

CHAPTER 233  
SB 185 – FINAL VERSION

03/07/12 0500s  
22May2013... 1476h  
06/12/13 2179EBA

2013 SESSION

13-0897  
05/01

SENATE BILL **185**

AN ACT establishing a commission on housing policy and regulation.

SPONSORS: Sen. Odell, Dist 8; Sen. Bradley, Dist 3; Sen. Gilmour, Dist 12; Sen. Carson, Dist 14; Sen. Watters, Dist 4; Sen. Larsen, Dist 15; Sen. Stiles, Dist 24; Sen. Fuller Clark, Dist 21; Sen. Lasky, Dist 13; Sen. Pierce, Dist 5; Sen. Soucy, Dist 18; Sen. Hosmer, Dist 7; Rep. Grenier, Sull 7; Rep. Butler, Carr 7; Rep. Gale, Hills 28; Rep. French, Merr 6

COMMITTEE: Public and Municipal Affairs

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ANALYSIS

This bill establishes a commission on housing policy and regulation to identify and reduce legislative and administrative barriers to the creation of affordable housing.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Thirteen*

AN ACT                    establishing a commission on housing policy and regulation.

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

1            233:1 Declaration of Purpose.

2            I. The general court recognizes that housing construction is an important contributor to the  
3 state’s economic performance and that it will be an integral part of our economic recovery. Housing  
4 development employs many people in the construction trades, suppliers, manufacturers, and  
5 retailers, as well as those in service and professional sectors. The general court also recognizes that  
6 artificial limitations on our housing supply can have a serious negative impact on the state’s  
7 economy, both by limiting housing construction employment and by adding to the cost of housing,  
8 which in turn results in wage pressure experienced by employers. This situation threatens to  
9 undermine the state’s capacity for economic growth by limiting the ability of employers to attract and  
10 retain workers at all income levels.

11            II. The report of the commission established in 2001, 262, (“the commission”) identified a  
12 variety of factors that contribute to housing costs, and these factors were again identified in the  
13 report of the committee to study affordable housing established in 2006, 210. In response to those  
14 reports the general court enacted a workforce housing law, 2008, 299, to address the impact of local  
15 regulation on housing costs by recognizing that every municipality has an obligation to provide a  
16 reasonable and realistic opportunity for the development of housing that is affordable to working  
17 families.

18            III. In addition to local regulations, the commission also found that “State regulatory policies  
19 and practices and related activities that may have an indirect but significant impact on land use (i.e.  
20 environmental and transportation policy) also have an effect on the amount and cost of housing  
21 produced by the private market.” Consequently, the commission recommended creation of a study  
22 commission to identify and review state agency rules and regulatory policies that affect the cost of  
23 housing development or limit such development, with the goals of identifying ways of reducing the  
24 adverse impact of such rules and policies without reducing the state’s ability to protect its vital  
25 natural resources.

26            233:2 New Chapter; Commission on Housing Policy and Regulation. Amend RSA by inserting  
27 after chapter 19-L the following new chapter:

**CHAPTER 233**  
**SB 185 – FINAL VERSION**  
**- Page 2 -**

CHAPTER 19-M

COMMISSION ON HOUSING POLICY AND REGULATION

19-M:1 Commission Established. There is established a commission on housing policy and regulation, the purpose of which shall be to identify and reduce legislative and administrative barriers to the creation of affordable housing and to encourage the development thereof, including possible incentives to build such housing, in order to maintain safe, healthy, and diverse communities for all residents of New Hampshire.

I. The members of the commission shall be as follows:

(a) Two members of the senate, appointed by the senate president.

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

(c) Three public members, appointed by the governor, including a representative of a community-based, nonprofit housing developer, a representative of a market-rate rental housing developer, and a representative of natural resource conservation interests.

(d) The director of the office of energy and planning, or designee.

(e) The executive director of the New Hampshire housing finance authority, or designee.

(f) The commissioner of the department of health and human services, or designee.

(g) The commissioner of the department of environmental services, or designee.

(h) The commissioner of the department of transportation, or designee.

(i) The commissioner of the department of safety, or designee.

(j) The state historic preservation officer, or designee.

(k) The executive director of the New Hampshire Municipal Association, or designee.

(l) The president of the Home Builders and Remodelers Association of New Hampshire, or designee.

(m) The president of the New Hampshire Association of Realtors, or designee.

(n) The president of the New Hampshire Business and Industry Association, or designee.

(o) The chair of the New Hampshire Association of Regional Planning Commissions, or designee.

(p) The president of the New Hampshire community loan fund, or designee.

(q) The president of the New Hampshire Property Owners Association, or designee.

(r) The executive director of Granite State Independent Living, or designee.

(s) The director of Housing Action NH, or designee.

(t) The chairman of New Hampshire State Veterans Council, or designee.

(u) The president of the New Hampshire Manufactured and Modular Housing Association, or designee.

(v) The chairperson of the New Hampshire Housing Authorities Corporation, or

**CHAPTER 233**  
**SB 185 – FINAL VERSION**  
**- Page 3 -**

1 designee.

2 (w) The president of the New Hampshire Planners Association, or designee.

3 (x) The president of the New Hampshire Community Action Association, or designee.

4 (y) The commissioner of resources and economic development, or designee.

5 II. The legislative members of the commission shall receive mileage at the legislative rate  
6 when attending to the duties of the commission.

7 III. The commission shall:

8 (a) Identify unnecessary state regulatory policies, practices, and rules that create  
9 barriers to the production of affordable housing.

10 (b) Recommend legislation and changes to administrative rules that will encourage the  
11 creation of affordable housing, including possible incentives to build such housing, in order to  
12 maintain the health, safety, and diversity of local communities and residents of the state.

13 IV. The members of the commission shall elect a chair from among the members. The first  
14 meeting shall be called by the first-named senate member within 45 days of the effective date of this  
15 section. Nine members of the committee shall constitute a quorum.

16 V. The commission shall make an interim report on or before November 1, 2013 and a final  
17 report of its findings and any recommendations for proposed legislation to the president of the  
18 senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor,  
19 and the state library on or before November 1, 2014.

20 233:3 Repeal. RSA 19-M, relative to the commission on housing policy and regulation, is  
21 repealed.

22 233:4 Contingent Renumbering. If HB 602 of the 2013 regular legislative session becomes law,  
23 RSA 19-M as inserted by section 2 of this act and repealed by section 3 of this act shall be  
24 renumbered as RSA 19-N.

25 233:5 Effective Date.

26 I. Section 3 of this act shall take effect November 1, 2014.

27 II. The remainder of this act shall take effect upon its passage.

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29 Approved: July 15, 2013

30 Effective Date: I. Section 3 shall take effect November 1, 2014.

31 II. Remainder shall take effect July 15, 2013.