

**HOUSE BILL No.** 18

**INTRODUCED BY:** Rep. Dudley of Strafford Dist. 4

**REFERRED TO:** Committee on Municipal and County Government.

**AN ACT** requiring local approval prior to approval of site plans for oil refineries.

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**ANALYSIS**

This bill would require a vote of approval of a majority of the town's voters prior to the approval of a site plan for an oil refinery. It would require similar approval of two-thirds of a city council or a majority of the voters in a city prior to site plan approval of an oil refinery in a city. In a city, a referendum could be held if the city council votes to submit the question to the voters at a regular or special election, or if ten percent of the registered voters petition the city council to place said question on the ballot at a regular or special election. The city council would be bound by the outcome of the referendum.

STATE OF NEW HAMPSHIRE

*In the year of Our Lord one thousand  
nine hundred and seventy- four*

AN ACT

requiring local approval prior to approval  
of site plans for oil refineries.

*Be it Enacted by the Senate and House of Represen-  
tatives in General Court convened:*

1 Local Approval Required. Amend RSA 162-F by inserting after  
section 1-a the following new sections:

162-F:1-b Approval by Towns. A site plan for an oil refinery shall  
not be approved and an oil refinery shall not be located in any town which  
does not have a zoning ordinance in effect without a vote of approval of  
a majority of the voters present and voting on the question at an annual  
or special town meeting called for such purpose.

162-F:1-c Approval by Cities. A site plan for an oil refinery shall not  
be approved and an oil refinery shall not be located in any city which does  
not have a zoning ordinance in effect without a vote of approval as hereafter provided:

I. A site plan for an oil refinery may be approved by a two-thirds  
vote of the entire governing body of any city; or

II. If the governing body of a city should vote to place the question  
of whether or not to approve the location of an oil refinery in said city  
on the ballot for referendum, they may place said question on the ballot to  
be voted upon at any regular municipal or biennial election, or at a special

election called for the purpose of voting on said question. Such special election shall be held at the usual ward polling places by the regular city election officers. Should a referendum be held, the following question shall be placed on the ballot: "Shall an oil refinery be permitted within the city of ( )?" Said question shall be printed in the form prescribed by RSA 59:12-a. If a majority of those voting on the question shall vote in the affirmative, then such approval shall be deemed granted and the governing body of the city shall be bound by the outcome; or

III. Upon submission to the governing body of a city of a petition signed by ten percent of the registered voters of said city requesting a referendum on the question of whether or not an oil refinery should be located in said city, the governing body shall direct that such question appear on the ballot at the next regular municipal or biennial election. If said petition is submitted at any time prior to two months before the next regular municipal or biennial election, the governing body shall direct that a special election be called. The election procedure and the form of the question shall be as provided in paragraph II. If a majority of those voting on the question shall vote in the affirmative, then such approval shall be deemed granted and the governing body of the city shall be bound by the outcome.

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