

# Bill as Introduced

HB 366 - AS INTRODUCED

2011 SESSION

11-0311  
06/10

HOUSE BILL           **366**

AN ACT               relative to the jurisdiction of counties concerning retail electric supply.

SPONSORS:           Rep. Ladd, Graf 5; Rep. Ingbretson, Graf 5; Rep. Gionet, Graf 3; Rep. Almy,  
Graf 11; Rep. Aguiar, Graf 6

COMMITTEE:          Municipal and County Government

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ANALYSIS

This bill permits certain county governments to access certified competitive retail electric supply markets.

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Explanation:        Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~(in brackets and struck through)~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

**STATE OF NEW HAMPSHIRE**

*In the Year of Our Lord Two Thousand Eleven*

**AN ACT** relative to the jurisdiction of counties concerning retail electric supply.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1       1 New Paragraph; Jurisdiction of Counties. Amend RSA 23:1-a by inserting after paragraph III  
2 the following new paragraph:

3           IV. Any county government located within the service territory of a municipal electric utility  
4 established prior to July 1, 1997 that does not voluntarily unbundle its rates and allow access to  
5 competitive retail electric supply markets as provided in RSA 38:34, shall have access to such  
6 markets and may negotiate competitive, reasonable, unbundled rates on behalf of the towns and  
7 cities within its boundaries.

8       2 Effective Date. This act shall take effect 60 days after its passage.

# Hearing Minutes

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 366

**BILL TITLE:** relative to the jurisdiction of counties concerning retail electric supply.

**DATE:** February 10, 2011

**LOB ROOM:** 301      **Time Public Hearing Called to Order:** 11:17 am

**Time Adjourned:** 11:27 am

(please circle if present)

**Committee Members:** Reps. ~~Ferrante, Sterling, B. Patten, Lockwood, Accornero, Belanger~~ Burt, ~~Coffey, Copeland, Moore, Munck, Shackett, Stroud, DeStefano~~ Roberts, ~~Hooper and Catro.~~

**Bill Sponsors:** Rep. Ladd, Graf 5; Rep. Ingretson, Graf 5; Rep. Gionet, Graf 3; Rep. Almy, Graf 11; Rep. Aguiar, Graf 6

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

**Rep. Patten** for the sponsors

**Rep. Munck** – Support – Explained about unbundled electric purchasing.

**Betsey Miller** for NH Counties Association –Support - Grafton County has a project and can't unless the utility voluntarily unbundles their rates which it will, Woodsville Power and Light will not.

Respectfully submitted,



Rep. Philip Munck  
Clerk

HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

PUBLIC HEARING ON HB 366

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**DATE:** 2-10-11

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**Time Adjourned:** 11:27

(please circle if present)

**Committee Members:** Reps. Ferrante, Sterling, B. Patten, Lockwood, Accornero, Belanger, Burt, Coffey, Copeland, Moore, Munck, Shackett, Stroud, DeStefano, Roberts, Hooper and Tatro

**Bill Sponsors:** Rep. Ladd, Graf 5; Rep. Ingbretson, Graf 5; Rep. Gionet, Graf 3; Rep. Almy, Graf 11; Rep. Aguiar, Graf 6

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

HB366

Rep. Patten for the sponsors -

Rep. Munck – Support – Explained about unbundled electric purchasing.

Betsy Miller for NH Counties Association – Grafton County has a project and can't unless the utility voluntarily unbundles their rates which it will Woodsville Power and Light will not.

# Voting Sheets



HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 366

**BILL TITLE:** relative to the jurisdiction of counties concerning retail electric supply.

**DATE:** February 24, 2011

**LOB ROOM:** 301

**Amendments:**

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Sterling

Seconded by Rep. Ferrante

Vote: 15-0 (Please attach record of roll call vote.)

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

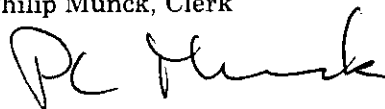
**CONSENT CALENDAR VOTE:** YES NO (Please circle)

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. Philip Munck, Clerk



HOUSE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

EXECUTIVE SESSION on HB 366

BILL TITLE: relative to the jurisdiction of counties concerning retail electric supply.

DATE: 2/24/11

LOB ROOM: 301

Amendments:

Sponsor: Rep. OLS Document #:  
Sponsor: Rep. OLS Document #:  
Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. *Sterling*

Seconded by Rep. *Ferrante*

Vote: 15-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: YES NO (Please circle)

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Philip Munck, Clerk

MUNICIPAL AND COUNTY GOVERNMENT

Bill #: HB 366 Title: Jurisdiction of Counties - retail electric

PH Date: 2, 10, 11 Exec Session Date: 2, 24, 11

Motion: TTL Amendment #: \_\_\_\_\_

MEMBER	YEAS	NAYS
Ferrante, Beverly A, Chairman	✓	
Sterling, Franklin W, V Chairman	✓	
Patten, Betsey L	<i>absent</i>	
Lockwood, Priscilla P	✓	
Accornero, Harry	✓	
Belanger, James P	✓	
Burt, John A	✓	
Coffey, James E	✓	
Copeland, Timothy D	✓	
Moore, Robert W	✓	
Munck, Philip L	<i>absent</i>	
Shackett, Jeffrey S	✓	
Stroud, Kathleen M	✓	
DeStefano, Stephen T	✓	
Roberts, Kris E	✓	
Hooper, Dorothea D	✓	
Tatro, Bruce L	✓	
TOTAL VOTE:		150

# Committee Report

**CONSENT CALENDAR**

**February 28, 2011**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

**The Committee on MUNICIPAL AND COUNTY  
GOVERNMENT to which was referred HB366,**

**AN ACT relative to the jurisdiction of counties  
concerning retail electric supply. Having considered  
the same, report the same with the following**

**Resolution: RESOLVED, That it is INEXPEDIENT TO  
LEGISLATE.**

**Rep. Franklin W Sterling**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

Committee:	<b>MUNICIPAL AND COUNTY GOVERNMENT</b>
Bill Number:	<b>HB366</b>
Title:	<b>relative to the jurisdiction of counties concerning retail electric supply.</b>
Date:	<b>February 28, 2011</b>
Consent Calendar:	<b>YES</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

### STATEMENT OF INTENT

This bill seeks to enhance the authority of the counties to “exercise the full jurisdiction” over public utilities( water and sewage disposal and treatment) that are essential to the safe operation of county buildings by including municipal electric utilities to the list of services enumerated in RSA 23:1. This bill further mandates that the municipal electric utilities within the county unbundle in direct opposition to RSA 38:34 which allows for the “voluntary” unbundling of there rates. No evidence as to the economies to be derived by the county nor any economic impact to the municipal electric utility was presented to the committee, without such testimony and without compelling evidence as to the necessity of the mandate the committee voted to recommend ITL.

Vote 15-0.

Rep. Franklin W Sterling  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## **CONSENT CALENDAR**

### **MUNICIPAL AND COUNTY GOVERNMENT**

**HB366**, relative to the jurisdiction of counties concerning retail electric supply. **INEXPEDIENT TO LEGISLATE.**

Rep. Franklin W Sterling for MUNICIPAL AND COUNTY GOVERNMENT. This bill seeks to enhance the authority of the counties to "exercise the full jurisdiction" over public utilities( water and sewage disposal and treatment) that are essential to the safe operation of county buildings by including municipal electric utilities to the list of services enumerated in RSA 23:1. This bill further mandates that the municipal electric utilities within the county unbundle in direct opposition to RSA 38:34 which allows for the "voluntary" unbundling of there rates. No evidence as to the economies to be derived by the county nor any economic impact to the municipal electric utility was presented to the committee, without such testimony and without compelling evidence as to the necessity of the mandate the committee voted to recommend ITL. **Vote 15-0.**

Original: House Clerk  
Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: Man. & Cty Gov't

BILL NUMBER: HB 366

TITLE: Jurisdiction of counties - electrical supply

DATE: 2/24/11 CONSENT CALENDAR: YES  NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2<sup>nd</sup> year of biennium)

Amendment No.  
\_\_\_\_\_

STATEMENT OF INTENT:

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*Handwritten signature/initials*

COMMITTEE VOTE: 15-0

- Copy to Committee Bill File
- Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,  
Rep. Therese Sterling  
For the Committee

*Handwritten signature: Sterling*



HB 366

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