and recording under RSA 674:37 and 676:18, and court
25 review under RSA 677:15.

26 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 69
HB 332 - FINAL VERSION

9Apr2021... 0344h

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24 approval for all purposes including filing and recording under RSA 674:37 and 676:18, and court
25 review under RSA 677:15.

69:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 10, 2021
Effective Date: August 09, 2021

Committee Minutes

SENATE CALENDAR NOTICE

Election Law and Municipal Affairs

Sen James Gray, Chair
Sen Regina Birdsell, Vice Chair
Sen Ruth Ward, Member
Sen Donna Soucy, Member
Sen Rebecca Perkins Kwoka, Member

Date: April 21, 2021

HEARINGS

Monday

04/26/2021

Election Law and Municipal Affairs

REMOTE

9:00 a.m.

9:00 a.m.	HB 67-LOCAL	relative to warrant articles in official ballot town, school district, or village district meetings.
9:15 a.m.	HB 332	relative to deadlines for consideration of developments of regional impact by planning boards.
9:30 a.m.	HB 374	relative to the official ballot referendum form of town meetings.
9:45 a.m.	HB 545	relative to the use of certain out-of-state banks by the state treasurer and municipal and county treasurers or trustees.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/97201477663>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: US: 16465588656, 97201477663# or 13017158592, 97201477663#
4. Webinar ID: [972 0147 7663](https://www.zoom.us/j/97201477663)
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 67-LOCAL

Rep. Marsh

Rep. Lang

HB 332

Rep. Seaworth

HB 374

Rep. Pauer

Rep. Warden

HB 545

Rep. Laflamme

Rep. Edwards

Rep. Yokela

Sen. Birdsell

Rep. McGuire

Rep. Merner

Rep. J. MacDonald

Rep. Yokela

Rep. M. Pearson

Rep. Lewicke

Tricia Melillo 271-3077

James P. Gray
Chairman

AMENDED
SENATE CALENDAR NOTICE
Election Law and Municipal Affairs

Sen James Gray, Chair
Sen Regina Birdsell, Vice Chair
Sen Ruth Ward, Member
Sen Donna Soucy, Member
Sen Rebecca Perkins Kwoka, Member

Date: April 21, 2021

HEARINGS

Monday

04/26/2021

Election Law and Municipal Affairs

REMOTE

9:00 a.m.

9:00 a.m.	HB 476	relative to election officers at additional polling places.
9:10 a.m.		Hearing on proposed Amendment #2021-1127s, relative to election officers at additional polling place and relative to legalizing, ratifying, and confirming all actions, votes, and proceedings of the annual meeting of the town of Middleton, to HB 476 , relative to election officers at additional polling places.
9:30 a.m.	HB 374	relative to the official ballot referendum form of town meetings.
9:45 a.m.	HB 545	relative to the use of certain out-of-state banks by the state treasurer and municipal and county treasurers or trustees.
10:00 a.m.	HB 67-LOCAL	relative to warrant articles in official ballot town, school district, or village district meetings.
10:15 a.m.	HB 332	relative to deadlines for consideration of developments of regional impact by planning boards.

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EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 374

Rep. Pauer
Rep. Warden

Rep. McGuire

Rep. Yokela

Rep. Lewicke

HB 545

Rep. Laflamme

Rep. Merner

HB 476

Rep. Gay
Rep. Sweeney
Rep. Pitre

Rep. McBride
Rep. W. MacDonald
Rep. Hayward

Rep. Janigian
Rep. Elliott
Sen. Morse

Rep. Wolf
Rep. Sytek

HB 476

Rep. Gay
Rep. Sweeney
Rep. Pitre

Rep. McBride
Rep. W. MacDonald
Rep. Hayward

Rep. Janigian
Rep. Elliott
Sen. Morse

Rep. Wolf
Rep. Sytek

HB 67-LOCAL

Rep. Marsh
Rep. Lang

Rep. Edwards
Rep. Yokela

Rep. J. MacDonald

Rep. M. Pearson

HB 332

Rep. Seaworth

Sen. Birdsell

Tricia Melillo 271-3077

James P. Gray
Chairman

Speakers

Senate Remote Testify

Election Law and Municipal Affairs Committee Testify List for Bill HB332 on 2021

Support: 3 Oppose: 0 Neutral: 0 Total to Testify: 1

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>S</u>
Seaworth, Brian	Brian.Seaworth@leg.state.nh.us	Not Given	An Elected Official	Prime Sponsor	Support	Yes	4
Birdsell, Senator Regina	Not Given	Not Given	An Elected Official	Senate District 19	Support	No	4
Johnston, Cordell	Not Given	Not Given	A Lobbyist	NH Municipal Association	Support	No	4

Voting Sheets

**Senate Election Law
& Municipal Affairs Committee
EXECUTIVE SESSION RECORD
2021 Session**

Bill HB 332

Hearing date: 4-26-2021

Executive Session date: 4/26/21

Motion of: OTP Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	X	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	X	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins-Kwoka	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: Consent Vote: 5-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	X	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	X	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins-Kwoka	X	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Gray, Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Birdsell, Vice Chair	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins-Kwoka	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Sen. PERKINS Kwoka.

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE
FOR THE CONSENT CALENDAR

Monday, April 26, 2021

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred **HB 332**

AN ACT

relative to deadlines for consideration of
developments of regional impact by planning
boards.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 5-0

Senator Rebecca Perkins Kwoka
For the Committee

This bill gives planning boards an additional 30 days to act to approve, conditionally approve, or disapprove, plans relating to developments of regional impact. Currently in statute, a planning board has 65 days to render a decision on plans. Considering that regional impact may involve consultation with multiple stakeholders, the additional time allows for a more informed determination.

Tricia Melillo 271-3077

General Court of New Hampshire - Bill Status System

Docket of HB332

Docket Abbreviations

Bill Title: relative to deadlines for consideration of developments of regional impact by planning boards.*Official Docket of HB332.:*

Date	Body	Description
1/9/2021	H	Introduced (in recess of) 01/06/2021 and referred to Municipal and County Government HJ 2 P. 44
1/27/2021	H	Public Hearing: 02/08/2021 10:30 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/96815613466 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/2/2021	H	Executive Session: 02/09/2021 02:00 pm Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/93215390740
3/15/2021	H	Committee Report: Without Recommendation (Vote ; RC) HC 18 P. 57
4/9/2021	H	FLAM # 2021-0344h (Rep. Seaworth): AA VV 04/09/2021 HJ 7 P. 30
4/9/2021	H	Ought to Pass with Amendment 2021-0344h: MA VV 04/09/2021 HJ 7 P. 30
4/13/2021	S	Introduced 04/08/2021 and Referred to Election Law and Municipal Affairs; SJ 12
4/21/2021	S	Remote Hearing: 04/26/2021, 10:15 am; Links to join the hearing can be found in the Senate Calendar; SC 21
4/28/2021	S	Committee Report: Ought to Pass, 05/06/2021; Vote 5-0; CC; SC 22
5/6/2021	S	Ought to Pass: RC 23Y-0N, MA; OT3rdg; 05/06/2021; SJ 14
6/2/2021	S	Enrolled Adopted, VV, (In recess 05/27/2021); SJ 18
6/3/2021	H	Enrolled (in recess of) 06/03/2021
6/14/2021	H	Signed by Governor Sununu 06/10/2021; Chapter 69; Eff: 08/09/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 332

Senate Committee: ELMA

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

- Executive Session Sheet
- Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

Post Floor Action: (if applicable) {Clerk's Office}

- ___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- ___ Enrolled Bill Amendment(s)
- ___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

___ as amended by the senate ___ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Committee Aide

Date

Senate Clerk's Office 