

SB 448-FN - AS AMENDED BY THE SENATE

04/11/2024 1369s

04/11/2024 1473s

2024 SESSION

24-3072

11/05

SENATE BILL ***448-FN***

AN ACT relative to the Woodsville fire district.

SPONSORS: Sen. Gendreau, Dist 1; Sen. Gray, Dist 6; Sen. Watters, Dist 4; Sen. Avard, Dist 12; Sen. Murphy, Dist 16; Rep. Ouellet, Coos 3; Rep. A. Davis, Coos 2

COMMITTEE: Election Law and Municipal Affairs

AMENDED ANALYSIS

This bill establishes the Woodsville Fire District as a village district, with all rights, duties, and obligations of such a district. The bill also allocates responsibility for highway maintenance and fire protection between the district and town of Haverhill.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT relative to the Woodsville fire district.

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

1 1 Town of Haverhill; Woodsville Fire District. 1887, 204:1 - 204:4, as amended by 1899, 196:1 -
2 196:4; 1913, 313:1; 1990, 37:1; 2009, 147:1; and 2021, 124:1, is repealed and reenacted to read as
3 follows:

4 Section 1. The Woodsville fire district is hereby established as a village district governed by RSA
5 chapter 52 and shall have all the rights, duties, and obligations of a village district pursuant to such
6 chapter. The district shall be a body corporate and politic pursuant to such chapter. Woodsville is
7 established for the purposes set forth in RSA 52:1, I(a), (b), (c), (d), (e), (f), (g), (h), (i), (k), (m) and (n).

8 Section 2. The board of commissioners, and all other officers and officials of the Woodsville fire
9 district, shall have and hold their offices of the village district as though duly elected or appointed
10 pursuant to RSA chapter 52, until the next duly called annual meeting.

11 Section 3. The boundaries of the district shall be co-extensive with the boundaries of the existing
12 fire district established by the town of Haverhill board of selectmen on or about December 1, 1990.

13 Section 4. All obligations and liabilities of the fire district shall be the obligations and liabilities
14 of the village district. All legal or equitable interests in property of any kind, wherever located and
15 by whomever held belonging to the existing fire district shall vest, subject to all liens, claims and
16 encumbrances, in the village district.

17 2 Repeal. 1887, 204:5 – 204:13, as amended by 1899, 196:5-196:13, relative to the Woodsville
18 fire district, is repealed.

19 3 New Section; Town and Village District Expenses. Amend RSA 52 by inserting after section
20 52:1-a the following new section:

21 52:1-b Town and Village District Expenses. Any village district organized under the provisions
22 of this chapter may at a regular or special village district meeting vote to cooperate or act jointly
23 with other village districts or with towns to defray expenses and take other appropriate action
24 necessary to protect its interest in connection with purposes stated in RSA 52:1, I(a)-(n) for state and
25 local issues.

26 4 Highway Maintenance and Fire Protection Responsibilities; Woodsville Fire District.

27 I. Each year, the Woodsville fire district and not the town of Haverhill is responsible for
28 maintenance of class IV and V highways within its limits:

29 (a) The town shall compensate the district an amount determined by the following
30 formula:

1 (1) For each mile of class IV and V highway in the district, the district shall receive
2 50 percent of the average cost for Haverhill to maintain the class IV and class V highways in the
3 previous year, as determined by Haverhill's per mile expenditures for highway operations as
4 reported to the department of revenue administration; and

5 (2) The district shall receive 50 percent of the amount determined by a fraction of
6 the cost, calculated with reference to subparagraph (b), to maintain class IV and V highways, the
7 numerator of which shall be the assessed valuation of the properties in the district, and the
8 denominator of which shall be the assessed valuation of the properties in the entire town of
9 Haverhill as determined annually from the town's prior year MS-1 form.

10 (b) The calculation of the cost to maintain class IV and V highways set forth in
11 subparagraphs (a)(1) and (2) shall include items, including but not limited to, the cost of labor
12 (including benefits), road maintenance contracts, insurance, first line supervision, materials,
13 maintenance of equipment, and depreciation of equipment. The calculation of cost shall not include
14 any amount for highway capital projects.

15 (c) The district shall also receive a share of the state highway block grant funds received
16 by the town in the previous year, calculated according to the formulas in RSA 235:23, but based on
17 population and road mileage of the district compared to the population and road mileage of the
18 entire town of Haverhill.

19 (d) If district residents vote at an annual district meeting or special meeting to
20 relinquish to the town of Haverhill the district's responsibility respecting highways within its limits,
21 such vote shall take effect at the start of the next fiscal year, provided such date is at least 3 months
22 from the vote.

23 II. Each year the Woodsville fire district and not the town of Haverhill is responsible for fire
24 protection within its limits.

25 (a) The town shall compensate the district as follows:

26 (1) For every square mile of area covered by the district, one half of the average cost
27 for Haverhill to provide fire protection per square mile, in the previous year, for the area covered by
28 the town fire department; and

29 (2) For every resident covered by the district fire department, one half of the average
30 cost per capita to provide fire protection, in the previous year, to the residents covered by the town
31 fire department.

32 The cost to provide fire protection in subparagraphs (a)(1) and (2) shall be the total gross fire
33 budget of the town from the previous year.

34 (b) If district residents vote at an annual district meeting or special meeting to
35 relinquish to the town of Haverhill the district's responsibility respecting fire protection within its
36 limits, such vote shall take effect at the start of the next fiscal year, provided such date is at least 3
37 months from the vote.

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1 5 Applicability. Section 4 of this act shall apply to the town of Haverhill and the Woodsville fire
2 district and is suspended if agreements pursuant to RSA 52:1-b covering the issues in section 4 are
3 in effect.

4 6 Effective Date. This act shall take effect January 1, 2025.

SB 448-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to modifying the law on the operation and funding of the Woodsville Fire District and directing that appropriations for the Woodsville Fire District shall be as directed by warrant articles duly voted by district voters present and voting at each annual district meeting.

FISCAL IMPACT: ☐ State ☐ County ☒ Local ☐ None

Estimated Political Subdivision Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	\$0	\$0	\$0	\$0
Local Revenue	\$0	Indeterminable		
Local Expenditures	\$0	Indeterminable		

METHODOLOGY:

This bill modifies the law on the operation and funding of the Woodsville fire district and directs that appropriations for the Woodsville fire district shall be as directed by warrant articles duly voted by district voters present and voting at each annual district meeting.

The New Hampshire Municipal Association states this law alters the Woodsville fire district's operations and funding by directing a portion of the annual State highway block grant allocated to the Town of Haverhill to the Woodsville fire district, following the Department of Transportation formula. Currently, the Woodsville fire district does not receive a share of the State highway block grant under RSA 235:23.

For the fiscal year 2024, Haverhill is expected to receive a highway block grant payment of \$153,569.67 in four installments. The impact of this change on local expenditures for both the Woodsville fire district and the town of Haverhill depends on the miles of class IV and class V roads within the Woodsville fire district and its population. The resulting revenue increase would reduce the Woodsville fire district's local expenditures, while increasing expenditures for the town of Haverhill essentially redistributing existing revenues.

It is assumed any fiscal impact from this bill will not occur until after FY 2024.

AGENCIES CONTACTED:

New Hampshire Municipal Association

