

HB 1165-FN-A – AS INTRODUCED

2014 SESSION

14-2536
10/05

HOUSE BILL ***1165-FN-A***

AN ACT relative to the citizen's petition for redress of grievances by the legislature;
 establishing a special fund, and making an appropriation therefor.

SPONSORS: Rep. Sandblade, Hills 18; Rep. O'Flaherty, Hills 12; Rep. Itse, Rock 10; Rep. Hoell,
 Merr 23

COMMITTEE: Judiciary

ANALYSIS

 This bill establishes a procedure for a member of the legislature to introduce a citizen's petition for redress of grievances. The bill also establishes a fund for compensation of petitioners and makes an appropriation to the fund.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the citizen's petition for redress of grievances by the legislature;
 establishing a special fund, and making an appropriation therefor.

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

1 1 New Subdivision; Citizen's Petition for Redress of Grievances; Awards; Fund. Amend RSA 14
2 by inserting after section 39-a the following new subdivision:

3 Citizen's Petition for Redress of Grievances

4 14:39-b Petitions for Redress of Grievances; Awards; Fund.

5 I. Any senator or representative may file with the director of legislative services a citizen's
6 petition for redress of grievances pursuant to part I, articles 31 and 32 of the New Hampshire
7 constitution that the legislator desires to introduce. The director shall notify each senator and
8 representative of the provisions of this section and of the drafting service available in the office of
9 legislative services.

10 II. The clerks of the house and of the senate, respectively, shall cause sufficient copies of
11 each citizen's petition for redress of grievances to be printed, and shall make copies available to
12 persons who request them.

13 III.(a) When a petition affects rights or interests of any person, or private corporation, notice
14 thereof shall be given by the house or senate clerk by delivering a copy of the petition to the person
15 or clerk, secretary, or agent of the corporation via registered U.S. Postal Service mail upon
16 introduction of the petition into the general court of New Hampshire and notice of any public hearing
17 by the general court of New Hampshire shall be given to such person 2 weeks prior to the public
18 hearing by registered U.S. Postal Service mail.

19 (b) When a petition affects the right or interests of a town or city, notice shall be given by
20 the house or senate clerk by delivering a copy of the petition to the clerk, secretary, at least one
21 selectman, or the mayor, as appropriate, and notice of any public hearing by the general court of
22 New Hampshire shall be given to such person 2 weeks prior to the public hearing by registered U.S.
23 Postal Service mail.

24 IV. Testimony or remonstance in a public hearing regarding any petition to the general
25 court of New Hampshire shall be given under pains and penalty of perjury, and an oath shall be taken
26 to that effect before the testimony or remonstance.

27 V. There is hereby established the redress of grievances compensation fund. Moneys in the
28 fund shall be nonlapsing and are continually appropriated to the general court for expenditure by
29 the committees of the house of representatives and senate with jurisdiction over a petition for
30 redress of a grievance. After deducting any administrative costs, the fund shall be used for making

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1 awards to redress grievances of petitioners as determined by majority vote of such house and senate
2 committees. The total amount in the fund, less costs of administration, shall be available to be
3 distributed on a pro rata basis to petitioners annually on December 31, or until an award is satisfied
4 as determined by the committees of the house of representatives and senate with jurisdiction over a
5 petition for redress of a grievance.

6 2 New Paragraph; Office of Legislative Services; Duty Added. Amend RSA 17-A:1 by inserting
7 after paragraph I the following new paragraph:

8 I-a. To draft citizens' petitions for redress of grievances to be introduced by members
9 pursuant to RSA 14:39-b, and to check and examine all citizens' petitions for redress of grievances
10 prior to final legislative adoption.

11 3 New Subparagraph; State Treasury; Accounts. Amend RSA 6:12, I(b) by inserting after
12 subparagraph 316 the following new subparagraph:

13 (317) Moneys held in the redress of grievances compensation fund under RSA 14:39-
14 b, V.

15 4 Appropriation; Redress of Grievances Compensation Fund. The sum of \$1,000,000 is hereby
16 appropriated to the general court for the redress of grievances compensation fund in RSA 14:39-b.
17 The governor is authorized to draw a warrant for said sum out of any money in the treasury not
18 otherwise appropriated.

19 5 Effective Date. This act shall take effect January 1, 2015.

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HB 1165-FN-A - FISCAL NOTE

AN ACT relative to the citizen's petition for redress of grievances by the legislature;
 establishing a special fund, and making an appropriation therefor.

FISCAL IMPACT:

The Office of Legislative Budget Assistant states this bill, **as introduced**, will increase state general fund expenditures and state restricted revenue by \$1,000,000 in FY 2015, and by an indeterminable amount in FY 2016 and each year thereafter, and may increase state restricted expenditures by an indeterminable amount in FY 2015 and each year thereafter. There will be no fiscal impact on county and local revenue and expenditures.

This bill appropriates \$1,000,000 from the state general fund to a newly-created Redress of Grievances Compensation Fund for the purposes of this act, effective January 1, 2015.

METHODOLOGY:

The Office of Legislative Budget Assistant states this bill establishes a procedure for members of the legislature to introduce citizens' petitions for redress of grievances, and establishes a Redress of Grievances Compensation Fund. The bill states that moneys in the fund shall be nonlapsing and continually appropriated. Administrative costs may be deducted from the fund, with the remainder available for distribution in the form of awards to redress petitioners' grievances. The bill appropriates \$1,000,000 from the state general fund for the fund in FY 2015.