

SB 83 – AS INTRODUCED

2015 SESSION

15-0896
08/01

SENATE BILL **83**

AN ACT relative to the powers of conservation commissions.

SPONSORS: Sen. Daniels, Dist 11; Rep. Weyler, Rock 13

COMMITTEE: Public and Municipal Affairs

ANALYSIS

This bill prohibits members of municipal conservation commissions from serving as agents of the municipality when gathering information about a property not acquired by the conservation commission.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the powers of conservation commissions.

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

1 1 Conservation Commission; Powers. Amend RSA 36-A:4, II to read as follows:

2 II. No commission, its members, or designee shall enter private ***or public*** property ***not***
3 ***received or acquired under paragraph I*** to gather data about the property for use in a wetlands
4 designation, prime wetlands designation, natural resource inventory report or map, or natural
5 heritage map without first obtaining permission of the property owner or agent, or a lawfully issued
6 warrant. Such permission may be oral or written, provided that record is made of oral authorization.
7 If consent for entry is denied, the conservation commission, or designee, may obtain an
8 administrative inspection warrant under RSA 595-B. ***A member of the conservation commission***
9 ***shall not be an agent of the municipality for purposes of entering the property under this***
10 ***paragraph.***

11 2 Effective Date. This act shall take effect 60 days after its passage.