



Rep. Hawkins, Hills. 18
April 24, 2009
2009-1411h
03/10

Amendment to HB 183

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to removal of town officers and relative to charter limitations on the
4 growth of budgets and taxes.
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6 Amend the bill by inserting after section 1 the following and renumbering the original section 2 to
7 read as 5:

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9 2 New Section; City Charters; Limitations on the Growth of Budgets and Taxes. Amend
10 RSA 49-C by inserting after section 23 the following new section:

11 49-C:23-a Limitations on the Growth of Budgets and Taxes. A city charter may provide for
12 limitations on the growth of one or more of the following: the annual city budget, the annual school
13 budget if the school district is contained entirely within the city, or taxes raised by the city. Any
14 charter adopting such limitations shall authorize the elected body to override any such limitation by
15 2/3 vote of all members of the elected body or 2/3 vote of all members of the elected body present and
16 voting.

17 3 New Section; Town Charters; Limitations on the Growth of Budgets and Taxes. Amend
18 RSA 49-D by inserting after section 5 the following new section:

19 49-D:6 Limitations on the Growth of Budgets and Taxes.

20 I. Any town that by charter has adopted the town council form of government authorized
21 under RSA 49-D:3, I, may adopt, amend, or revise its charter to provide for limitations on the growth
22 of one or more of the following: the annual town budget, the annual school budget if the school
23 district is contained entirely within the town, or taxes raised by the town. Any charter adopting
24 such limitations shall authorize the elected body to override any such limitation by 2/3 vote of all
25 members of the town council.

26 II. Any town that by charter has adopted the official ballot town council form of government
27 authorized under RSA 49-D:3, I-a, may adopt, amend, or revise its charter to provide for limitations
28 on the growth of one or more of the following: the annual town budget, the annual school budget if
29 the school district is contained entirely with the town, or taxes raised by the town. Any charter
30 adopting such limitations shall authorize the elected body to override any such limitation by 2/3 vote
31 of all members of the town council. No matter to be voted on by official ballot may be subject to a
32 supermajority voting requirement.

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1 III. Any town that by charter has adopted the representative town meeting form of
2 government authorized under RSA 49-D:3, III, may adopt, amend, or revise its charter to provide for
3 limitations on the growth of one or more of the following: the annual town budget, the annual school
4 budget if the school district is contained entirely with the town, or taxes raised by the town. Any
5 charter adopting such limitations shall authorize the elected body to override any such limit by 2/3
6 vote of all members of the representative town meeting.

7 4 Effect of Previously Adopted Charter Provisions.

8 I. Any city charter provision adopted prior to the effective date of section 2 of this act and
9 that is generally consistent with the authority contained in RSA 49-C:23-a, as inserted by section 2
10 of this act, shall remain in effect and be considered validly adopted under authority delegated by the
11 laws of this state.

12 II. Any town charter provision adopted prior to the effective date of section 3 of this act and
13 that is generally consistent with the authority contained in RSA 49-D:6, as inserted by section 3 of
14 this act, shall remain in effect and be considered validly adopted under authority delegated by the
15 laws of this state.



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AMENDED ANALYSIS

This bill:

I. Repeals the law authorizing selectmen to remove a collector of taxes, town clerk, or treasurer who the selectmen judge to be insane or otherwise incapacitated.

II. Authorizes cities and towns to adopt charter provisions establishing limitations the growth of budgets and taxes.