

Floor Amendment to HB 610-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT requiring certain licensing and reporting functions be conducted through the
4 Nationwide Multistate Licensing System and Registry, relative to background
5 investigations of trust officers, to certain filing fees, assessments, and interest
6 rates, and to the transmission of consumer complaints by the banking
7 department, and establishing the New Hampshire housing and conservation
8 planning program.
9

10 Amend the bill by replacing all after section 28 with the following:

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12 29 New Subdivision; Housing and Conservation Planning Program. Amend RSA 4-C by
13 inserting after section 37 the following new subdivision:

14 Housing and Conservation Planning Program

15 4-C:38 Definitions. In this subdivision:

16 I. "Eligible applicant" means a single municipality or 2 or more municipalities applying
17 together.

18 II. "Growth and development strategy" means a plan by a single municipality or 2 or more
19 municipalities to guide community growth in a way that creates a balanced housing supply,
20 including higher density and workforce housing opportunities, while preserving valuable natural
21 resources and the community's quality of life through efficient and compact development.

22 III. "Phase" means one of the 4 specific phases of developing and implementing a growth and
23 development strategy to be funded through the housing and conservation planning program.

24 IV. "Program" means the housing and conservation planning program.

25 4-C:39 Housing and Conservation Planning Program Established. There is hereby established
26 the housing and conservation planning program, which shall be administered by the office of
27 strategic initiatives. The program shall provide technical assistance matching grants to
28 municipalities to plan for growth and development in a manner that permits a balanced housing
29 stock, including higher density and workforce housing opportunities, and promotes, whenever
30 possible the reuse of existing buildings, including historic properties, while protecting communities'
31 natural resources through more efficient and compact development. Participation in the program is
32 voluntary.

33 4-C:40 Program Administration; Eligible Applicants; Use of Program Funds.

34 I. Eligible applicants shall include:

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1 (a) Municipalities; or

2 (b) A group of municipalities applying together to plan on a regional basis.

3 II. Awards of program funds may be used to purchase technical assistance from third-party
4 technical assistance providers, including but not limited to regional planning commissions, to
5 achieve the purposes of the program.

6 4-C:41 Program Administration; Eligible Technical Assistance.

7 I. The program shall award matching grants to fund technical assistance activities in the
8 development and implementation of a growth and development strategy. The 4 specific phases of
9 activities are as follows:

10 (a) Phase 1: Natural and Historic Resource and Housing Data Gathering and Analysis.

11 This phase includes:

12 (1) Understanding and mapping housing, income, and demographic data, including
13 housing market costs, housing units needed to meet future expected growth in a municipality and
14 the region, and the affordability of a municipality's housing for all income ranges.

15 (2) Mapping land use values, including conservation, soils, wetlands, working
16 forests, farmlands, and other natural resources.

17 (3) Developing a build-out analysis of growth and development impacts on housing
18 availability and natural resources.

19 (4) Mapping historic structures and buildings within communities.

20 (b) Phase 2: Development of the Growth and Development Strategy. This phase
21 includes:

22 (1) Drafting and endorsing a growth and development strategy to guide future
23 growth, including using land more efficiently and encouraging compact development and reuse of
24 suitable historic and existing structures. The growth and development strategy would also identify
25 specific areas to be conserved and to be developed.

26 (2) Engaging in a public process to develop the growth and development strategy.

27 (3) Auditing the existing master plan to identify portions that conflict with or pose a
28 barrier to achieving the growth and development strategy.

29 (c) Phase 3: Integration of Growth and Development Strategy into the Master Plan.

30 This phase includes:

31 (1) Rewriting or amending the master plan so that it can realistically implement the
32 growth and development strategy.

33 (2) Adopting the revised master plan.

34 (3) Auditing existing municipal ordinances, including zoning, site-plan, and
35 subdivision regulations, to identify conflicts with the growth and development strategy and the
36 revised master plan.

37 (d) Phase 4: Implementation into Regulatory Framework. This phase includes:

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1 (1) Rewriting and amending municipal ordinances, including zoning, site-plan, and
2 subdivision regulations, to allow for the realistic implementation of growth and development
3 strategy and the new master plan.

4 (2) Drafting and adopting new articles that incorporate new tools to accomplish the
5 growth and development strategy, including transfer of development rights, density bonuses, cluster
6 development, and inclusionary zoning.

7 (3) Seeking the adoption of the needed amendments to municipal ordinances.

8 II. Each phase shall require that:

9 (a) Municipalities address housing and conservation together in an integrated manner.

10 (b) Municipalities engage in a communication and education process that will promote
11 informed decision-making and communicate with and educate citizens regarding the work being
12 undertaken in each phase of the process.

13 III. Municipalities may be awarded technical assistance for only one phase at a time but
14 may apply and obtain funding for each successive phase. Funding for future phases shall require a
15 demonstration that the previous phase was accomplished in a manner consistent with the principles
16 of the program. Such a showing shall also result in a priority for additional funding.

17 IV. Municipalities' initial applications for funding need not start with the first phase in the
18 process. However, to begin with a later phase, an initial application shall demonstrate prior
19 completion of the previous phase's work in a manner consistent with the program principles.

20 4-C:42 Rulemaking Authority. Upon the effective date of this subdivision, the office of strategic
21 initiatives shall adopt rules, pursuant to RSA 541-A, relative to operation of the housing and
22 conservation planning program, including:

23 I. The application process.

24 II. The amount of matching funds required and permissible sources for matching funds.

25 III. Reporting requirements by municipalities.

26 IV. Scoring criteria for awarding grants that provide a priority for applications that address
27 growth and development on a regional basis and provide opportunities for municipalities without
28 professional planning staff to access the program.

29 4-C:43 Housing and Conservation Planning Program Advisory Board Established.

30 I. There is hereby established the housing and conservation planning program advisory
31 board.

32 II. The advisory board shall review and comment on proposed rules and scoring criteria used
33 by the office of strategic initiatives to evaluate applications for matching grants.

34 III. The advisory board shall consist of:

35 (a) One member of the senate, appointed by the senate president.

36 (b) Two members of the house of representatives, appointed by the speaker of the house
37 of representatives.

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- (c) The commissioner of the department of natural and cultural resources, or designee.
- (d) The commissioner of the department of business and economic affairs, or designee.
- (e) The commissioner of the department of transportation, or designee.
- (f) One member appointed by each of the following entities:
 - (1) The New Hampshire housing finance authority.
 - (2) The New Hampshire community development finance authority.
 - (3) The current use board.
 - (4) The land and community heritage authority.
 - (5) The New Hampshire Municipal Association.
 - (6) The New Hampshire Association of Regional Planning Commission Executive Directors.
 - (7) The Business and Industry Association of New Hampshire.
 - (8) Housing Action New Hampshire.
 - (9) The Home Builders and Remodelers Association of New Hampshire.
 - (10) The New Hampshire Preservation Alliance.
 - (11) The Society for the Protection of New Hampshire Forests.
 - (12) Plan NH.
 - (13) New Hampshire Association of Realtors.

IV. Members of the advisory board shall serve without compensation, except that legislative members of the board shall receive mileage at the legislative rate when attending to the duties of the board.

4-C:44 Program Principles. The program shall be guided by the following principles. Awards of technical assistance funding shall be based on consistency with these principles:

- I. Consistency with smart growth principles in RSA 9-B:3.
- II. Development of a comprehensive growth and development strategy through which a municipality integrates housing and conservation planning.
- III. Planning for the full range of current and future housing needs for families of all income levels, as encouraged in RSA 672:1, III-e.
- IV. Planning for the protection of natural and historic resource values, as encouraged in RSA 36-A:2, including the preservation of working forests and farmlands as provided in RSA 672:1, III-b and III-c, and critical or sensitive natural areas and resources, including water resources as provided for in RSA 674:2, III(d).
- V. Evaluating these conservation and housing issues on a community-wide, site-by-site, and regional basis.
- VI. Understanding the interrelationship between natural resources and housing development in a municipality and the impact each has on the other.

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1 VII. Planning for and encouraging higher density, compact development and allowing for the
2 infrastructure needed to support such development.

3 VIII. Planning for and encouraging reuse of existing properties, especially historic
4 structures.

5 IX. Planning for and integrating the growth and development strategy into the
6 municipality's master plan and implementation into regulatory structure.

7 X. Encouragement of community input and education of citizens about the growth and
8 development strategy and the need to plan for future conservation and housing growth.

9 30 Effective Date.

10 I. Section 29 of this act shall take effect July 1, 2021.

11 II. The remainder of this act shall take effect 60 days after its passage.

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2021-1676s

AMENDED ANALYSIS

This bill:

I. Requires retail sellers, sale finance companies, small loan lenders, debt adjusters, and money transmitters to license and report through NMLA, and clarifies the filing deadlines for call reports under RSA 397-A.

II. Clarifies the circumstances under which background investigations are conducted for trust executive officers, and provides for removal of directors or officers by the commissioner.

III. Adjusts fees for filings by state chartered institutions.

IV. Requires payment of assessment by institutions seeking approval to dissolve or convert.

V. Establishes minimum interest rates tied to federal funds interest rates set by the Federal Open Market Committee.

VI. Authorizes the department to transmit consumer complaints via email rather than by certified mail.

VII. Establishes the New Hampshire housing and planning conservation program.