

Rep. Wherry, Hills. 13
Rep. Pauer, Hills. 36
January 29, 2026
2026-0408h
09/08

Amendment to HB 1213

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

2

3 AN ACT relative to the number, selection, and terms of town highway agents and relative to
4 the appointment of an expert highway agent.

5

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

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8 1 Repair of Highways by Town; Highway Agents. Amend RSA 231:62 to read as follows:

9 231:62 Highway Agents. Unless the town votes to establish a board of public works
10 commissioners under RSA 38-C to perform the duties of highway agents, ***also known as road***
11 ***agents***, at the annual meeting, or less often if a town has so provided pursuant to RSA 231:62-a [~~or~~
12 ~~231:62-b~~], each town shall elect by ballot, or by [~~major~~] ***majority*** vote authorize the selectmen to
13 appoint, one or more highway agents, who, under the direction of the selectmen, shall have charge of
14 the construction, maintenance, and repair of all town highways and bridges and the maintenance
15 and repair of all sidewalks within the town, except as provided in the laws pertaining to state aid for
16 highways and bridges and town road and bridge aid, and shall have authority to employ the
17 necessary men and equipment, and purchase timber, planks, and other material for construction and
18 repair of such highways and bridges; and they may remove gravel, rocks, or other materials from one
19 part of the town to another, doing no damage to adjoining land, for the purpose of grading or
20 otherwise repairing the same. ***The town shall have one elected highway agent for a one year***
21 ***term, unless the town decides by majority vote to change that arrangement, pursuant to***
22 ***RSA 231:62-a, or unless the town decides to adopt the provisions of RSA 231:64 for an expert***
23 ***agent. The terms of highway agents shall be 1, 2, or 3 years, which may be changed***
24 ***pursuant to RSA 231:62-a.*** A vote authorizing appointment of highway agents shall continue in
25 effect until changed by [~~major~~] ***majority*** vote at an annual [~~or special~~] meeting, ***pursuant to RSA***
26 ***231:62-a.***

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28 Amend the bill by inserting after section 3 the following and renumbering the original sections 4-6 to
29 read as 5-7, respectively:

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31 4 Repair of Highways by Towns; Expert Agent. Amend RSA 231:64 to read as follows:

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1 231:64 Expert Agent. The town may vote at the annual meeting to instruct its selectmen to
2 appoint an expert highway agent, who, under the direction of the selectmen, shall have the same
3 power and perform the same duties as a highway agent elected by the town, *or may vote to rescind*
4 *such authorization. The expert highway agent shall hold office at the pleasure of the*
5 *selectmen and until his successor is appointed and qualified. In a town that has adopted*
6 *an official ballot, the official ballot shall be used for the question proposed at any annual*
7 *meeting on adopting or rescinding this section. The wording of the question for adopting*
8 *this section shall be: "Shall the town authorize the selectmen to appoint an expert highway*
9 *agent serving at the pleasure of the selectboard pursuant to RSA 231:64, instead of having*
10 *(elected or appointed) highway agents with specified terms?" The wording of the question*
11 *for rescinding this authorization shall be: "Shall the town rescind the authorization for*
12 *the appointment of an expert highway agent by the selectmen pursuant to RSA 231:64,*
13 *returning to (number) highway agent(s) being (selectmen appointed or elected by the*
14 *voters) serving for (1, 2, or 3) year terms?" If the town has not adopted an official ballot,*
15 *the clerk shall cause the same question to be printed upon special ballots which shall be*
16 *used to determine the vote of the town.*

17
18 Amend the bill by replacing section 6 with the following:

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20 6 Applicability. RSA 231:62, RSA 231:62-a, RSA 231:62-b, and RSA 231:64 as amended by
21 sections 1, 2, 4, and 5 of this act, shall not change the existing number, method of selection, or terms
22 of town highway agents, and shall not require local amendment or readoption by the town.

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AMENDED ANALYSIS

This bill modifies the methods for determining the number of town highway agents, their method of selection, and the length of their terms. This bill further allows a town to rescind authorization for the appointment of an expert highway agent and provides additional requirements to govern the appointment and authorization processes.