

**SB 26 - VERSION ADOPTED BY BOTH BODIES**

03/11/2021 0765s

2021 SESSION

21-0527

06/10

**SENATE BILL 26**

AN ACT relative to roads within the Woodsville Fire District.

SPONSORS: Sen. Giuda, Dist 2; Sen. Watters, Dist 4; Sen. Birdsell, Dist 19; Rep. Binford, Graf. 15; Rep. Weyler, Rock. 13

COMMITTEE: Executive Departments and Administration

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**AMENDED ANALYSIS**

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

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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**STATE OF NEW HAMPSHIRE***In the Year of Our Lord Two Thousand Twenty One*

AN ACT relative to roads within the Woodsville Fire District.

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

1 Town of Haverhill; Woodsville Fire District. Amend 1887, 204:3, as amended by 1899, 196:2; 1990, 37:1; and 2009, 147:1 to read as follows:

SECT. 3. Said district at each annual meeting shall elect by ballot a moderator, a clerk, one auditor, a treasurer, and three commissioners. All of said officers shall be elected by a majority vote of all the voters present and voting at the annual meeting. Said officers shall exercise in relation to district meetings the like powers to those of moderator, clerk, and selectmen of towns. The commissioners shall have within the district all the powers of the mayor and aldermen of any city respecting highways, sidewalks, and sewers. They shall control and direct the expenditure of all moneys raised under authority of the district and by the town of Haverhill for expenditure in the district. They shall have sole authority to appoint a highway surveyor in said district, and in default of such appointment shall themselves perform the duties of that office. The surveyor or commissioners performing the duties of highway surveyor in the district shall give bond to the town to account for all money coming into their hands, and for the proper care and custody of the property of the town or district which may come into their custody or control, and shall be deemed officers of the town. Nothing in this act shall be construed to impose any distinct or special liability upon the district respecting highways within its limits. ***Nothing in this section shall preclude the Woodsville fire district from maintaining the roads within the precinct at its own expense.*** Vacancies that may occur in the office of commissioner in the district shall be filled by appointment of the remaining commissioners or commissioner, but any commissioner appointed to fill a vacancy shall hold office only until the next annual district

meeting. Commissioners shall be residents of the district. ~~[The money appropriated for the distribution of highway funds in the district which is attributable to the town of Haverhill shall be determined by a fraction, the numerator of which shall be the assessed valuation of the properties in the district, and the denominator of which shall be the assessed valuation of the properties in the entire town of Haverhill as determined annually from the town MS-1 form. The town of Haverhill shall appropriate the percentage represented by such fraction for distribution to the highway fund in care of the Woodsville fire district commissioners.]~~ ***Highway block grant funds shall be distributed in accordance with the department of transportation formula. Any appropriations to the Woodsville fire district shall be as directed by warrant articles duly voted by the voters present and voting at each annual Haverhill town meeting.***

2 Financial Audit Requirement. No later than one year after the effective date of section 1 of this act, the Woodsville fire district shall provide financial audits by a certified public accountant approved by the department of revenue administration that is compliant with generally accepted accounting practices (GAAP), of all funds received from the town of Haverhill and all other sources including state and federal funds, and of all funds expended by the fire district, for each calendar year commencing January 1, 2015 to the effective date of section 1 of this act, as directed by the department of revenue administration. The department of revenue administration shall approve the scope of the audit and shall receive monthly updates from the certified public accountant and the Woodsville fire district on the status of the audit while it is in progress. The results of the audit shall be published on the town of Haverhill website within 60 days of delivery by the certified public accountant to the Woodsville fire district and the department of revenue administration. The audit shall be at the expense of the Woodsville fire district. Reimbursement of any expenses related to the audit incurred by the department of revenue administration shall be in accordance with the provisions of RSA 21-J:22. The department of revenue administration may levy a fine of \$250 per day against the Woodsville fire district for every day of noncompliance with this act beyond one year from the effective date of this act. The commissioner may waive such fine at his or her discretion, subject to the good faith efforts of the Woodsville fire district to comply with all relevant laws and the provisions of this act.

3 Effective Date. This act shall take effect upon its passage.