

Amendment to HB 373-LOCAL

1 Amend the bill by replacing section 1 with the following:

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3 1 Choices and Duties of Town Officers; Selectmen; Town Property. Amend RSA 41:11-a, II, to  
4 read as follows:

5 II. The authority under paragraph I shall include the power to rent or lease such property  
6 during periods not needed for public use, [~~provided, however, that any rental or lease agreement for~~  
7 ~~a period of more than one year shall not be valid unless ratified by vote of the town.~~] ***subject to the***  
8 ***following provisions:***

9 (a) ***If the proposed lease is for one year or less, then the selectmen may lease the***  
10 ***property without further action by the legislative body;***

11 (b) ***If the proposed lease is for more than one year but no greater than 5 years,***  
12 ***then the legislative body may vote to authorize the selectmen to enter into the proposed***  
13 ***lease for a specific municipal property by majority vote; or***

14 (c) ***If the proposed lease is for more than 5 years, then the legislative body may***  
15 ***vote by a 3/5 majority at an annual or special meeting to grant the selectmen the authority***  
16 ***to rent or lease a specific municipal property for an amount of time specified in the***  
17 ***question, not to exceed 99 years. Voting on the question shall be by ballot, but the question***  
18 ***shall not be placed on the official ballot used to elect officers, except in the case of a***  
19 ***legislative body that uses an official ballot form of meeting under RSA 40:13 or under a***  
20 ***charter adopted pursuant to RSA 49-D. Polls shall remain open and ballots shall be***  
21 ***accepted by the moderator for a period of not less than one hour following the completion***  
22 ***of discussion on the question.***

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AMENDED ANALYSIS

This bill:

I. Requires selectmen to attain an approval vote to rent or lease a specified real property owned by the town for a period of more than one year and up to 5 years.

II. Requires selectmen to attain a 3/5 majority ballot vote to rent or lease a specified real property owned by the town for a period of more than 5 years and up to 99 years.

III. Provides that selectmen can enter into leases of any real property owned by the town for up to one year without action by the legislative body, and that selectmen may be granted universal authority by an approval vote of the legislative body to enter into leases of any real property owned by the town for up to 5 years.