

REGULAR CALENDAR

March 8, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Majority of the Committee on Municipal and
County Government to which was referred HB 1081,**

AN ACT relative to the dissolution of a village district.

**Having considered the same, report the same with the
recommendation that the bill OUGHT TO PASS.**

Rep. Richard Tripp

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

Committee:	Municipal and County Government
Bill Number:	HB 1081
Title:	relative to the dissolution of a village district.
Date:	March 8, 2022
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

Per RSA 52:1 village districts are established by voters domiciled in the district by a simple majority. This bill changes the number of votes required to dissolve a village district from a 2/3 majority to a simple majority.

Vote 10-9.

Rep. Richard Tripp
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

HB 1081, relative to the dissolution of a village district. **MAJORITY: OUGHT TO PASS.**
MINORITY: INEXPEDIENT TO LEGISLATE.

Rep. Richard Tripp for the **Majority** of Municipal and County Government. Per RSA 52:1 village districts are established by voters domiciled in the district by a simple majority. This bill changes the number of votes required to dissolve a village district from a 2/3 majority to a simple majority.
Vote 10-9.

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

March 8, 2022

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

The Minority of the Committee on Municipal and County Government to which was referred HB 1081,

AN ACT relative to the dissolution of a village district.

Having considered the same, and being unable to agree with the Majority, report with the following resolution:

RESOLVED, that it is INEXPEDIENT TO LEGISLATE.

Rep. Jim Maggiore

FOR THE MINORITY OF THE COMMITTEE

Original: House Clerk

Cc: Committee Bill File

**MINORITY
COMMITTEE REPORT**

Committee:	Municipal and County Government
Bill Number:	HB 1081
Title:	relative to the dissolution of a village district.
Date:	March 8, 2022
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

Currently, NH RSA 52 permits the creation of a village district by a simple majority of voters. Once created, the village district has the right to raise and appropriate funds for purposes such as their own supply of water for domestic and fire purposes; street lights; shade and ornamental trees; construction and maintenance of sidewalks; construction, operation, and maintenance of sewage and waste treatment plants; creation and maintenance of parks or commons; construction or purchase and maintenance of a municipal lighting plant; control of pollen, insects, and pests; appointing and employment of watchmen and police officers; the layout, acceptance, construction, and maintenance of roads; and, the maintenance of ambulance services. It seems only right that dissolution of a village district and the subsequent absorption of the costs to maintain all infrastructure therein by the municipality should be by a 2/3 vote.

Rep. Jim Maggiore
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Municipal and County Government

HB 1081, relative to the dissolution of a village district. **INEXPEDIENT TO LEGISLATE.**

Rep. Jim Maggiore for the **Minority** of Municipal and County Government. Currently, NH RSA 52 permits the creation of a village district by a simple majority of voters. Once created, the village district has the right to raise and appropriate funds for purposes such as their own supply of water for domestic and fire purposes; street lights; shade and ornamental trees; construction and maintenance of sidewalks; construction, operation, and maintenance of sewage and waste treatment plants; creation and maintenance of parks or commons; construction or purchase and maintenance of a municipal lighting plant; control of pollen, insects, and pests; appointing and employment of watchmen and police officers; the layout, acceptance, construction, and maintenance of roads; and, the maintenance of ambulance services. It seems only right that dissolution of a village district and the subsequent absorption of the costs to maintain all infrastructure therein by the municipality should be by a 2/3 vote.

Original: House Clerk

Cc: Committee Bill File

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 1081

BILL TITLE: relative to the dissolution of a village district.

DATE: February 23, 2022

LOB ROOM: 301 - 303

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Rung

Seconded by Rep. Vann

Vote: 9-10

MOTIONS: OUGHT TO PASS

Moved by Rep. Tripp

Seconded by Rep. Ayer

Vote: 10-9

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep John MacDonald, Clerk

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 1081

BILL TITLE: relative to the dissolution of a village district.

DATE: 2/22/22

LOB ROOM: 301-303

MOTION: (Please check one box)

OTP ~~ITL~~ X ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. ~~Trapp~~ RUNB Seconded by Rep. ~~Trapp~~ VAN Vote: 9-10

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. Trapp Seconded by Rep. Ayer Vote: 10-9

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____
 Interim Study (2nd year) (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: _____ YES _____ NO

Minority Report? Yes _____ No If yes, author, Rep: Trapp MAGNITT Motion _____

Rep. Maggione

Respectfully submitted: [Signature]
Rep John MacDonald, Clerk



2022 SESSION

Municipal and County Government

Bill #: 1081 Motion: OTP AM #: _____ Exec Session Date: 2/23/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Dolan, Tom Chairman	10		
Piemonte, Tony Vice Chairman	1		
MacDonald, John T. Clerk	2		
Tripp, Richard P.	3		
Guthrie, Joseph A.	4		
Lascelles, Richard W.	5		
McBride, Everett P.	6		
Melvin, Charles R.	7		
Ayer, Paul F.	8		
Pauer, Diane	9		
Maggiore, Jim V.		1	
Treleaven, Susan GS		2	
Gilman, Julie D.		3	
Stavis, Laurel		4	
Mangipudi, Latha D.		5	
Vann, Ivy C.		6	
Klee, Patricia S.		7	
Gallager, Eric B.		8	
Rung, Rosemarie		9	
TOTAL VOTE:	10	9	



2022 SESSION

Municipal and County Government

Bill #: 1081 Motion: ITL AM #: _____ Exec Session Date: 2/23/22

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Dolan, Tom Chairman		10	
Piemonte, Tony Vice Chairman		1	
MacDonald, John T. Clerk		2	
Tripp, Richard P.		3	
Guthrie, Joseph A.		4	
Lascelles, Richard W.		5	
McBride, Everett P. <i>Rep. Plett</i>		6	
Melvin, Charles R.		7	
Ayer, Paul F.		8	
Pauer, Diane		9	
Maggiore, Jim V.	1		
Treleaven, Susan GS	2		
Gilman, Julie D.	3		
Stavis, Laurel	4		
Mangipudi, Latha D.	5		
Vann, Ivy C.	6		
Klee, Patricia S.	7		
Gallager, Eric B.	8		
Rung, Rosemarie	9		
TOTAL VOTE:	9	10	

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 1081

BILL TITLE: relative to the dissolution of a village district.

DATE: January 20, 2022

LOB ROOM: 301 - 303

Time Public Hearing Called to Order: 10:30 a.m.

Time Adjourned: 10:40 a.m.

Committee Members: Reps. Dolan, Piemonte, J. MacDonald, Guthrie, Lascelles, McBride, Melvin, Ayer, Pauer, Maggiore, Gilman, Stavis, Vann, Klee, Gallager and Rung

Bill Sponsors:

Rep. J. Smith

Rep. McConkey

Rep. Spillane

Rep. Lang

Rep. B. Nelson

Rep. Avellani

Rep. Cordelli

TESTIMONY

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

***Rep. Jonathan Smith** - Prime sponsor of the bill. Emailed testimony to the committee.

Rep, Maggiore: Were there precincts before the law? ANS: Yes, each precincts is it's own town. It's a quite complex law. Three separate districts. Three fire departments. More economical.

Rep. Pauer: Village districts is very important. Align the same vote to establish and dissolve a village district? ANS: I would not object to new village districts.

Rep. Rung: Presently, if a bond passes, it requires a 2/3 vote? ANS: That is correct. It would take a 2/3rds vote for bonding.

Respectfully submitted,

Rep. John MacDonald
Clerk

House Remote Testify

Municipal and County Government Committee Testify List for Bill HB1081 on 2022-01-20

Support: 4 Oppose: 21 Neutral: 0 Total to Testify: 0

[Export to Excel](#)

<u>Name</u>	<u>City, State</u> <u>Email Address</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Non-Germane</u>	<u>Signed Up</u>
Pimentel, Rod	Henniker, NH Rod.pimentel@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	1/15/2022 11:48 AM
Hamer, Heidi	Manchester, NH heidi.hamer@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	1/16/2022 8:46 AM
Howland, Curtis	Manchester, NH howland@priss.com	A Member of the Public	Myself	Support	No	No	1/16/2022 6:05 PM
Wazir, Safiya	Concord, NH S.wazir@leg.state.nh.us	An Elected Official	Myself and my constituents	Oppose	No	No	1/17/2022 7:33 AM
Glass, Jonathan	Cornish, NH jglass1063@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/17/2022 10:31 AM
Oxenham, Lee	Plainfield, NH leexenham@comcast.net	An Elected Official	Myself	Oppose	No	No	1/17/2022 1:50 PM
Ballentine, John	Nashua, NH mikeb@btine.com	A Member of the Public	Myself	Oppose	No	No	1/17/2022 5:39 PM
Dontonville, Roger	Enfield, NH rdontonville@gmail.com	An Elected Official	Myself	Oppose	No	No	1/17/2022 6:10 PM
Dontonville, Anne	Enfield, NH Ardontonville@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/17/2022 8:06 PM
Oxenham, Evan	Plainfield, NH evan.oxenham@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/17/2022 10:07 PM
Lewis, Elizabeth	Nashua, NH ecop.lewis@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/18/2022 9:31 AM
Cahill, Michael	Newmarket, NH michael.cahill@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	1/18/2022 9:55 AM
Tucker, Katherine	Wilmot, NH katherine.s.tucker@valley.net	A Member of the Public	Myself	Oppose	No	No	1/18/2022 1:30 PM

Robinson, Ellis	Grantham, NH EllisMMRobinson@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/18/2022 5:30 PM
Vallone, Mark	Epping, NH nhatlasman@comcast.net	An Elected Official	Myself	Oppose	No	No	1/19/2022 8:57 AM
Altschiller, Debra	Stratham, NH debra.altschiller@leg.state.nh.us	An Elected Official	Myself	Support	No	No	1/19/2022 11:12 AM
Doherty, David	Pembroke, NH ddoherty0845@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/19/2022 3:46 PM
Almy, Susan	Lebanon, NH Susan.almy@comcast.net	An Elected Official	Myself	Oppose	No	No	1/19/2022 6:40 PM
Reardon, Donna	Concord, NH bugs42953@aol.com	A Member of the Public	Myself	Oppose	No	No	1/19/2022 9:46 PM
Loveless, Eric	bedford, NH nassur34@protonmail.com	A Member of the Public	Myself	Support	No	No	1/20/2022 12:21 AM
Findley, Sally	Grantham, NH findley.se@gmail.com	A Member of the Public	Myself	Oppose	No	No	1/20/2022 10:46 AM
Walczyk, Alexander	Hooksett, NH awalczyk@comcast.net	A Member of the Public	Myself	Support	No	No	1/20/2022 12:53 PM
Kuemmerle, Nancy	Enfield, NH nkuemmerle@une.edu	A Member of the Public	Myself	Oppose	No	No	1/20/2022 1:30 PM
Lane, Connie	Concord, NH nhlanes@comcast.net	An Elected Official	Merrimack District 12	Oppose	No	No	1/20/2022 4:08 PM
levesque, cassandra	Barrington, NH cassandra.levesque@leg.state.nh.us	An Elected Official	Myself	Oppose	No	No	1/20/2022 7:42 PM

Heather Goley

From: Sharon Clark <sharonclark411@gmail.com>
Sent: Monday, January 17, 2022 9:42 PM
To: ~House Municipal and County Govt
Subject: Support HB1081

Dear Committee Members,

Please support HB 1081.

People should be able to decide for themselves what form of government they wish to participate in.

Sincerely,

Sharon Clark

Heather Goley

From: Jonathan Smith
Sent: Saturday, January 22, 2022 9:36 AM
To: ~House Municipal and County Govt
Subject: Thank you for listening to my testimony HB1081 and follow-up

Fellow Representatives,

I would like to thank you for the questions pertaining to my testimony on HB1081 (Dissolution of a Village District). There was one question particular that stuck in my mind and I apologize to the Representative for not remembering her name. The question revolved around bonding and the 2/3rd requirement. After conducting a little research, unbeknown to me it appears that in 2020 under RSA 33:8 the standard was lowered to 3/5 majority. Like I stated in my testimony, bonding and forming and dissolving a village district are entirely different subject matter but it is important to note that even that voting threshold has been lowered. Just to reiterate, my bill is really quite simple. It empowers the voter to be able to dissolve the village district with the same standard as it was to form, a simple majority. Thanks again for your time.

Sincerely,
Jonathan H. Smith
Carroll County District 5

Heather Goley

From: Jonathan Smith
Sent: Sunday, January 16, 2022 8:20 AM
To: ~House Municipal and County Govt
Subject: HB1081 relative to the dissolution of a village district

Dear Representatives,

I am contacting you today to ask that you support HB1081. I am the prime sponsor. This bill will be heard by you on 1/20/2022 at 10:30am. The purpose is quite clear; make it as simple to dissolve a district as it is to create it. RSA 52 deals with all the criteria to form and manage a village district. The following RSA is how to create. There is no mention of the vote count needed to form the district, but by default it is a simple majority.

52:2 Meeting to Consider. – Such selectmen shall also forthwith call a meeting of the voters domiciled in the district to see if they will vote to establish the district, and if so to choose necessary officers therefor. They shall call the meeting and give notice thereof as town meetings are called and warned, excepting that the warrant shall be posted at 2 or more public places in the district.

The following RSA is how to dissolve

52:21 Dissolution. – Any village district and any district now in existence having the rights and powers of a village district, may, at an annual meeting, by a $\frac{2}{3}$ vote of its legal voters, terminate its existence and dispose of its corporate property. Upon the dissolution of any such district, the property, real and personal, which is contained within the former boundaries of the dissolved district shall continue to be subject to taxation and betterment assessments for the purpose of paying any unpaid bonds, notes, bills or other obligations incurred while the district was in existence, in the same manner as if the said district had not been dissolved. The selectmen of the town or towns in which the district was situated shall assess the taxes and betterment assessments in the same manner as if the district had not been dissolved and shall have the duty, authority, and power to pay such bonds, notes, bills or other obligations after the moneys received from such taxes and assessments. Provided, however, that in no case shall the total of any such taxes or assessment exceed the balance necessary to pay said bonds, notes, bills or other obligations after the net income derived from the property disposed of has been applied for the payment of the same.

My bill that you have before you changes the $\frac{2}{3}$ rd requirement to a simple majority. I hope you can support this simple straightforward change to the RSA.

Sincerely,
Jonathan H. Smith
Carroll County District 5

Here is the link to the bill:

https://gencourt.state.nh.us/bill_status/billinfo.aspx?id=1471&infect=2

HB 1081 - AS INTRODUCED

2022 SESSION

22-2378
10/04

HOUSE BILL **1081**

AN ACT relative to the dissolution of a village district.

SPONSORS: Rep. J. Smith, Carr. 5; Rep. McConkey, Carr. 3; Rep. Spillane, Rock. 2; Rep. Lang, Belk. 4; Rep. Avellani, Carr. 5; Rep. Cordelli, Carr. 4

COMMITTEE: Municipal and County Government

ANALYSIS

This bill allows for the dissolution of a village district by a simple majority vote at an annual district meeting.

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 Two

AN ACT relative to the dissolution of a village district.

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

- 1 1 Village Districts; Dissolution; majority Vote. Amend RSA 52:21 to read as follows:
- 2 52:21 Dissolution. Any village district and any district now in existence having the rights and
- 3 powers of a village district, may, at an annual meeting, by a [2/3] **simple majority** vote of its legal
- 4 voters, terminate its existence and dispose of its corporate property. Upon the dissolution of any
- 5 such district, the property, real and personal, which is contained within the former boundaries of the
- 6 dissolved district shall continue to be subject to taxation and betterment assessments for the
- 7 purpose of paying any unpaid bonds, notes, bills or other obligations incurred while the district was
- 8 in existence, in the same manner as if the said district had not been dissolved. The selectmen of the
- 9 town or towns in which the district was situated shall assess the taxes and betterment assessments
- 10 in the same manner as if the district had not been dissolved and shall have the duty, authority, and
- 11 power to pay such bonds, notes, bills or other obligations after the moneys received from such taxes
- 12 and assessments. Provided, however, that in no case shall the total of any such taxes or assessment
- 13 exceed the balance necessary to pay said bonds, notes, bills or other obligations after the net income
- 14 derived from the property disposed of has been applied for the payment of the same.
- 15 2 Effective Date. This act shall take effect 60 days after its passage.