

Senate Election Law and Municipal Affairs Committee

Tricia Melillo 271-3077

HB 88, relative to the city of Claremont police commission.

Hearing Date: April 12, 2021

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

Members of the Committee Absent : Senator Soucy

Bill Analysis: This bill provides that the city council of Claremont shall appoint the police commission.

Sponsors:

Rep. O'Hearne

Rep. Merchant

Rep. Stapleton

Rep. Cloutier

Who supports the bill: Representative Andrew O'Hearne, Representative Walter Stapleton, Eric Pauer, John Cloutier

Who opposes the bill: Ronald Garnett

Summary of testimony presented in support:

Representative Andrew O'Hearne

- Due to the fact that the city of Claremont had one of the first police commissions in the state, all changes need to go through the legislature.
- This bill will allow the City Council to appoint the Police Commissioners instead of the City Manager Change the authority from the city manager to the city council
- More than a majority has voted to do this because they feel that the nine members of the City Council will make a better decision than one City Manager who also sits on the Police Commission.
- It passed the House last year with a voice vote but was placed on the table due to COVID-19.

Representative Walter Stapleton

- In 2019, Claremont ordinance 570 was trying to correct the mismatch of having the City Manager appointing the Commissioners and the desire of the City Council to do so.
- The issue goes back to 1947 and has had a few ordinance changes over the years, 1963, 1971, and it became complex.

- This bill is an attempt to clean up the law according to the city ordinance to give the City Council the authority to appoint the police commissioners instead of the City Manager.
- Senator Birdsell asked if the town has passed an ordinance to have the City Council appoint the police commissioners.
 - Representative Stapleton replied yes, Ordinance #570 goes back to September of 2019 but due to COVID – 19, HB 1443 which would have put it in statute was not brought forth. They are trying to coordinate with RSA 105, which provides for how police commissioners are appointed and their authority within towns. Claremont is a city and not covered under RSA 105 and need this bill.
- Senator Birdsell asked if this will just allow the Claremont Ordinance to align with what the town has already voted on.
 - Representative Stapleton replied that is it exactly.

Summary of testimony presented in opposition: None

TJM

Date Hearing Report completed: April 14, 2021