

LEGISLATIVE COMMITTEE MINUTES

# **SB251**

Bill as  
Introduced

SB 251 - AS INTRODUCED

2022 SESSION

22-3009  
05/10

SENATE BILL

**251**

AN ACT

relative to the advisory board of a tax increment financing district.

SPONSORS:

Sen. Birdsell, Dist 19; Sen. Gray, Dist 6

COMMITTEE:

Election Law and Municipal Affairs

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ANALYSIS

This bill requires members of an advisory board for a tax increment financing district to be owners or occupants of real property within the community.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the advisory board of a tax increment financing district.

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

1       1 Advisory Board of Tax Increment Financing District. Amend RSA 162-K:14, I to read as  
2 follows:

3       I. The legislative body of the municipality shall create an advisory board for each  
4 development district. The board shall consist of such number of members appointed or elected as  
5 determined by the legislative body. A majority of members shall be owners or occupants of real  
6 property within [~~or adjacent to the development district~~] *the community*. In a substantially  
7 residential development district, however, the board shall consist solely of owners or occupants of  
8 real property within [~~or adjacent to the district~~] *the community*.

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

SB 251 - AS AMENDED BY THE SENATE

03/17/2022 1010s

2022 SESSION

22-3009

05/10

SENATE BILL **251**

AN ACT relative to the advisory board of a tax increment financing district.

SPONSORS: Sen. Birdsell, Dist 19; Sen. Gray, Dist 6

COMMITTEE: Election Law and Municipal Affairs

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AMENDED ANALYSIS

This bill requires members of an advisory board for a tax increment financing district to be owners or occupants of real property within the community and requires at least one member to be an owner or occupant of real property within the district.

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Explanation: Matter added to current law appears in *bold italics*.  
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4 development district ***that ensures fair representation of business and community interests.***  
5 The board shall consist of such number of members appointed or elected as determined by the  
6 legislative body. A majority of members shall be owners or occupants of real property within [~~or~~  
7 ~~adjacent to the development district~~] ***the community and at least one member shall be an***  
8 ***owner or occupant of real property within the development district.*** In a substantially  
9 residential development district, however, the board shall consist solely of owners or occupants of  
10 real property within [~~or adjacent to the district~~] ***the community and at least one member shall***  
11 ***be an owner or occupant of real property within the development district.***

12 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 151  
SB 251 - FINAL VERSION

03/17/2022 1010s

2022 SESSION

22-3009  
05/10

SENATE BILL        **251**

AN ACT            relative to the advisory board of a tax increment financing district.

SPONSORS:        Sen. Birdsell, Dist 19; Sen. Gray, Dist 6

COMMITTEE:       Election Law and Municipal Affairs

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CHAPTER 151  
SB 251 - FINAL VERSION

03/17/2022 1010s

22-3009  
05/10

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Two*

AN ACT relative to the advisory board of a tax increment financing district.

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

1 151:1 Advisory Board of Tax Increment Financing District. Amend RSA 162-K:14, I to read as  
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8 ***owner or occupant of real property within the development district.*** In a substantially  
9 residential development district, however, the board shall consist solely of owners or occupants of  
10 real property within [~~or adjacent to the district]~~ ***the community and at least one member shall***  
11 ***be an owner or occupant of real property within the development district.***

151:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 07, 2022  
Effective Date: August 06, 2022

# Amendments

Sen. Birdsell, Dist 19  
February 18, 2022  
2022-0751s  
05/08

Amendment to SB 251

1 Amend the bill by replacing section 1 with the following:

2

3 1 Advisory Board of Tax Increment Financing District. Amend RSA 162-K:14, I to read as  
4 follows:

5 I. The legislative body of the municipality shall create an advisory board for each  
6 development district ***that ensures fair representation of business and community interests.***  
7 The board shall consist of such number of members appointed or elected as determined by the  
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11 residential development district, however, the board shall consist solely of owners or occupants of  
12 real property within [~~or adjacent to the district~~] ***the community and at least one member shall***  
13 ***be an owner or occupant of real property within the development district.***

*Shall*

UNAPPROVED

2022-0751s

AMENDED ANALYSIS

This bill requires members of an advisory board for a tax increment financing district to be owners or occupants of real property within the community and requires at least one member to be an owner or occupant of real property within the district.

UNAPPROVED

Election Law and Municipal Affairs  
March 8, 2022  
2022-1010s  
05/08

Amendment to SB 251

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**Amendment to SB 251**  
**- Page 2 -**

2022-1010s

**AMENDED ANALYSIS**

This bill requires members of an advisory board for a tax increment financing district to be owners or occupants of real property within the community and requires at least one member to be an owner or occupant of real property within the district.

# 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: February 1, 2022

**HEARINGS**

Monday

02/07/2022

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Election Law and Municipal Affairs	State House 100	1:00 p.m.
(Name of Committee)	(Place)	(Time)

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1:00 p.m.	<b>SB 250</b>	enabling municipalities to adopt a tax credit for qualified private community property owners.
1:15 p.m.	<b>SB 251</b>	relative to the advisory board of a tax increment financing district.
1:30 p.m.	<b>SB 252</b>	relative to information on property tax bills.
1:45 p.m.	<b>SB 325</b>	relative to local organization for emergency management and first responders.

**EXECUTIVE SESSION MAY FOLLOW**

**Sponsors:**

**SB 250**

Sen. Carson	Sen. Watters	Sen. Birdsell	Rep. Lundgren
Rep. Thomas	Rep. Baldasaro	Rep. Dolan	

**SB 251**

Sen. Birdsell	Sen. Gray
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**SB 252**

Sen. Soucy	Sen. Whitley	Sen. Rosenwald	Sen. Watters
Sen. Perkins Kwoka	Sen. Cavanaugh	Sen. Sherman	Sen. Prentiss
Rep. Cote	Rep. Heath	Rep. Egan	

**SB 325**

Sen. Cavanaugh	Sen. Watters	Sen. Bradley	Sen. Soucy
Rep. Edgar	Rep. Buco	Rep. Cushing	Rep. Mullen

Tricia Melillo 271-3077

James P. Gray  
Chairman

**Senate Election Law and Municipal Affairs Committee**  
*Tricia Melillo 271-3077*

**SB 251**, relative to the advisory board of a tax increment financing district.

**Hearing Date:** February 7, 2022

**Members of the Committee Present:** Senators Gray, Birdsell, Ward, Soucy and Perkins Kwoka

**Members of the Committee Absent :** None

**Bill Analysis:** This bill requires members of an advisory board for a tax increment financing district to be owners or occupants of real property within the community.

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**Sponsors:**

Sen. Birdsell

Sen. Gray

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**Who supports the bill:** Senator Regina Birdsell, Patricia Anastasia

**Who opposes the bill:** Katherine Heck

**Summary of testimony presented in support:**

**Senator Regina Birdsell**

- This bill requires members of an advisory board for a tax increment financing district to be owners or occupants of real property within the community.
- The advisory board is already in statute.
- This will remove the words “or adjacent to the development district” and add the word community.
- Her understanding is that this change will allow individuals who own businesses in the community to be on this advisory board.

**Summary of testimony presented in opposition:**

**Katherine Heck – NHMA**

- They are opposing this bill because they feel it is important that there is some representation on the on the committee for members within the district of the TIF district.
- Based on the wording of this bill it would be possible that no member of this advisory board would be a member of the district.
- They think that it would be unfortunate not to have input from people who are going to be affected by the TIF district.
- She asked the committee to consider that as they move forward with this bill.
- Senator Gray commented that the city of Rochester uses TIFs for lots of things and opening this board up to community members will change the percentage. He asked if the NHMA would be open to a modification of the language so that instead of having the majority of it, it could be a minimum percentage.
  - Ms. Heck replied that the statute currently reads that it's within or adjacent to the development of the district so that didn't preclude community members from serving on this advisory board in the past. If SB 251 is looking to expand it farther out into the community she thinks they would be amicable to at least having a minority representation. The potential with this bill to have no representation from the district is concerning to them.

# Speakers



## Senate Remote Testify

Election Law and Municipal Affairs Committee Testify List for Bill SB251 on 202  
Support: 1 Oppose: 0

<u>Name</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>
Anastasia, Patricia F	A Member of the Public	Myself	Support

# Voting Sheets

**Senate Election Law  
& Municipal Affairs Committee  
EXECUTIVE SESSION RECORD  
2022 Session**

Bill **SB 251**

Hearing date: 2/7/22

Executive Session date: 3/7/22

Motion of: OTP 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Ward	X	<input type="checkbox"/>	<input checked="" 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"/>

Motion of: 0751s → as ✓ 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Soucy	X	<input type="checkbox"/>	<input checked="" 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: OTP/A 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 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"/>

Consent B ✓ S ✓ 5-0

Reported out by: Sen. Birdsell

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE  
FOR THE CONSENT CALENDAR

Monday, March 7, 2022

THE COMMITTEE ON Election Law and Municipal Affairs

to which was referred SB 251

AN ACT

relative to the advisory board of a tax increment  
financing district.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 5-0

AMENDMENT # 1010s

Senator Regina Birdsell  
For the Committee

This bill as amended will ensure fair representation of business and community interests on advisory boards for Tax Increment Financing Districts. A majority of the members shall be owners or occupants of real property within the community, but at least one member must be an owner or occupant of real property within the development district.

Tricia Melillo 271-3077

## General Court of New Hampshire - Bill Status System

**Docket of SB251**

Docket Abbreviations

**Bill Title:** relative to the advisory board of a tax increment financing district.*Official Docket of SB251.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
12/14/2021	S	To Be <b>Introduced</b> 01/05/2022 and Referred to Election Law and Municipal Affairs; <b>SJ 1</b>
2/1/2022	S	<b>Hearing:</b> 02/07/2022, Room 100, SH, 01:15 pm; <b>SC 6</b>
3/9/2022	S	Committee Report: Ought to Pass with Amendment <b>#2022-1010s</b> , 03/17/2022; Vote 5-0; CC; <b>SC 11</b>
3/17/2022	S	Committee Amendment <b>#2022-1010s</b> , AA, VV; 03/17/2022; <b>SJ 5</b>
3/17/2022	S	<b>Ought to Pass with Amendment</b> 2022-1010s, MA, VV; OT3rdg; 03/17/2022; <b>SJ 5</b>
3/23/2022	H	Introduced 03/17/2022 and referred to Municipal and County Government
3/29/2022	H	Public Hearing: 04/07/2022 01:00 pm LOB 301-303
4/6/2022	H	Executive Session: 04/18/2022 10:00 am LOB 301-303
4/26/2022	H	Committee Report: Ought to Pass (Vote 19-0; CC)
5/4/2022	H	<b>Ought to Pass:</b> MA VV 05/04/2022 <b>HJ 11</b>
5/27/2022	S	Enrolled Adopted, VV, (In recess 05/26/2022); <b>SJ 13</b>
5/27/2022	H	Enrolled (in recess of) 05/26/2022 <b>HJ 14</b>
6/8/2022	S	Signed by the Governor on 06/07/2022; Chapter 0151; Effective 08/06/2022

NH House

NH Senate

# Other Referrals

**Senate Inventory Checklist for Archives**

Bill Number: SB 251 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)

N/A Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

N/A 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 # 0751s - amendment # \_\_\_\_\_

- amendment # 1010s - 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:

Tricia Mello  
Committee Aide

6/14/22  
Date

Senate Clerk's Office TW