

Sen. Giuda, Dist 2
Sen. Watters, Dist 4
February 25, 2020
2020-0862s
06/10

Floor Amendment to SB 414

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

2
3 AN ACT relative to roads within the Woodsville Fire District.
4

5 Amend the bill by replacing all after the enacting clause with the following:
6

7 1 Town of Haverhill; Woodsville Fire District. Amend 1887, 204:3, as amended by 1899, 196:2;
8 1990, 37:1; and 2009, 147:1 to read as follows:

9 SECT. 3. Said district at each annual meeting shall elect by ballot a moderator, a clerk, one
10 auditor, a treasurer, and three commissioners. All of said officers shall be elected by a majority vote
11 of all the voters present and voting at the annual meeting. Said officers shall exercise in relation to
12 district meetings the like powers to those of moderator, clerk, and selectmen of towns. The
13 commissioners shall have within the district all the powers of the mayor and aldermen of any city
14 respecting ~~[highways,]~~ sidewalks~~[,]~~ and sewers. They shall control and direct the expenditure of all
15 moneys raised under authority of the district and by the town of Haverhill for expenditure in the
16 district. ~~[They shall have sole authority to appoint a highway surveyor in said district, and in~~
17 ~~default of such appointment shall themselves perform the duties of that office. The surveyor or~~
18 ~~commissioners performing the duties of highway surveyor in the district shall give bond to the town~~
19 ~~to account for all money coming into their hands, and for the proper care and custody of the property~~
20 ~~of the town or district which may come into their custody or control, and shall be deemed officers of~~
21 ~~the town. Nothing in this act shall be construed to impose any distinct or special liability upon the~~
22 ~~district respecting highways within its limits.]~~ Vacancies that may occur in the office of
23 commissioner in the district shall be filled by appointment of the remaining commissioners or
24 commissioner, but any commissioner appointed to fill a vacancy shall hold office only until the next
25 annual district meeting. Commissioners shall be residents of the district. ~~[The money appropriated~~
26 ~~for the distribution of highway funds in the district which is attributable to the town of Haverhill~~
27 ~~shall be determined by a fraction, the numerator of which shall be the assessed valuation of the~~
28 ~~properties in the district, and the denominator of which shall be the assessed valuation of the~~
29 ~~properties in the entire town of Haverhill as determined annually from the town MS-1 form. The~~
30 ~~town of Haverhill shall appropriate the percentage represented by such fraction for distribution to~~
31 ~~the highway fund in care of the Woodsville fire district commissioners.]~~ ***The town of Haverhill***

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1 *shall be responsible for the care and maintenance of all roads within its boundaries,*
2 *including all precincts and districts. Highway block grant funds shall be distributed in*
3 *accordance with the department of transportation formula, and all other appropriations*
4 *shall be as directed by warrant articles duly voted by the voters present and voting at each*
5 *annual Haverhill town meeting.*

6 2 Financial Audit Requirement. No later than one year after the effective date of section 1 of
7 this act, the Woodsville fire district shall provide a financial audit by a certified public accountant
8 approved by the department of revenue administration that is compliant with generally accepted
9 accounting practices (GAAP), of all funds received from the town of Haverhill and all other sources
10 including state and federal funds, from January 1, 2015 to the effective date of section 1 of this act,
11 as directed by the department of revenue administration. The department of revenue
12 administration must approve the scope of the audit and shall receive monthly updates from the
13 certified public accountant and the Woodsville fire district on the status of the audit while it is in
14 progress. The results of the audit shall be published on the town of Haverhill website within 60 days
15 of delivery by the certified public accountant to the Woodsville fire district and the department of
16 revenue administration. The audit shall be at the expense of the Woodsville fire district.
17 Reimbursement of any expenses related to the audit incurred by the department of revenue
18 administration shall be in accordance with the provisions of RSA 21-J:22. The department of
19 revenue administration may levy a fine of \$250 per day against the Woodsville fire district for every
20 day of noncompliance with this act beyond one year from the effective date of this act. The
21 commissioner may waive such fine at his or her discretion, subject to the good faith efforts of the
22 Woodsville fire district to comply with all relevant laws and the provisions of this act.

23 3 Effective Date. This act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill:

- I. Deletes the authority of the Woodsville fire district over highways within the district.
- II. Requires the town of Haverill to assume responsibility for the care and maintenance of roads within the Woodsville fire district.
- III. Requires the Woodville fire district to provide a financial audit of all funds received from the town of Haverhill.