HOUSE BILL 145

AN ACT requiring municipal approval for siting high voltage transmission lines.


COMMITTEE: Municipal and County Government

ANALYSIS

This bill prohibits high voltage transmission lines from being located in any municipality without a vote of approval by the municipality.

Explanation: Matter added to current law appears in **bold italics.**
Matter removed from current law appears [in brackets and struckthrough].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
HB 145 - AS INTRODUCED

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Seventeen

AN ACT requiring municipal approval for siting high voltage transmission lines.

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

1 New Subdivision; High Voltage Transmission Line Siting. Amend RSA 47 by inserting after section 28 the following new subdivision:

High Voltage Transmission Line Siting

28:29 Local Option for High Voltage Transmission Line Siting in Cities. Notwithstanding the provisions of any other law, high voltage transmission lines shall not be located in any city without a vote of approval by one of the procedures specified in paragraphs I, II, or III.

I. A site plan for high voltage transmission lines may be approved by a 2/3 vote of the entire governing body of any city.

II. If the governing body of a city should vote to place the question of whether or not to approve the location of high voltage transmission lines in said city on the ballot for referendum, it may place said question on the ballot to be voted upon at any regular municipal or biennial election, or at a special election called for the purpose of voting on said question. Such special election shall be held at the usual ward polling places by the regular city election officers. Should a referendum be held, the following question shall be placed on the ballot: "Shall high voltage transmission lines be permitted within the city of ( )?" Said question shall be printed in the form prescribed by RSA 656:13. If a majority of those voting on the question shall vote in the affirmative, then such approval shall be deemed granted and the governing body of the city shall be bound by the outcome. If a majority of those voting on the question shall vote in the negative, such approval shall be deemed not granted and no high voltage transmission lines may be located in such city unless approval is subsequently granted in accordance with this paragraph or paragraph III.

III. Upon submission to the governing body of a city of a petition signed by at least 10 percent of the registered voters of said city requesting a referendum on the question of whether or not high voltage transmission lines should be located in said city, the governing body shall direct that such question appear on the ballot at the next regular municipal or biennial election. If said petition is submitted at any time prior to 2 months before the next regular municipal or biennial election, the governing body shall direct that a special election be called. The election procedure and the form of the question shall be as provided in paragraph II. If a majority of those voting on the question shall vote in the affirmative, then such approval shall be deemed granted and the governing body of the city shall be bound by the outcome. If a majority of those voting on the question shall vote in the negative, such approval shall be deemed not granted and no high voltage transmission lines may be located in such city unless approval is subsequently granted in
IV. Nothing in this section shall be construed as changing, modifying, or affecting in any way the provisions of Title LXIV relating to zoning regulations.

2 New Subdivision; High Voltage Transmission Line Siting. Amend RSA 31 by inserting after section 149 the following new subdivision:

High Voltage Transmission Line Siting

31:150 Local Option for High Voltage Transmission Line Siting in Towns. Notwithstanding the provisions of any other law, high voltage transmission lines shall not be located in any town without a vote of approval of a majority of the voters present and voting on the question at an annual meeting or a special town meeting called for such purpose. All votes on the question shall be taken by written ballot. The following question shall be placed on the ballot "Shall high voltage transmission lines be permitted within the town of ( )?" Said question shall be printed in the form prescribed by RSA 656:13. If a majority of those voting on the question shall vote in the affirmative, approval of the location of high voltage transmission lines in the town shall be deemed granted. If a majority of those voting on the question shall vote in the negative, such approval shall be deemed not granted and no high voltage transmission lines may be located in such town unless approval is subsequently granted in accord with this section. Nothing in this section shall be construed as changing, modifying, or affecting in any way the provisions of Title LXIV relating to zoning regulations.

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